



# IndiaWilds Newsletter

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## Wildlife Preservation: A few good pointers from the Hon'ble Supreme Court's Judgment

The Hon'ble Supreme Court of India has rightly understood the survival challenges of the Asiatic Lion and has allowed the relocation of Asiatic lions from Gujarat to Kuno Wildlife Sanctuary in Madhya Pradesh to the joy of conservationists who are interested in the welfare of the lions. The judgment contains many of the facts and logic which we had espoused. It helped that the original researcher Dr. Ravi Chellam had spent considerable time in the court to help with his inputs. Our wildlife need many such champions!



**Lion at Gir National Park, Gujrat**

**Photo - Anand Madabhushi**

The Hon'ble Supreme Court's judgment is a landmark and is expected to make a paradigm change in conservation in India.



## **National Board for Wildlife:**

The Hon'ble Supreme Court has ensured the supremacy and relevance of the National Board for Wildlife (NBWL) and has said that "NBWL is, therefore, the top most scientific body established to frame policies and advise the Central and State Governments on the ways and means of promoting wild life conservation and to review the progress in the field of wild life conservation in the country and suggesting measures for improvement thereto. The Central and the State Governments cannot brush aside its opinion without any cogent or acceptable reasons. Legislation in its wisdom has conferred a duty on NBWL to provide conservation and development of wild life and forests."

However when we look at the working of the NBWL, we find that of late several projects have been hastily passed by the NBWL which impact our environment and wildlife. In those situations it has been found that the independent members hardly get time to go through the issues as the agenda and notes are sent hardly a day before the meeting. Also there have been allegations that the Hon'ble Minister has pushed through issues as accepted despite the protests of the members. In the recent judgment, the Supreme Court had noted that the decision to introduce the African Cheetah – an alien species – in India was not routed through the NBWL. During the course of the arguments the Hon'ble Supreme Court had also noted that a decision is not unanimous and had asked for another view by the NBWL. So experts in the NBWL should take note of this part of the Supreme Court's judgment where in it has said "NBWL has a duty to promote conservation and development of wildlife and frame policies and advise the Central Government and the State Governments on the ways and importance of promoting wildlife conservation. It has to carry out/make assessment of various projects and activities on wildlife or its habitat. NBWL has also to review from time to time the progress in the field of wildlife conservation in the country and suggest measures for improving thereto."

So the NBWL members should remind the chairperson about the duties of the NBWL and always record a dissent note if they don't agree on any issue. In reality, members often take to the media to voice their dissension openly or simply leaking the proceedings without their name. A duly recorded official dissent note can be invaluable when the issue comes up before the court.

The Hon'ble SC has also mentioned that "This Court, sitting in the jurisdiction, is not justified in taking a contrary view from that of NBWL." This is of great significance. When the Hon'ble Supreme Court is not taking a contrary view from that of NBWL, can the Hon'ble Minister for MoEF take contrary view and overrule the NBWL and pass destructive projects. It would be pertinent to mention that in the past, the Hon'ble Minister for Environment and Forests overruled the NBWL to allow mining in the dense forests of Chiria, which is a critical elephant corridor and is also home to mega carnivores.

After the SC judgment the decisions taken in the NBWL assume great significance. Hence, the non-official or independent members of NBWL have a great responsibility so they should diligently study the agenda and issues and contribute towards the successful working of NBWL. Since most of the time these members are busy in their respective fields, in case, personal commitments results in the members not being able to give time, then they should give up their positions and cease to become members of NBWL. It is not only an honour but also a grave responsibility to the Nation.



Sabyasachi Patra  
Email—  
[sabyasachi.patra@indiawilds.com](mailto:sabyasachi.patra@indiawilds.com)

[www.indiawilds.com](http://www.indiawilds.com)

## Development Vs Conservation Battle:

It is to be noted that the Hon'ble Supreme Court has cited the Convention on Biological Diversity in the judgment to note that conservation of biological diversity is an integral part of our development process. "Conventions on Biological Diversity, signed in the year 1962 at Rio Summit, recognized for the first time in International Law that the conservation of biological diversity is "a common concern of human kind" and is an integral part of the development process."

Unfortunately, the present UPA Government as well as the Hon'ble Prime Minister has several times made statements blaming the lack of economic growth to the infrastructure projects not being given environment and forest clearance by MoEF. The Hon'ble PM wants our environment and forests to be sacrificed for the needs of our industries. He has even constituted a National Investment Board which will overrule the MoEF and expedite clearances.

It is unfortunate that our planning is not taking into consideration the adverse ecological impact of our actions like deforestation, draining and drying wetlands, constructing dams and diverting flow of rivers, mining, , degradation of our fresh water resources, steep decline of the fertility of our soils, improper cropping patterns and their impact etc. India which was self-sustained in everything a mere century ago is now import dependent on virtually everything including various fruits and farm produce. In a knee jerk move, the Government is actively pushing for organized retail, rather than resolving the basic issues of production, storage and transport logistics. It is imperative that the Government has to take a holistic perspective and take into consideration the impact of our environment and forests before considering any move.

## No Anthropocentric Approach:

Our approach towards wildlife preservation is flawed. Infact, instead of focusing on preservation, we talk of conservation, sustainability etc. This clearly views our environment and wildlife as a resource for humans. The Hon'ble Supreme Court has delivered a landmark judgment and has clearly defined that our view should not be anthropocentric but ecocentric. The judgement says "While giving effect to the various provisions of the Wildlife Protection Act, the Centrally Sponsored Scheme 2009, the NWAP 2002-2016 our approach should be eco-centric and not anthropocentric."

"Sustainable development, it has been argued by various eminent environmentalists, clearly postulates an anthropocentric bias, least concerned with the rights of other species which live on this earth. Anthropocentrism is always human interest focused thinking that non-human has only instrumental value to humans, in other words, humans take precedence and human responsibilities to non-human are based benefits to humans. Ecocentrism is nature-centred, where humans are part of nature and non-humans have intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. Ecocentrism is, therefore, life-centred, nature-centred where nature includes both humans and non-humans."

This clearly would become a paradigm shift as there have been too many destructive "infrastructure" projects like dams, canals, power plants, roads and sea route alignments which are approved on the basis of the already "sunk cost" ie. the already spent money in those projects. Henceforth, such projects cannot be pushed through. For example in the case of the Sethusamudram Project where the Government is arguing that they have already spent

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money in the project and the discussion is about the viability of the project (IRR ie. Internal rate of return not being good), this judgement will now focus on the plight of the seacows (dugongs) and other species in the Gulf of Mannar and it should stop the project. If this principle would have been upheld then many destructive mining, port, road and other infrastructure projects would not have got permissions.

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## **Statutory Status:**

The Hon'ble Supreme Court has further stated that "National Wildlife Action Plan (NWAP) 2002-2016 and the Centrally Sponsored Scheme 2009 relating to integrated development of wildlife habitats are schemes which have statutory status and as held in Lafarge case (supra) and have to be implemented in their letter and spirit."

This is a very welcome judgement. The National Wildlife Action Plan 2002-2016 was created by the post-Prime Minister Shri Vajpayee's Government. Soon after his Government lost power and the UPA Government has virtually consigned the NWAP to the dustbins. With the Hon'ble Supreme Court now binding the Government to implement it, by virtue of giving it statutory status, I am sure the Government will be forced to act. Moreover, when the Hon'ble SC has said that it needs to be implemented in "letter and spirit", it portends of a beautiful future, provided we check the progress of its implementation and be ready to knock the doors of the Hon'ble Supreme Court.

There are several areas where immediate action can be taken based on the NWAP 2002-2016:

- Need for realignment of roads, railways, shipping routes cutting across wildlife habitats.
- Restoration of degraded habitats outside our protected area network with only native vegetation.
- Document and assess damage done by large projects and intrusions, such as dams, mines, canal systems, roads and the use of pesticides and chemicals.
- While strengthening protective measures against traditional threats to wildlife, we have to also respond to newer threats such as toxic chemicals, pesticides and invasive species.
- Identification of wildlife corridors between important PAs harbouring endangered and long ranging species and recreating/strengthening them.
- Wildlife and forests to be treated as priority section. Forests occupy about 20 per cent of the country's land area and at the very minimum two per cent of the national budget should be allocated to the protection of forests, of which at least 15 per cent should be set aside for wildlife conservation.

Wildlife monitoring and research is an important aspect and periodic studies and information dissemination to public in English and all local languages needs to be done.

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## **Wildlife across state boundaries:**

The Hon'ble Supreme Court has stated "No state, organisation or person can claim ownership or possession over wild animals in the forest."

So when there is a need to undertake a relocation of any species to augment the gene pool, the authorities are not constrained to only take animals from the same state. For example, after the Sariska debacle where all the tigers were poached, tigers were airlifted from Ranthambhore and reintroduced in Sariska. Unfortunately, even siblings were reintroduced, negating the purpose of creating a healthy gene pool. In such scenarios, a few tigers can also be relocated from Bandhavgarh or other places in Madhya Pradesh. Incidentally, there have been many instances of tigers branded as problem tigers/man eaters and shifted to the Bhopal zoo/Van Vihar. Relocation of those wild animals can be also be attempted, rather than introducing them in a zoo. Periodically, tigers and other species can be reintroduced from a different landscape to increase the gene pool diversity. In such situations, no state government can object to the relocation of a few animals from the protected areas located in their state.

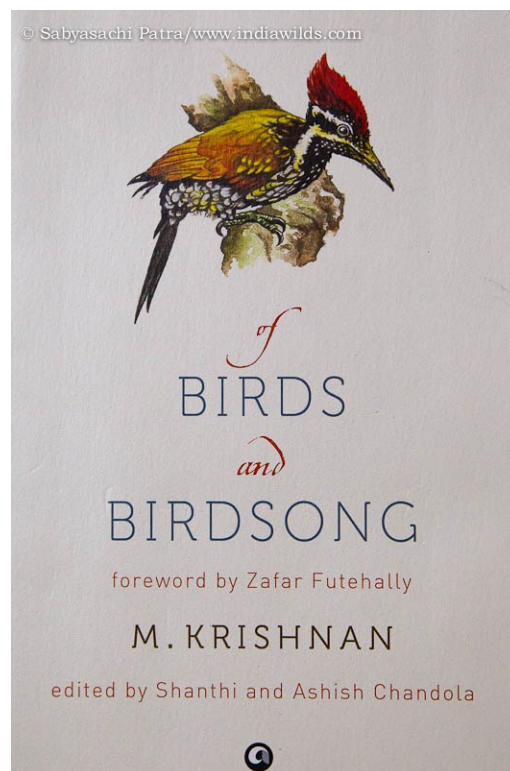
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## What about the so called problem animals?

What about the animals whom we have branded as problem animals? No body wants to take ownership of them. A herd of elephants are mercilessly pushed back from West Bengal to Jharkhand and vice-versa and then to Odisha. No body wants them. They are shot at from country guns. Crackers are thrown at them, so is chilli powders and fire balls increasing their aggression. Clearly, relocation is not the solution in these situations, as elephants have a very strong homing instinct. These states are facing a development vs conservation battle as most of the wild landscapes are being fragmented, concretised and taken over either for housing, cultivation, mining or other projects. With the Hon'ble Supreme Court asking to take an eco-centric approach and implementation of the NWAP 2002-2016, steps have to be taken to create corridors between the protected areas, create inviolate places and relocate villages wherever necessary. Our wildlife does have a right to live. The Hon'ble Supreme Court has upheld that right and now the Government has to implement it.

## Book Review — Of Birds and Birdsong by M. Krishnan

Edited by Shanthi and Ashish Chandola



When I came to know that Shanthi and Ashish Chandola had compiled Shri M. Krishnan's published writings about birds in a book titled "Of Birds and Birdsong", I jumped and ordered online. While reading this book, I realized that I have read a lot of these writings before in many places including his column in The Statesman titled "Country Notebook". However, Shri Krishnan's writings have a timeless quality about it. His elegant prose, choice of suitable words at appropriate places, an eye for incredible detail makes me often wonder why we don't notice what he notices. He finds beauty in the common birds that flock our backyards and villages and astounds us with his deep observations. I will share a couple of quotes from the book to quench your thirst.



## On Brahminy Kite:

“...The Brahminy has been called a coward by many ornithologists, a chicken-raider that will not face the mother hen, a snatcher of small fry from the basket of the fishwife. That opinion, I feel, is not scientifically sound. We rarely make allowance for avian values and individual variations in judging a birds's 'character'. Many of the eagles, which this kite resembles in miniature in build and flight, also live mainly by scavenging and piracy. Moreover, the Brahminy Kite can be quite aggressive on occasion.



Once, feeling curious about the contents of their nest and trying to get a closer look, I was attacked with such determination and persistence by a pair of these birds that I had to beat a hasty and undignified retreat, though I knew I was being critically watched by three small boys. And though it is true that this kite gets its living picking fish and other things off the surface of the water, and by robbing successful but smaller hunters, it can and does kill snakes; I have seen one with a four-foot rat snake in its clutches, but it could be that the snake was killed by some villager and later picked up by the bird.

That brings us to the question: is this the Garuda? The Garuda (omit the terminal 'a' for most North Indian languages and add 'n' after the terminal 'a' for Tamil), according to mythology, is the most feared enemy of the snake tribe, the bird whose very name strikes terror in the heart of the denizens of the subterranean Naga-land. Throughout South India the Brahminy Kite is called 'Garudan', and even in paintings (paintings of no great antiquity, say, about a century or two in age) this bird is shown in depictions of the mythological Garuda. However the Crested Serpent-Eagle, the Short-toed Eagle, and some hawk-eagles are much more given to the snake-slaying than this kite, and are much nearer iconographic descriptions of the Garuda.”

Shri M. Krishnan also describes interesting incidents intertwined with beautiful insights, throwing in the views of renowned poets to decorate his prose further.

## “The Dying Gladiator:

Only once as a school boy, have I seen a cock-fight, and have confused and almost staccato recollections of it – the crowd in the bylane, people squatting and standing in a ring around two gamecocks, the earnestness of men, the indifference of the



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birds to each other; then, unexpectedly, the spontaneous flare-up of combat, the incredibly swift and savage attack, flailing legs and flying feathers and blood; and then the sudden collapse and death of one of the combatants in an unrecognizable shuddering mess of disheveled plumes and slashed flesh. I have seen dogfights, ram-fights, partridge-fights, even a brief tussle between two circus camels, but for sheer shock and impact and savage fury that cock-fight was unapproachable. Blake must have known its violence and gore at first hand, to have written:

*A gamecock clipped and armed for fight*

*Doth the rising sun affright.*

To view the gory sport of cockfight you can check this short film in youtube: <http://www.youtube.com/watch?v=jNn9l3ctayk>

Naturally the law takes a grave view of cock-fighting. It is a rather horrible sport, but even I, who feel revolted by its carnage, realize it is a sport: the kind that stimulates speculation and betting. Once zamindars and other rich, leisured people were much given to patronage of cock-fighting, but those days are past. The gamecock is a rare bird today, and getting rarer."

Having been profoundly influenced by Shri M. Krishnan's writings since my childhood days, I would consider it a sacrilege to try and write a review of his book or a compilation of his writings. This book is a collector's edition as you get a compilation of his writings about birds in a hardbound cover which will stay in the coffee table and inspire the new generation.

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## **Conservation News -**

The price is Rs. 595. You can order it from flipcart or pick it up from your local bookstore.

### **Rhino Poaching: Use of Drones**

**Published: Friday, Mar 1, 2013, 23:15 IST**

**Place: GUWAHATI | Agency: IANS**

The Rhino massacre continues in Kaziranga. Poachers have been using locally made silencers on their guns to kill Rhinos. The park authorities have now decided to try aerial surveillance by using remote controlled aircraft.

Despite a shoot-at-sight order, poachers killed another endangered one-horned rhinoceros in Assam's Kaziranga National Park and took away its horn, officials said on Friday.

This was tenth such killing in the area since January though close to 400 Assam Forest Protection Force (AFPF) commandos are deployed in the park.

The carcass of the male rhino, suspected to have been killed on Thursday evening, was found in the Agaratoli forest range. They said the rhino was hit by seven bullets of a .303 rifle.

Park Director NK Vasu said the guards had an encounter with the poachers but they managed to take advantage of the darkness and escape unhurt with the rhino horn.

The poaching took place just two km from Arikati anti-poaching camp in the forest, officials said.

"The guards heard gunshots and launched an operation. However, the operation was suspended after dark and resumed this morning," Principal Chief Conservator of Forest Suresh Chand said.

Besides forest guards and field officers, 370 personnel of elite AFPF are in the park since the beginning of this year. Another 150 AFPF personnel are likely to arrive at the park.

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"The number of poachers has gone up due to huge demands for rhino horns in the international market. Groups involved in the trade of wild animal parts have pumped in huge money to procure horns," said Vasu.

He said there was need to find out the reason behind the sudden rise in the demand for rhino horns.

"There have been attempts by poachers to enter the park and kill rhinos every day," he said.

This is the 10th rhino killed in the park and its adjoining forests in the last two months.

Last year, over 40 rhinos died in various protected areas of Assam. While at least 12 of them were poached, over 30 died in three waves of floods that swept through the state.

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## **Indian Railways – Killing Machines: Tiger cub runover in Tadoba**

**Pradip Kumar Maitra, Hindustan Times Nagpur, April 15, 2013**

A speeding passenger train killed a tiger cub while another cub was seriously injured near Kelzhar railway station, a buffer zone of Tadoba tiger reserves in eastern Maharashtra district of Chandrapur, some 180 kms from Nagpur on Monday morning.

According to reports reaching at the state forest headquarters, the tragedy occurred when a tigress was crossing the railway track along with her three cubs, early Monday morning.

The tigress and one of her cubs succeeded to cross the track but other two cubs failed to cross in time and the train hit them. One of them died on the spot while another was seriously injured. The incident occurred at 6:15 am.

SWH Naqvi, the principal chief conservator of forests (Wildlife) and state wildlife warden informed that the injured cub was rescued by a team of forest personnel and was shifted to Wildlife Rescue Centre at Nagpur on Monday evening.

The injured tiger cub is reported to be very serious. The deceased cub was around six months old, he added.

The passenger train was on its way to Gondia from Chandrapur when the accident took place. The body of the cub was taken away for post mortem by the forest personnel.

Kishore Rithe, member of National Board for Wildlife, insisted that action should be taken against the railway personnel for not keeping the speed low in such a sensitive area. "We have demanded that limited trains with slow speed should operate near the forest areas. But they do not listen," he rued.

According to Rithe, similar incidents were also reported in the area. The last such incident was reported when a sloth bear was killed after a speeding train hit it. A leopard was also killed a couple of years ago in this area in a similar manner, he further said.

With the death of this tiger cub, as many as 17 big cats were killed within Tadoba tiger reserves area in last 10 years. Most of them were victims of poachers.

Tadoba is the lone tiger reserves in the country where tigresses had given births of 38 cubs since January 2010.

The state wildlife warden, Naqvi said that the wildlife wing has booked the railway authorities under various sections of Protection of Wildlife Act.

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## Supreme Court cancels 49 mining leases in Karnataka

**PTI, NEW DELHI, April 18, 2013**

As recommended by the Central Empowered committee the Hon'ble Supreme Court has cancelled 49 mining leases in Bellary, Tumkur and Chitradurga districts of Karnataka.

The Supreme Court on Thursday cancelled 49 leases in mines with maximum illegalities in Bellary, Tumkur and Chitradurga districts, but allowed resumption of activity in mines with fewer illegalities as recommended by the court-appointed Central Empowered Committee (CEC).

The CEC had categorised mines in the area in three categories: A, B and C. Mines in which there were few or no irregularities were categorised as A and those with maximum illegalities were placed in category C. The apex court, while accepting a majority of the recommendations made by the CEC since July 2011 on the mining issues in Karnataka, also said that iron-ore mining on the Andhra Pradesh-Karnataka border would remain suspended till the demarcation of the boundary between the two States was completed.

A Bench of Justices Aftab Alam, K.S. Radhakrishnan and Ranjan Gogoi passed the order on a plea by the NGO Samaj Parivartan Samudaya (SPS), which had alleged that large-scale irregularities and illegalities were being committed by various private mining firms holding licences to mine in the three districts, as well as State-owned Mysore Minerals Ltd. (MML).

The illegalities referred to included illegal mining, allotment of huge quantities of iron ore at throwaway prices to private companies and an increase in rates at which iron ore was supplied to some other companies. — PTI

Fresh leases

Bangalore Bureau adds:

Significantly, the court lifted the “embargo” on the grant of fresh mining leases in the State. Observing that the proceeds of the sales made by category C mines would be “forfeited to the State,” the court said fresh leases for these mines could be now issued, as per the CEC's recommendations.

S.R. Hiremath of the SPS said the court had clearly stated in an earlier ruling (September 28, 2012) that category B mines would be required to compensate for the losses caused to the exchequer, apart from paying a fine of Rs. 6.50 crore per hectare for pits and dumps created outside the permitted area.

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## Dead dolphins and shrimp with no eyes found after BP clean-up

Chemicals used to disperse Gulf of Mexico spill blamed for marine deaths and human illness

**SUNDAY 14 APRIL 2013**

Hundreds of beached dolphin carcasses, shrimp with no eyes, contaminated fish, ancient corals caked in oil and some seriously unwell people are among the legacies that scientists are still uncovering in the wake of BP's Deepwater Horizon spill.

This week it will be three years since the first of 4.9 million barrels of crude oil gushed into the Gulf of Mexico, in what is now considered the largest marine oil spill in the history of the petroleum industry. As the scale of the ecological disaster unfolds, BP is appearing daily in a New Orleans federal court to battle over the extent of compensation it owes to the region.

Infant dolphins were found dead at six times average rates in January and February of 2013. More than 650 dolphins have been found beached in the oil spill area since the disaster began, which is more than four times the historical average. Sea turtles were also affected, with more than 1,700 found stranded between May 2010 and November 2012 – the last date for which information is available.

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ble. On average, the number stranded annually in the region is 240.

Contact with oil may also have reduced the number of juvenile bluefin tuna produced in 2010 by 20 per cent, with a potential reduction in future populations of about 4 per cent. Contamination of smaller fish also means that toxic chemicals could make their way up the food chain after scientists found the spill had affected the cellular function of killifish, a common bait fish at the base of the food chain.

Deep sea coral, some of which is thousands of years old, has been found coated in oil after the dispersed droplets settled on the sea's bottom. A recent laboratory study found that the mixture of oil and dispersant affected the ability of some coral species to build new parts of a reef.

Doug Inkley, a senior scientist for the US National Wildlife Federation and author of a report published this week on wildlife affected by the spill, said: "These ongoing deaths – particularly in an apex predator such as the dolphin – are a strong indication that there is something amiss with the Gulf ecosystem."

Scientists believe that the 1.8 million gallons of dispersant, sprayed as part of the clean-up, have cemented the disaster's toxic effect on ocean life and human health. The dispersant, called Corexit, caused what some scientists have described as "a giant black snow-storm" of tiny oil globules, which has been carried around the ocean in plumes and has now settled on the sea floor. A study last November found the dispersant to be 52 times more toxic than the oil itself.

Larry McKinney, director of the Harte Research Institute for Gulf of Mexico Studies, said: "Before we depend on dispersants to get rid of oil and get it out of sight, we need to understand what it can do in the open ocean. We're told to keep oil off the shore and away from estuaries, but we've not dealt with something like this before, that's in the open ocean and gone from top to bottom, affecting the whole water column."

Scientists believe the addition of dispersants to the oil made it more easily absorbed through the gills of fish and into the bloodstream. Dr William Sawyer, a toxicologist, has studied concentrations of petroleum hydrocarbon (PHC) in edible fish and shellfish in the region. Samples before the spill had no measurable PHC in the tissue, whereas fish tested in recent months show tissue concentrations as high as 10,000 parts per million, or 1 per cent of all tissue. He said: "The study shows that the absorption [of the oil] was enhanced by the Corexit."

BP says the dispersants it used are "government approved and safe when used appropriately", and that extensive testing has shown seafood in the Gulf states is safe to eat.

Louisiana State University's Department of Oceanography and Coastal Sciences has found sea life in the Gulf with lesions and deformities that it believes may be linked to the use of dispersants. These include shrimp with no eyes and crabs with no eyes or without claws. BP claims these abnormalities are "common in marine life", had been seen in the region before, and are caused by bacterial infections or parasites.

In a blow to the region's tourism, tar balls continue to wash up along the affected coastline, which now stretches from the beaches of Louisiana to Mississippi, Alabama and Florida. Marco Kaltofen, a chemical engineer at the Worcester Polytechnic Institute, said: "We have a reservoir of petroleum and petroleum-contaminated sediment that lies just offshore of several Gulf beaches. Every time we have a storm, all of a sudden you're getting these tar balls washing up."

It is not just wildlife that scientists believe has been affected. Michael Robichaux, a Louisiana doctor, has documented 113 patients who he thinks were made ill by exposure to chemicals associated with the spill. Their most common symptoms include headaches, memory loss, fatigue, irritability, vertigo, nausea, blurred vision and insomnia.

One of Dr Robichaux's patients, Jorey Danos, 32, is a formerly healthy father of three. Since working for BP on the clean-up, he says he has experienced serious ill health, including severe abdominal and joint pain that has left him walking with a cane. Several doctors, including a neurologist, have put his condition down to the neurological impact of exposure to the chemicals related to the spill.

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Mr Danos said: "I worked 21 days in one of the boats skimming the oil and we were sprayed directly with Corexit from above on three occasions. My skin came out with bumps and burning and I started having breathing problems. When a speedboat with BP representatives came by I asked for a respirator but they said no, because it would lead to bad media attention. Now I'm still dealing with it three years later." BP said all workers were provided with safety training and protective equipment and would have had the opportunity to join a class action settlement.

Geoff Morrell, BP's head of US communications, said: "No company has done more to respond to an industrial accident than BP has in the US Gulf of Mexico."

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## SC asks Vedanta to apply permission from Gram Sabha

**Sabyasachi Patra, SUNDAY 21 APRIL 2013**

The Hon'ble Supreme Court's forest bench headed by Justice Aftab Alam, while hearing a petition filed by OMC (Orissa Mining Corporation) against the MoEF order withdrawing the Phase 2 clearance to Vedanta, has ordered that permission needs to be taken from the Gram Sabha. The Gram Sabha is to look into the religious and cultural significance of Niyamgiri for the Dongria Kondha's and pass an order within 3 months. The MoEF then needs to look into it within the next 2 months.

The apex court had noted that the Dongria Kondha's worship the Niyamagiri hill.

The Odisha Government had first given the go ahead to Vedanta. A Wildlife Institute of India report had said "Mining could trigger irreversible changes in the ecological characteristics of the area. The cost-benefit value should not only take into account the material benefits of bauxite mining...(but also) the perpetuity of the resources and ecosystem services that would be provided by these forests in the future. Compromising long-term economic returns, therefore, cannot be an alternative for short-term gains."

If this project is cleared, then it will be an environmental disaster. The Niyamagiri mountain, which is filled with bauxite is the source of rivers. Apart from the ecological destruction of this pristine area, if the Niyamagiri mining proposal is cleared than Dongria Kondha's, who are categorised as Primitive Tribal Groups (PTG), will be displaced. This is not a normal displacement as the Niyamgiri mountain is revered as their God. They call it Niyama Raja. Apart from their cultural beliefs, uprooting a self sufficient people will not only result in making them dependent on the outside world for survival, it will also bring them untold hardships as they are not used to this alien world. They only used to depend on the outside world for salt.

Moreover it will result in death of culture, religious values and beliefs and a once independent and self-sufficient lifestyle. They will soon be forgotten after some compensation is given. And worse is the loss of dignity that comes when they become just an unfortunate face (read beggars, coolies etc) in the crowd.

What is the use of such short term development which only benefits a particular corporate and comes at the huge cost of environmental degradation. India's civilisation has been enriched by the various cultures, values and beliefs of its people staying in various parts of this country. What use is the development which doesn't respect such diversity and comes as a messenger of death for cultures?

We don't want short-term myopic development while sacrificing people, environment and wildlife at its altar. Niyamagiri has to stop.

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## Since 2004, 6 lakh hectares of forest cleared for mining

Nitin Sethi, TNN Apr 20, 2013, 04.39AM IST

**NEW DELHI:** Rejection of big-ticket mining proposals such as Vedanta has been a rare exception in the UPA's nine-year reign. The UPA has given clearance to cut a whopping six lakh hectares of forests — of these more than 2.5 lakh hectares were for mining — since it came to power in mid-2004.

The data, accessed by TOI from the environment ministry, shows that the in-principle and final clearances add up to the combined area of Delhi, Mumbai, Kolkata, Chennai and Bangalore, or roughly the equivalent of three large tiger reserves.

In comparison to the vast tracts that have been permitted to be cleared, the UPA has rejected proposals for less than 14,000 hectares out of which only about 11,000 hectares were for mining in forestland. In fact, only 13 rejected mining projects were for more than 100 hectares - Vedanta being one of them. Most rejected cases have been less than five-hectare proposals, ranging from minor mining to hospitals and petrol pumps. The big ticket cases have almost always sailed through in the end.

Any project requiring forestland needs to secure a forest clearance under the Forest Conservation Act, 1980. The state governments prepare the proposal upon receiving request from the project developer and send it to the ministry for clearance. The statutory Forest Advisory Committee (FAC) recommends a case to the Centre, what is known as the Stage-1 clearance in the bureaucratic parlance. Once the ministry is assured that the Stage-1 norms have been met, it gives the final clearance to the state government permitting it to hand over the forest to the project developer.

While the industry has often complained of delays in these clearances - and the back and forth causing inordinate hold ups — the data portrays a contrary picture. In a vast majority of cases, the projects have eventually got a nod. Most in-principle clearances have also got the approval.

Cases, adding up to around 37,500 hectares, have been eventually closed in the UPA tenure so far. The ministry classifies cases as closed, when state governments are unable to provide information sought for clearance.

In comparison, the rejected cases can always be revived with some changes. Government records show that states do send back cases that have been rejected and some of them get a nod after a while.

Records also reveals that despite the Forest Rights Act (FRA), the government has cleared projects in several cases without adhering to their own regulations (passed in 2009) requiring consent from the tribal gram sabhas. Vedanta was one of the few cases, where the UPA raised the FRA red flag against the mining of the Niyamgiri hills, but here too it later used 'religious rights' as the ruse to defend its decision in the apex court.

The largest tracts of forests have been cleared in Arunachal Pradesh, Punjab, Uttarakhand, Chhattisgarh, Madhya Pradesh, Uttar Pradesh, Odisha, Jharkhand and Andhra Pradesh.

In Arunachal Pradesh, 99,000 hectares were cleared for oil and gas exploration putting it on top of the charts, followed by Punjab due to exclusion of agricultural land from an earlier state forest Act. While, central Indian states, which are also the ore-bearing regions of the country, have seen the maximum destruction of forests. Chhattisgarh and Jharkhand have bagged maximum clearances during UPA's rule.

## **Natural History -**

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### **Draco mating**

**By Roopak Gangadharan**

Mating of the Southern Flying lizard (draco). Note how they display the Gular pouch in tandem and the larger size of the Gular of the male. The male also displays for a much longer time (about 5-7 seconds) than the female. The female is larger in size and has a better camouflage than the male. The previous feeding series I have posted shows a female.



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### **COUNTRY NOTEBOOK: Fond recollections: M. Krishnan: The Sunday Statesman 21-April-2013**

**By Saktipada Panigrahi**

" BLACK birds, as a rule, are glossy. Look at the King-crow, the Racket-tailed Drongo, the Cock-coel and Robin - even the homely crows have a shine to their darkness, like a glaze-kid shoe. Some black birds are even more fancy, the sheen of their plumage having a iridescence; the Hill-mynah's black is shot with flashes of purple and green, the little Sunbirds have a gem-like purple glow, and many other birds have a watchspring-blue gloss to their blackness.

But the cock Pied Bush-chat is not like that. Its black is shineless and gentlemanly, and sets off the patch of white in each wing and above the tail so neatly and brings out stubby little figure so trimly. Its mate is even more sober in attire, the colour of sun-baked, brown clay.

It is scrubby country, given to spiky, stony vistas framed by thorn-bush, that the Bush-chat likes best; and here it will often take up residence, with its mate, around one's home. So will many other birds, but I think that none of them can impart to a modest cottage set in a plot of wasteland and the same sense of cheer. I should know, having lived for years in such a dwelling.



*(Continued from page 13)*

For seven years, a pair of Pied Bush-chats lived close beside me, till I left. Each year they built their nest in the vicinity, in a cleft in the kitchen wall, in the roof of my goatshed, and once in the axle-hole of an enormous, handleless, stone roadroller that lay permanently unrolling on my wiry "lawn" - that brood, I remember, came to grief soon.

Robins, many Wagtails, Sparrows, Bulbuls, Sunbirds - all sorts of birds would come to the curious, low circular wall that enclosed my house or to the aloes and the few hardy bushes that I succeeded in cultivating.

But it was the Bush-chats that were the permanent residents and I was glad this was so; they were such quiet, self-assured and confident tenants, unlike the giddy, fidgety visitors.

During summer and even during the cold weather (especially in December) the cock bush-chat would take its stance atop the terrace, or on a mast-like strip of plank from a packaging case that somehow came to adorn the roof of the goatshed, and sing his glad brief song - a loud clear rising whistle ending on a note of untamed sweetness.

Listening to it on a sultry afternoon, I have often felt convinced that there is more to birdsong than scientists know yet, and there are times when a bird sings merely because it can and feels like it.

I know that scientifically-minded people will shake their heads sadly over this little tribute to a lost friend; they will tell me that it is a projection of my own emotions, a sickly and unworthy sentimentality that is responsible for this note.

No matter. I knew these chats for years and they did not - and if science is the elimination of all feeling and perception and an unwillingness to believe what is not printed in a book, then I have no use for it."

**-M.Krishnan**

This was first published on 20 December 1953 in The Sunday Statesman

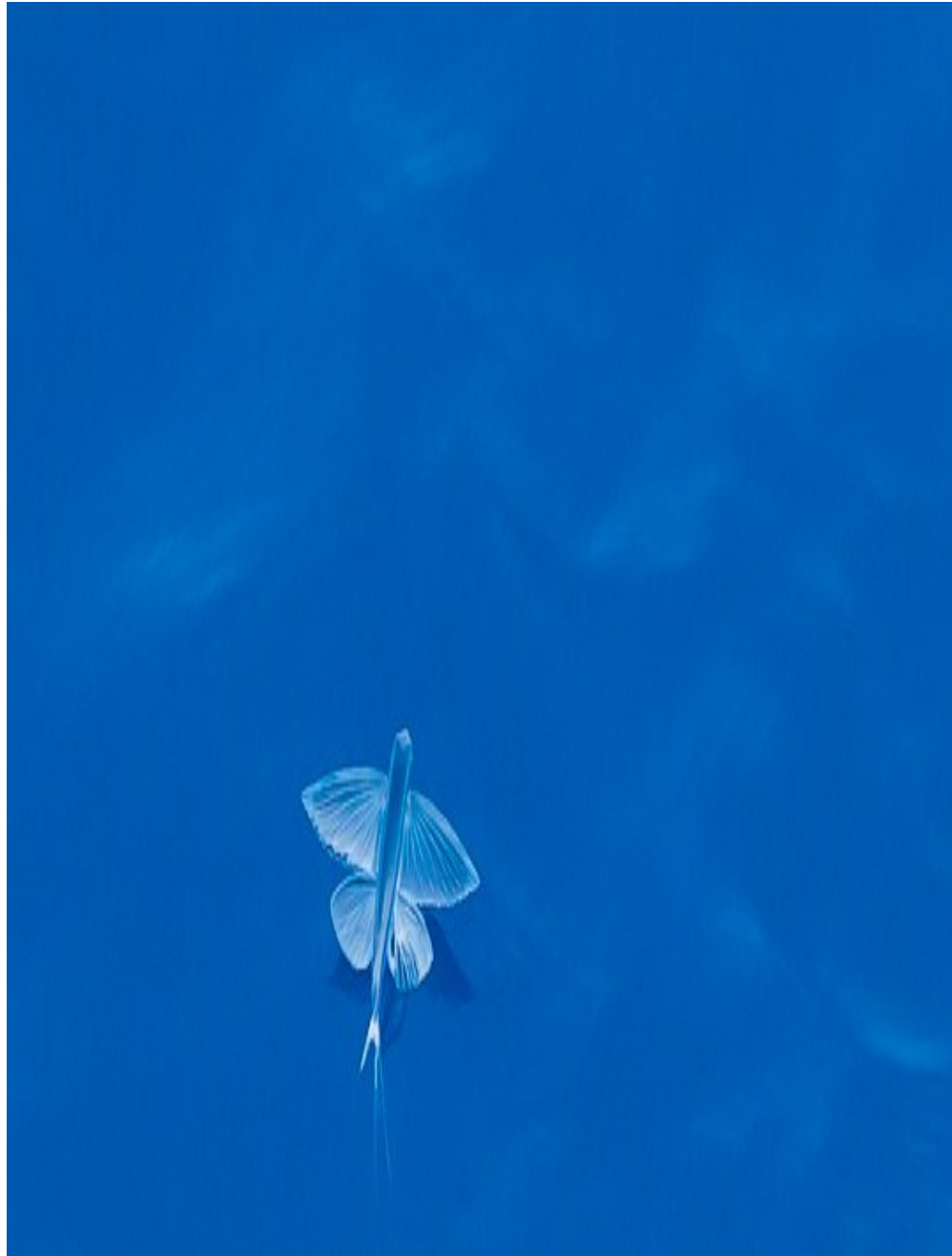
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## **Image of the Month - Flying Fish by Abhishek Jamalabad**

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Shot this Flying Fish somewhere around a hundred-odd nautical miles from the Maharashtra coast. Flying fish use their enormously modified fins like the wings of a glider to take to the air. Some flying fish have been known to achieve non-stop flights lasting up to 45 seconds!

Canon EOS 500D, Canon 100mm Macro USM SS 1/800 Av 3.5 ISO 800



## **Wildlife Photography -**

### **Smooth-coated Otters Kabini by Sucheth Lingachar**



### **Jackal in GRK by Mrudul Godbole**





## Wildlife Photography -

### Tiger Portrait by Sabyasachi Patra



### Curious Owlets by Bibhav Behera

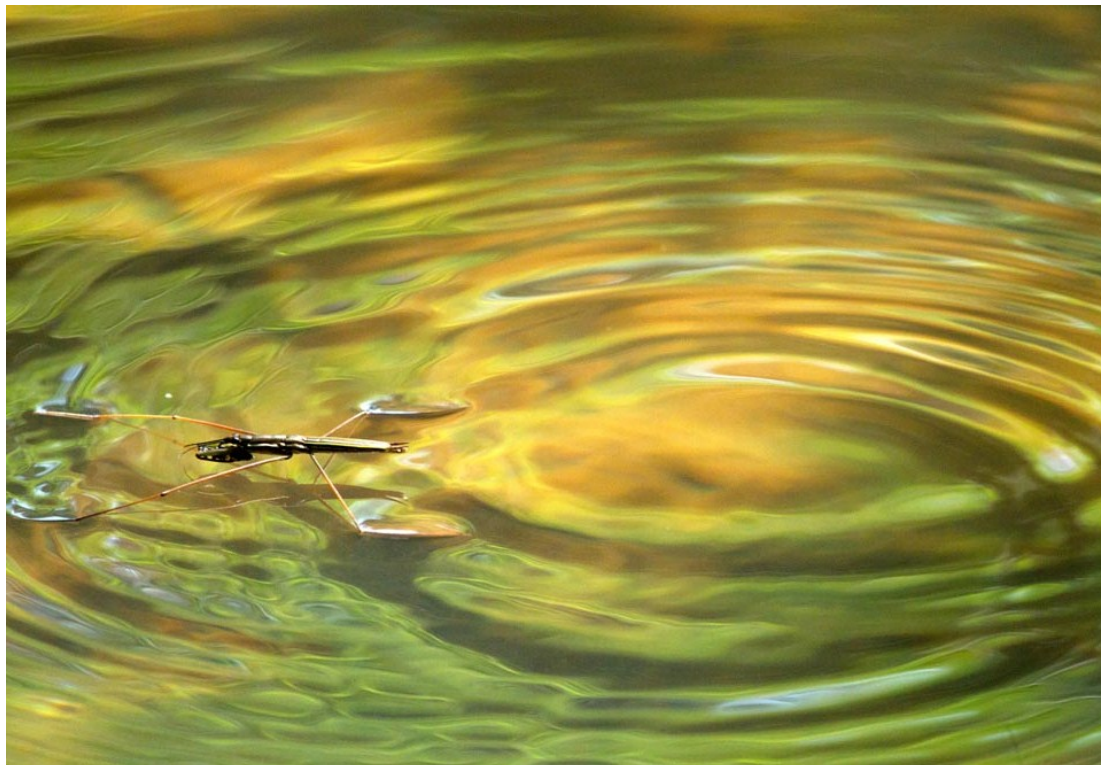


## Wildlife Photography -

After bath Oriental White eye by Jitendra Katre



Pondskater by Jobymon Cherayil Prakash





## Wildlife Photography -

### Dolphin Pod by Abhishek Jamalabad



I look forward to your inputs and support in preserving the last tracts of wilderness and wildlife left in our beautiful country. For other interesting articles and images check - <http://www.indiawilds.com/forums/>

To post in the IndiaWilds forums, you can register free of cost using your Full Name as user id at <http://www.indiawilds.com/forums/register.php>

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If you wish to contribute articles please mail at [administrator@indiawilds.com](mailto:administrator@indiawilds.com)

Regards,

**Sabyasachi Patra**

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