

Jammu & Kashmir State Forest Policy 2010: Incoherent and ambiguous

Onkar Singh

Our image of a forest either as lush green environ with tall trees, continuous canopy and rich undergrowth interspersed by climbers or pure strands of sky high woods, has been manufactured by the media. Not all forests resemble such a photo finish image. Forests are as diverse as terrain and climate across the earth. But one thing common among them is their mauling by the successive civilizations.

Forests all over the world have been badly hit. India is no exception. So is Jammu and Kashmir. The state has a total of 20230 Km² forest area, 40% of which has degraded into the category of open forests. The Jammu & Kashmir State Forest Policy 2010 is an admission of such plunder and a commitment to rectify the wrong¹.

The Report that in many aspects is a rehash of National Forest Policy 1988², rightly observes that exploitation of forests beyond their sustainable capacity has resulted in severe impairment of their ability to provide environmental benefits. To halt the further loss, the policy pronounces basic objectives such as conservation of biodiversity, rehabilitation of degraded forests, extending forests and tree cover on non-forest land, meeting livelihood needs of forest dependent communities, integrated watershed management, reducing pressure on forests, promoting ecotourism and people's movements³.

Yet significantly, the strategy it outlines for achieving these objectives is ambiguous and imaginary. For example, protection of forest land. The policy statement says "encroachment of forest land is a serious issue which is becoming more serious with every passing day"⁴, and proposes reconciliation of land records of Revenue Department with demarcation records of Forests Department and the use of GPS and Remote Sensing for monitoring encroachment. In a press conference, the Forest Minister had admitted of 14,366 hectare of forest land encroached upon by the "land mafia and other influential people"⁵. This despite the fact that section

6 of the J&K Forest Act 1997, prohibits encroachment in demarcated forests⁶, whereas section 48-A empowers summary eviction of a person who unauthorisedly takes possession of land constituted as demarcated or un demarcated forest⁷. Is Roshini Act the culprit?⁸

Market value of such land runs into thousands of cores of rupees. How does Forest Department proposes to reclaim it? The policy document is silent on the issue, which makes it all the more difficult to raise forest cover in Jammu and Kashmir regions from the present 47% to 66% of their geographical area as the National Forest Policy 1988 has desired⁹. One wished the policy framers had proposed Green Courts to tackle the menace of forest land grab.

Similarly, the use of GPS and Remote Sensing for monitoring forest cover would be meaningless without a strong political will to implement the enacted laws. Unable to reclaim the encroached land, the policy propagates planting of new saplings on non-forest land for raising forest cover. Strange! Saving a mature, even though degraded, forest from encroachment is decidedly the most effective way of furthering forest cover. But the policy makers seem to think otherwise.

Relocation of villages from amidst the forests to the peripheries as proposed in the Policy document is similarly impractical¹⁰. Forest communities have organic relationship with forest they live in, and are least likely to be lured to relocation.

Conservation of forests through strengthening of infrastructure, manpower and organization likewise does not seem to be workable keeping in view the fact that the current budget allocation to the Forest Department is just 0.06%. This share moreover is unlikely to increase in the near future as forests are not a priority sector for the State Government. Imagine it took 23 long years for the Policy document to go public, which itself is a telling commentary on the magnitude of apathy of the successive governments towards plant cover on which ultimately all organisms including human beings depend for survival. A proposal for Green Tax from those visiting the state and from developmental activities in the forest areas would surely have helped augment forest department's meagre resources. Alas! Lack of foresight is what plagues the leadership more than the lack of money.

Biggest threat to forests undoubtedly comes from their diversion for non- forestry purposes. But, the principles propounded for their diversion for

Onkar Singh(✉)
Post Graduate Department of Geography
Govt. Degree College,
Kathua 184101, (J&K), India

developmental activities are ambiguous¹¹. In principle, the Policy document admits that diversion is possible, and hence would continue to threaten the green cover.

This appears all the more real under the State Industrial Policy 2004 which provides attractive financial package for industrialization of backward blocks. The Capital Investment Subsidy (CIS) for industries in these areas is as high Rs. 75 lakh¹². Significantly barring Ladakh, almost all backward blocks of the state are forested, which make these forests now more vulnerable than ever before. In the district of Kathua for instance, 6500 kanals of land in the Shivalik hills of Kandi have been acquired by the DIC for industrial estates¹³. Most of the acquired land supports scrub forests.

Similarly, the National Highway-1B under construction between Lakhanpur and Bhadarwah as also the wayside facilities for tourists on this more than 200 kilometers long tourist circuit across Shivaliks and the Middle Himalayas would undoubtedly lead to large scale removal of tree cover and fragmentation of habitat¹⁴. So will "tourist resorts in totally virgin areas with private partnership" as outlined in the Kashmir Vision-2020 document¹⁵. The argument that such conflicts with other departments will be "resolved appropriately"¹⁶ is plain absurd. For the current development paradigm has an inbuilt mechanism of subjugating nature by capital before which alternative paradigms have little institutional support.

"Stall feeding"¹⁷ of live stock for reducing grazing pressure on forests is yet another ludicrous idea. How does one implement such a proposal for transhumance Gujjars, Bakerwals and Gaddis whose life and economy revolve around seasonal movement? Ever heard of stall feeding goats and sheep? These animals are the only assets of these communities which are totally dependent upon forest for their survival.

Equally absurd is the proposal to popularize LPG and kerosene stove among rural population for reducing consumption of firewood¹⁸. What is damaging the forests?: removal of dead wood on which poor people depend for their fuel requirements, or mushrooming charcoal bhattis and clear felling by the mafia? Strangely, the policy document is totally silent on the latter. This proposal moreover is contradictory. For, if page 8 of the Report pushes for fossil fuels in rural areas, page 10 says, "unused areas suitable for tree growth will be forested by planting fast growing species to meet energy requirements of local population in order to offset use of fossil fuels."¹⁹ Absurdities galore! Habitat destruction undoubtedly is the principal cause of man - animal conflict. But to be successful, wild life conservation needs to incorporate local perspectives, safeguarding free access of the locals to the resources of the forests. Killing a carnivore which

poses a threat to human beings and domestic animals or a wild boar which destroys standing crops, should not brand locals the enemies of wild life, nor should taking away a log of wood or two for fixing one's cowshed the destroyer of forest cover.

Threat to forests and biodiversity they contain comes not from forest communities or rural population living on their fringes, but from neo liberal growth model of global capitalism which commoditize nature on the one hand, and advocates its conservation on the other. While the former pushes further the market horizons across regions and realms, the latter denies free access to forests of marginalized locals^{20,21}. The State Forest Policy 2010 is a veiled endorsement of that agenda, its flaws and lofty objectives notwithstanding.

Notes and References

1. Jammu & Kashmir *State Forest Policy* 2010, Ministry of Forests & Environment Govt. of Jammu & Kashmir.
2. *National Forest Policy 1988*, Ministry of Environment & Forests, Govt. Of India.
3. *State Forest Policy, Op. cit.*, pp 3-4
4. *Ibid*, p.4
5. *Daily Excelsior* (Jammu), 13 January 2011
6. Section 6 of the J&K Forest Act 1992 deals with acts prohibited in demarcated forests that may cause damage in any manner to the Forest crop, soil or any other Forest produce such as kindling fire, felling girdling, lopping trees, quarrying stones, making charcoal, erecting a fence, etc for the cultivation or any other use in resin collection, installing a saw mill/forest based industry within such limits as may be prescribed by the Government, as cited in Jasbir Singh, *The Economy of Jammu and Kashmir*, Radha Krishan Anand & Co, Jammu 2004, p. 449.
7. Section 48-a empowers a Forest Officer not below the rank of Divisional Forest Officer to issue orders of summary ejection, after serving a notice to any person who un-authorized takes possession of land constituted as demarcated or un-demarcated Forests. *Ibid*. p. 451.
8. *State Land Vesting of Ownership Rights Act 2001*(Jammu), jammu.nic.in/./roshni-act-2001.pdf. "Under Roshni Act Govt. puts JK up for sale" *Greater Kashmir* (Srinagar) 26 June 2011 and "Flaws in Roshni Act hamper implementation", *Greater Kashmir*, 31 March 2012.
9. National Forest Policy, *op cit*.
10. The policy states, "Wherever possible, inhabitants of Chaks within and completely surrounded by forests will be resettled on fringe forest or outside forest with adequate compensation". *State Forest Policy op.cit* p.4.
11. The policy propounds 3 principals for regulation of the diversion of forest land as follows:
 - a. Diversion of forest- land for non forestry purposes will be considered only as a last

- resort, after exploring all other alternatives and not in a routine manner.
- b. In order to compensate for the loss of forest area on account of diversion of forest land for non- forestry purposes, other unutilized state lands appropriate for forestry land use will be brought under compensatory afforestation.
- c. In protected and ecologically sensitive areas, Environmental Impact Assessment will be conducted in accordance with environmental policies and laws before allowing the use of forest land for non forestry purpose. *Ibid.* p.6.
12. Jasbir Singh *Op. cit.*, p.363.
13. *Amar Ujala* (Jammu), 23 March 2009.
14. Onkar Singh, "Tread Cautiously", *Daily Excelsior*, July 12, 2009 (Sunday Magazine).
15. *Ibid* p.244
16. *State Forest Policy, Op. cit.*, p.13
17. *State Forest Policy, Op. cit.*, p.7
18. *Ibid* p.8
19. *Ibid* p.10
20. Onkar Singh, "State Forest Policy: Ambiguous and Imaginary", *Daily Excelsior*.
21. Onkar Singh, "Forest for Survival", *Daily Excelsior*, 21 March 2011.