

# ENVIRONMENT JUSTICE MATTERS

A Bi-weekly News Digest from  
the Environment Support Group

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## ESG Features



*“Leafing through the field notes, this annotated page in particular is very worrying. Over the last 2 years, the pandemic has devastated life everywhere and changed the social order. While the rich can plan to leave the pandemic affected planet for a*

*few minutes into zero gravity with space travel, the poor are grappling for breath every minute...”.* Bhargavi S Rao, Trustee, ESG presents the lesser known ground realities which are largely hidden by prevailing aggressive promotion of mega solar parks such as in [Pavagada](#).



The Principal Bench of the High Court of Karnataka on 11 August 2021 [took a serious view](#) of the actions of certain individuals who removed the tarpaulin covering an idol of Lord Shiva that had been placed by Bruhat Bengaluru Mahanagara Palike (BBMP) on an artificially built

island within the historic Begur Lake of south Bengaluru, describing the act as constituting “sheer lawlessness” (See recording of the hearing webcast by the Karnataka High Court at: <https://bit.ly/3yr364c>). The Court had stayed activity on such islands with its 30th August 2019 in WP 38401/2014, a PIL initiated by Citizens Action Group in which ESG impleaded. In the August 2021 order, the Principal Bench of the High Court directed the Commissioner of Police to investigate the blatant violation of its orders, the aspect of threatening parties to the litigation and report back by 2nd September. The blatant violation of Karnataka High Court’s directives and the targeting of public interest organisations and litigants has been widely condemned by various civil society groups.

### **Consequences of the Court’s action to protect Karnataka’s Lakes:**

The Karnataka Government issued directions to district and municipal authorities to conduct surveys of the legal limits of all lakes across Karnataka (about 40000) in pursuance of the Karnataka High Court’s order dated 15 June 2021 in WP 817/2008 (which amended and clarified the earlier order in the case, in particular, regard to the roles of District Lake Protection Committees). In a related order in WP 38401/2014 (PIL), the Karnataka High Court reaffirmed the 30 metres ‘no development zone’ (buffer zone) beyond the legal limits of lakes by its 14 July 2021 order and directed identification and removal of encroachments. Consequently, the State Government has passed this order (11th August 2021) protecting buffer zones around lakes.

BBMP, meanwhile, has appointed special revenue officers (Tahsildhars with magisterial powers) to conduct surveys of all lakes and to initiate the removal of encroachments. A compilation of all orders of the Karnataka High Court in WP 38401/2014 is here, and the interim directions in WP 817/2008 are here, and the final order of 11 April 2012 is here.

## Climate & Environment



In a brutally shocking and unambiguous finding, the [6th Assessment Report](#) of the Intergovernmental Panel on Climate Change (IPCC) has described the prevailing climate crisis as follows: “Many of the [changes observed in the climate are unprecedented in thousands,](#)

if not hundreds of thousands of years, and some of the changes already set in motion—such as continued sea level rise—are irreversible over hundreds to thousands of years.” Echoing the gravity of the situation in no uncertain terms, United [Nations Secretary-General António Guterres has said this is “code red for humanity.”](#)

For [India](#) this means extreme weather events - such as intense heat waves and frequent forest fires, heavy rain and snowfall resulting in floods and landslides and catastrophic cyclones and seas storms - will be more frequent and result in massive devastation and displacement of millions. It could also result in the shutting down of the Gulf Stream flows, which would result in the [collapse of the important ocean current](#) that brings the South Asian monsoons, and cause unprecedented droughts. But the denial of climate change induced disasters continues at echo in higher echelons of the Government. A recent [expert study](#) linking [frequent cloud bursts in the Himalayan region](#) with rapidly warming Indian Ocean has been played down by the Union Government, with the Minister of State for Environment, Forests and Climate Change, Ashwini Kumar Choubey, telling the Rajya Sabha that the Indian Meteorological Department is studying the report. Which is deeply worrying, argues [Leo Saldanha](#) of ESG, in Climate change, a debate just on paper? | The Urban Debate, [organised by Mirror Now TV.](#)

Swatahsiddha Sarkar argues that the current approach of the Indian Government fails to acknowledge geological and cultural linkages between different Himalayan countries and presents an incomplete picture of the interventions needed in the region to address the effects of climate change. Down south, climate change induced anomalies are becoming apparent in Kerala. Used to receiving excess rains from the southwest monsoon, it has begun experiencing water shortages in the rest of the year, and large areas are forced to rely on water tankers.

## Public Health



India continues to carry the dubious distinction of having the highest number of children with stunted growth in the world, surpassing even sub-Saharan Africa. Shoaib Daniyal writes on recent research findings of Ashwini Deshpande and Rajesh Ramachandran which suggests that stunting can be a direct consequence of caste and religious identities and discrimination, in addition to previously acknowledged factors of hygiene and gender. In light of this study, and the prevalence of chronic malnutrition among a large swath of the Indian population, the Prime Minister's recent claim that "no one went hungry during Covid" comes across not only as paradoxical but brutally deceptive.

While millions around the world continue to wait for their first dose of Covid vaccine, booster shots are being pushed in western countries where people in large numbers have already been vaccinated. Despite no evidence as of yet supporting booster jabs, the push appears to be coming from large drug companies manufacturing the vaccines, who stand to benefit immensely.

## Energy



Prime Minister Narendra Modi in his Independence Day speech announced the establishment of a [National Hydrogen Mission](#) and set the national target to achieve self-reliance in energy by 2047. He also announced a [100 trillion rupee infrastructure plan](#) to boost employment and industry, saying

that it will push the expansion of clean fuels in the country. However, until now no one has clarified how the nation envisages a smooth transition towards renewable energy to prevent social and economic distress among [workers who depend on the fossil fuel economy](#).

## Agriculture & Biodiversity



Shortages in soybean production is being attributed to climate change impacts in India. This has been opportunist by the Union Government approving the import of animal feed made from [genetically modified soybean](#) as animal feed. This is when there is a [moratorium](#) on the release of

GM crops for food in India.

A study from Germany's University of Göttingen has advocated "[Promoting biodiversity-friendly landscapes - beyond organic farming](#)" as a critical need to "greatly increase biological pest control as well as successful pollination".

## Law & Society



While the Indian Environment Ministry is repeatedly attempting to bring in post-facto environmental clearances through [executive notifications](#), the Supreme Court in a key judgment relating to EIA jurisprudence has upheld the importance of [cumulative impact assessment](#) of industrial and infrastructure projects. The [burden of proving adverse environmental or public health impacts](#) often wrongly falls on affected communities, who, as Disha Shetty argues in Article 14, are left to prove their case before judicial fora, where they struggle to prove impacts through legally acceptable scientific evidence.

## Urban Issues

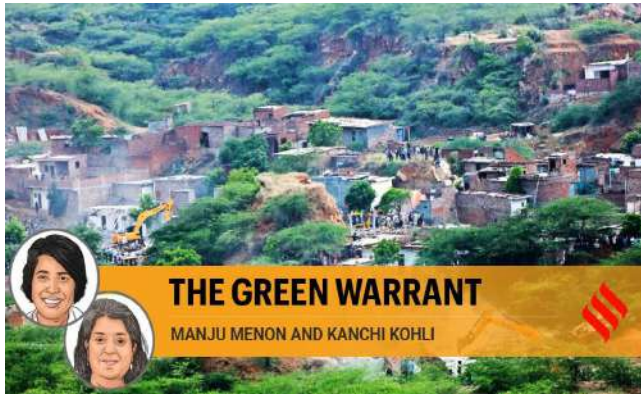


Bangalore's civic agency (BBMP) is planning [afforestation on lake buffer zones and lake beds](#), including the creation of bio fences. In this initiative, it has stated that land, saplings and transportation support will be extended to the general public who wish to participate in the afforestation and care of saplings for a period of two years. Of course, important public projects require active public participation and consultation with both the wide public and field experts.

On New Delhi's highly controversial Central Vista Project, [environmentalist and filmmaker Pradip Krishen](#) speaks on the ecological

considerations that are completely lacking in the design of the re-engineered landscape.

## Communities & Livelihoods



The razing of Khori Gaon in the foothills of the Aravallis continues to attract criticism as being a stark example of what Manju Menon and Kanchi Kohli call “coercive environmentalism”. It also illustrates how the poor and

marginalised are often wrongfully framed for harming the environment. In a somewhat similar instance, around 30 houses, mostly of Dalit families, were demolished in Bangalore north. Bengaluru Development Authority, and backed by the Bangalore Police, carried out these demolitions to create a new neighbourhood in the name of Jnanpith Awardee Dr. Shivarama Karanth following Supreme Court directions. However, the demolitions were carried out without any prior notice or an effort to extend compensation or ensure rehabilitation.

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