

CONSERVATION OF WESTERN GHATS: MADHAV GADGIL & KASTURIRANJAN REPORTS

WHY IN NEWS?

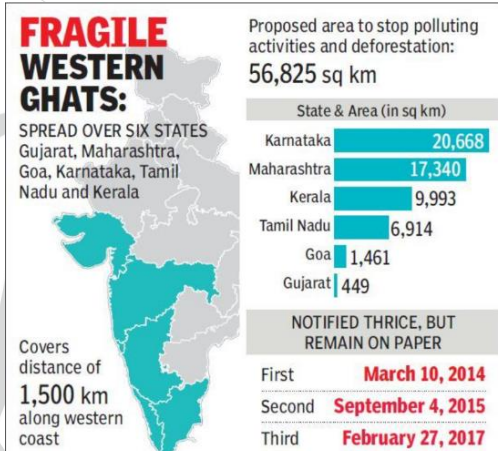
A recent landslide in Maharashtra's Raigad district resulted in the loss of 27 lives, complete destruction of a village, and raised concerns about preserving the Western Ghats. In a Maharashtra Assembly discussion, the state congress chief questioned the status of the Madhav Gadgil Committee report on ecologically sensitive zones in the Western Ghats.

ABOUT WESTERN GHATS - A BRIEF BACKGROUND:

- The Western Ghats harbour high mountain forests, playing a crucial role in moderating the tropical climate and showcasing an **exemplary monsoon system**.
- Unfortunately, human activities like deforestation for tea, coffee, and teak plantations have significantly fragmented the forest cover in the Western Ghats.
- In response, the Union Environment Ministry appointed the **Western Ghats Ecology Expert Panel (WGEEP) in 2010**, with **Dr. Madhav Gadgil**, an ecologist, as its chair.

RECOMMENDATIONS OF WGEEP / Dr. MADHAV GADGIL COMMITTEE:

1. **Ecologically Sensitive Zones (ESZs):** demarcation of **Ecologically Sensitive Zones** in the Western Ghats, comprising areas with high ecological significance, to be designated as **"No-Go" zones** for certain activities.
2. **Regulatory Framework:** The WGEEP recommended the establishment of a comprehensive regulatory framework to ensure sustainable development and conservation in the Western Ghats region.
3. **Land Use Planning:** The panel emphasized the need for strict land use planning, restricting activities like mining, deforestation, and large-scale construction in ecologically sensitive areas.
4. **Conservation and Community Participation:** The report highlighted the importance of involving local communities in conservation efforts and **promoting community-based eco-restoration projects**.
5. **Biodiversity Protection:** The panel suggested measures to safeguard the rich biodiversity of the Western Ghats, including the protection of endangered species and habitats.
6. **Climate Change Mitigation:** The WGEEP stressed the importance of addressing climate change impacts on the Western Ghats region and implementing measures to enhance resilience.
7. **Water Resource Management:** The report recommended **sustainable water resource management practices** to maintain the ecological balance of the region.
8. **Environmental Impact Assessment (EIA):** The panel suggested **strengthening the EIA process** for development projects in the Western Ghats, ensuring thorough scrutiny and adherence to environmental norms.



RECOMMENDATIONS OF KASTURIRANJAN-LED PANEL:

1. **Zoning Approach:** The panel proposed a zoning approach (red, orange & green category) to classify areas based on

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PRELIMS SPECIFIC:

- The Western Ghats, spanning an **area of 160,000 sq Km** and extending for 1,600 Km along the western coast of the Indian peninsula, passes through the states of **Gujarat, Maharashtra, Goa, Karnataka, Kerala, and Tamil Nadu**.
- This mountain range is a **UNESCO World Heritage Site** and is recognized as **one of the 36 biodiversity hotspots worldwide**.

- their ecological sensitivity, with varying levels of restrictions on developmental activities.
2. **No-Go Areas:** The HLWG recommended that only the most **ecologically sensitive areas, covering about 37% of the Western Ghats**, should be classified as No-Go areas, where certain **activities like mining and thermal power plants should be prohibited**.
 3. **Regulated Development:** The panel suggested that **about 60% of the region should be designated as the ESA** (Ecologically Sensitive Area), where certain developmental activities are subject to stringent regulations and clearance procedures.
 4. **Cultural Landscape:** The report recognized the cultural and historical significance of some areas in the Western Ghats and proposed a separate category for such regions, where sustainable development can be allowed.
 5. **Local Participation:** The panel stressed the importance of involving local communities in conservation efforts and encouraged community-based initiatives for ecological restoration.
 6. **Green Fund:** The HLWG recommended the establishment of a **Green Fund to provide financial support** for conservation activities in the Western Ghats.
 7. **Sustainable Livelihoods:** The report emphasized the need to promote sustainable livelihood options for local communities that are in harmony with the ecological balance of the Western Ghats.
 8. **Disaster Management:** The panel suggested measures to enhance disaster management capabilities in the region, considering the vulnerability of the Western Ghats to natural calamities.

WAY FORWARD:

- **Strengthen ESA Protection:** Enforce strict regulations and monitoring to safeguard identified Ecologically Sensitive Areas.
 - E.g., buffer zones around national parks.
- **Reforestation and Afforestation:** Launch large-scale tree planting projects to restore degraded areas and create wildlife corridors.
 - E.g., Kerala's "Haritha Keralam Mission."
- **Sustainable Agriculture:** Promote eco-friendly farming techniques.
 - E.g., organic farming, to protect soil health and coexist with the ecosystem.
- **Community Participation:** Involve local communities in conservation efforts and raise awareness about biodiversity importance.
- **Ecosystem-based Planning:** Integrate conservation principles into development plans, e.g., avoiding disruptions to critical habitats.
- **Wildlife Corridor Creation:** Establish safe passages for animal movement between protected areas. E.g., Karnataka's "Project Elephant."
- **International Cooperation:** Collaborate with neighbouring countries and international organizations for cross-border conservation challenges,
 - E.g., UNESCO's support for World Heritage Site management.

DNA TECHNOLOGY BILL 2019

GS PAPER – 2

SOURCE: [IE](#)

CONTEXT: DNA BILL WAS WITHDRAWN RECENTLY

DNA BILL: The Bill provides for the regulation of use of DNA technology for establishing the identity of certain persons and aimed to regulate the use and application of DNA technology for various purposes, including **law enforcement, criminal investigations, identification of missing persons, and other specified purposes.**

KEY FEATURES OF THE BILL:

- **Establishment of a DNA Regulatory Board:** The bill establishes a DNA Regulatory Board
- (Board) to regulate the use and application of DNA technology in India.
- **Creation of DNA Data Banks:** The bill provides for the creation of two DNA Data Banks: a National DNA Data Bank and Regional DNA Data Banks. The National DNA Data Bank will be maintained by the Board, and the Regional DNA Data Banks will be maintained by the states.
- **Regulation of the collection of DNA samples:** The bill regulates the collection of DNA samples from individuals. DNA samples can only be collected with the consent of the individual, or in certain cases where the individual's consent is not required, such as in cases of serious crimes.
- **Protection of privacy:** The bill protects the privacy of individuals whose DNA samples are collected. The DNA Data Banks will be kept confidential, and the DNA profiles of individuals will only be used for the purposes of criminal investigations and other authorized purposes.
- **Penalties for misuse of DNA technology:** The bill provides for penalties for the misuse of DNA technology. These penalties include imprisonment and fines.

PRELIMS SPECIFIC

DNA PROFILING

- DNA profiling, also known as DNA fingerprinting or forensic genetics, aids in identifying individuals or samples based on their unique DNA profiles
- Vast majority (over 99.1%) of the human genome is the same in all individuals, the remaining 0.9% contains variable DNA sequences, **known as polymorphic markers** that distinguish one person from another.
- The **polymerase chain reaction (PCR)** is utilized in DNA profiling to amplify specific DNA sequences, generating multiple copies of the target DNA.
- PCR is an automated process that requires only small amounts of DNA and can even work with partially degraded DNA samples.

ISSUES WITH THE BILL:

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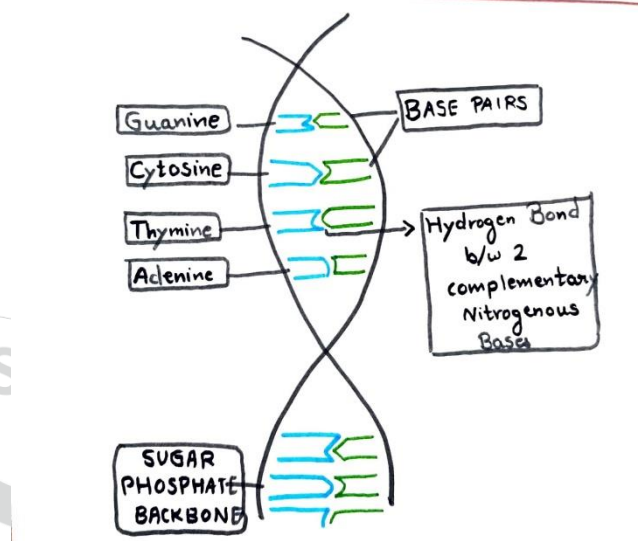


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1. The lack of clear guidelines for data storage in the umbrella database raises concerns about **data privacy and protection**.
2. Concerns have been raised regarding the **misuse of DNA profiling** data for caste-based or community profiling, particularly due to its potential linkage with surveillance systems
3. **The lack of privacy and dignity** was a major concern, particularly due to the creation of DNA data banks, raising fears of potential misuse or mishandling of sensitive personal data.
4. **Insufficient consent protocols** in civil cases compromised individual autonomy and rights.
5. The bill required **clear guidelines for the proper integration of DNA** technology with other justice system tools to avoid possible miscarriages of justice.

DNA STRUCTURE



SUGGESTIONS

- **Role of stakeholders** – The document needs to define how different stakeholders will apply the legislation in the aforementioned areas.
- **Role of judiciary** – The Bill highlights the need for court approval in civil matters, consent of individuals in criminal investigations, and identifying missing persons.
- **Individual privacy** – use of DNA Technology Bill should not depend on launching a personal data protection bill.
- **Holistic evidence** – DNA evidence can place suspects at the location of the crime; this, in isolation, is not enough to mandate their conviction. Thus, other evidence, such as geotagged evidence, mobile records etc., will be needed to approach the case holistically.
- **Reliability** – In addition, to make DNA profiling more reliable, the account must be enhanced with specific guidelines to address the use of DNA technology in combination with other tools used in the justice system to avoid a future miscarriage of justice
- **Consent**– the Bill still needs to outline the necessary consent requirements for use in civil cases, taking agency away from those who may be involved in civil disputes.
- **Accountability** – With regard to video evidence, FRT, linkages of forensic data to surveillance systems need immediate oversight as lack of accountability can add to existing concerns on privacy.

CONCLUSION:

The Bill was withdrawn because its key provisions had already been included in another law, the **Criminal Procedure (Identification) Act**, which was passed by both houses of Parliament in 2022.

BILL IN LOK SABHA TO ADD TWO SYNONYMS FOR MAHAR COMMUNITY IN CHHATTISGARH TO STATE'S SCHEDULED CASTES LIST

GS 2 POLITY

SOURCE: [TH](#)

CONTEXT: The Union Social Justice Ministry on Monday introduced the Constitution (Scheduled Castes) Order (Amendment) Bill, 2023 in the Lok Sabha to add two synonyms for the Mahar community in Chhattisgarh to the State's Scheduled Castes list.

The newly introduced Bill includes "**Mahara**" and "**Mahra**" as synonyms for the Mahar community, resulting in an expansion of government schemes and benefits meant for Scheduled Castes (SCs) in the State to approximately two lakh additional individuals.

CONSTITUTIONAL PROVISIONS:

- **Article 366(25)** of the Constitution outlines the process of defining Scheduled Tribes, stating that it includes tribes, tribal communities, or specific groups within such tribes or tribal communities as designated under **Article 342 for the purpose of the Constitution**.
- **Article 342(1), the President of India**, in consultation with the Governor of the state, has the authority to officially notify tribes or tribal communities, or specific parts or groups thereof, as Scheduled Tribes in relation to a particular State or Union Territory.
- The **Fifth Schedule of the Constitution** contains provisions for the Administration and Control of Scheduled Areas and Scheduled Tribes in states other than Assam, Meghalaya, Tripura, and Mizoram.
- The **Sixth Schedule** deals with the administration of tribal areas in Assam, Meghalaya, Tripura, and Mizoram

PRELIMS SPECIFIC

RECENTLY ADDED COMMUNITIES IN SC ST LIST:

1. Narikoravan and Kurivikkaran (Tamil Nadu)
2. Gond Community (Uttar Pradesh)
3. Betta-Kuruba' (Karnataka)
4. Hatti Tribe (Himachal Pradesh)
5. Binjhia (Chhattisgarh)

LEGAL PROVISIONS:

- **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** : This act aims to prevent atrocities against SC and ST communities and provides for the strict punishment of offenders. It defines various offenses and safeguards the rights of these communities.
- **The Constitution (Scheduled Castes) Order, 1950, and The Constitution (Scheduled Tribes) Order, 1950**: These orders specify the list of castes and tribes deemed as Scheduled Castes and Scheduled Tribes, respectively.
- **National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST)**: These commissions are statutory bodies established to safeguard the rights and interests of SC and ST communities.

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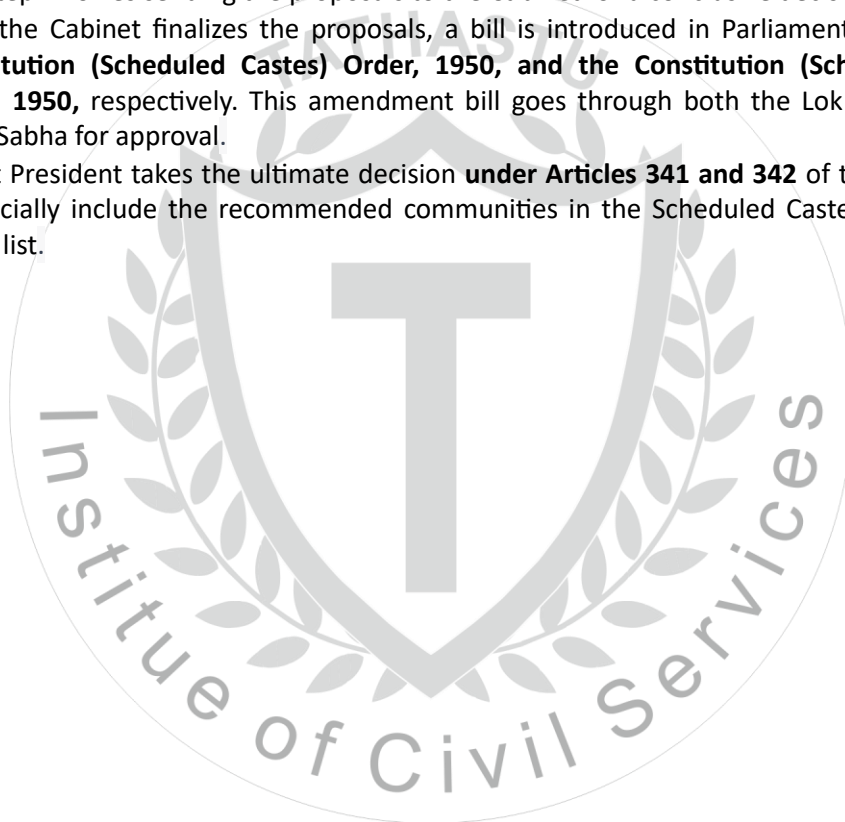
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- **The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:** Aims to recognize and vest forest rights and occupation of forestland in tribal communities and other traditional forest dwellers.

PROCESS OF INCLUSION IN SC / ST LIST

- The process of including communities in the ST/SC list begins with a recommendation from State governments or Union Territories.
- These recommendations are then forwarded to the Tribal Affairs Ministry for review and further they are sent to the Registrar General of India, under the Home Ministry, for approval.
- Once approved, the proposals are forwarded to either the National Commission for Scheduled Tribes or the National Commission for Scheduled Castes. After their scrutiny, the final step involves sending the proposals to the Cabinet for a conclusive decision.
- Once the Cabinet finalizes the proposals, a bill is introduced in Parliament to amend the **Constitution (Scheduled Castes) Order, 1950, and the Constitution (Scheduled Tribes) Order, 1950**, respectively. This amendment bill goes through both the Lok Sabha and the Rajya Sabha for approval.
- At last President takes the ultimate decision **under Articles 341 and 342** of the Constitution to officially include the recommended communities in the Scheduled Castes or Scheduled Tribes list.



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