



**MOUNTAIN ENVIRONMENTAL MANAGEMENT**

**Discussion Paper Series**

# **THE ROLE OF LAW IN MOUNTAIN ENVIRONMENTAL MANAGEMENT**

**Chhatrapati Singh**

*MEM Series No. 7*

**1991**

**International Centre for Integrated Mountain Development**



8225-1

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December, 1991

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Kathmandu, Nepal

## Preface

The transformation of the mountain society of the Hindu Kush-Himalayas from the traditional, isolated and self-contained subsistence economic communities of the past to those widely interacting with the modern contemporary world has been sudden and rapid. If such transformations initiated by increased physical accessibility and socioeconomic changes have improved the quality of life to some extent, then they have also been the causes of negative ecological impacts in these mountains.

The mountain environment is therefore passing through intense and dynamic changes and a proper understanding of these changes, though complex, is vital for the environmentally sound management of these diverse and fragile ecosystems to ensure rapid economic development in the mountains. The Mountain Environmental Management Programme of ICIMOD is primarily concerned with better understanding of the complex dynamics of changes in the mountain environment with particular reference to the management of natural resources in order to contribute to the overall objective of ICIMOD to promote sustainable development of the mountains and the people therein, with primary focus on the Hindu Kush-Himalayas.

Major aspects of the complex dynamics of management in the mountain environment in the context of sustainable development were examined and discussed during the "International Symposium on Mountain Environmental Management" held at Kathmandu from 11 to 14 April, 1989. The Symposium was organised jointly by Unesco, under its programme on Man and the Biosphere, and ICIMOD, under its programme on Mountain Environmental Management.

This paper was one of the theme papers commissioned for presentation at the Symposium, and it deals with an extremely important and complex issue, viz., the Role of Law in Natural Resource Management, particularly, in the management of forests with reference to Himachal Pradesh, India. This paper highlights the legal complexity in dealing with environmental problems in a large federal State like India, especially since environmental laws have developed here through government acts and also through the decisions of the courts. It also recommends several agenda for future research on the role of law for environmentally sound development in India in general and in Himachal Pradesh in particular.

## ACKNOWLEDGMENTS

The author was assisted by Mr. P. K. Chaudhry, of the Indian Law Institute, New Delhi, in the data collection for this work. His assistance has been invaluable.

The cooperation of various government departments and officials in Himachal Pradesh and in New Delhi facilitated this work. The author is particularly indebted to the officials of the following agencies:

Directorate of Land Records, H.P.

Department of Industries (Geological Wing), H.P.

H.P. State Electricity Board

Public Works' Department, H.P.

Forest Department, H.P.

H.P. Tourism Development Corporation

Central Water Commission

Indian Bureau of Mines

## CONTENTS

	Page
<b>Introduction</b>	1
<b>Presentation, Research Logistics, and Methodology</b>	2
<b>The Framework of Environmental Laws in India</b>	3
<b>Environmental Laws and the Mountain Regions</b>	6
<b>The Ecology of Himachal Pradesh and the Framework of its Environmental Laws</b>	8
<b>Forest Legislation in Himachal Pradesh and its Impact</b>	9
<b>Research Agenda Concerning Forest Legislations</b>	14
<b>Water Laws in Himachal Pradesh and Water Resource Management</b>	15
<b>Major and Medium Irrigation Schemes</b>	22
<b>Inter State Projects</b>	24
<b>Land Laws in Himachal Pradesh</b>	26
<b>Research Agenda for Land Laws in Himachal Pradesh</b>	32
<b>Laws Relating to Tourism in Himachal Pradesh</b>	32
<b>Research Agenda for Laws Concerning Tourism</b>	33
<b>Laws Concerning Organisations and Administration</b>	34
<b>Research Agenda for Laws Concerning Organisations and Administration</b>	35
<b>Conclusions</b>	36

## List of Tables

1.	Forest Area According to Legal Classification	11
2.	Output and Value of Major Forest Products	12
3.	Value of Minor Forest Products	13
4.	Revenue and Expenditure of the Forest Department	13
5.	Forest Areas Under Important Species	14
6.	Net Irrigated Area	16
7.	Gross Irrigated Area	17
8.	Drinking Water Supply	18
9.	Installed Capacity in Himachal Pradesh	19
10.	Station-wise Details of Electricity Generation	20
11.	Energy Generated, Purchased, and Sold	21
12.	Projects Completed up to the End of the Sixth Plan	23
13.	Development of Major and Medium Irrigation Schemes during various Plan Periods	23
14.	Ongoing and New Schemes during the Sixth Plan	25
15.(a)	Land Utilisation by Agricultural Year	27
15.(b)	Land Utilisation by District	28
16.	Production and Value of Minor Minerals in Himachal Pradesh during 1980 and 1981	30
17.	Livestock and Poultry	31
18.	Indian and Foreign Tourists in Himachal Pradesh Tourism Development Corporation Accomodation	32

## ABBREVIATIONS

A.I.R.	.....	All India Reporter
C.W.C.	.....	Central Water Commission
F.D.	.....	Forest Department
GOI	.....	Government of India
GOHP	.....	Government of Himachal Pradesh
H.P.	.....	Himachal Pradesh
H.P.T.D.C.	.....	Himachal Pradesh Tourism Development Corporation
I.L.I.	.....	Indian Law Institute
PWD	.....	Public Works' Department
RvD	.....	Revenue Department
RD	.....	Rural Development Department
VDC	.....	Village Development Committee