

Presentation, Research Logistics, and Methodology

To understand the problems related to environmental law in the mountains, it is necessary to have a general comprehension of the environmental legislation in India, -- the resource exploitation. The work, therefore, begins with basic observations about environmental legislation in India, its role in resource use and State formation, its interface with administration and management, and how all this affects the mountain ecology. This is followed by a general overview of the environmental legislation in the mountains, with specific reference to Himachal Pradesh.

The Himachal Case Study is analysed next, with regard to the legal regime pertaining to land, forest, water, and tourism respectively. This is based on the secondary data obtained from the State Government. The analysis in each case is done from the perspective of the following:

- i) the Centre - State relation;
- ii) power, accountability and coordination of the State agencies involved in the management of resources;
- iii) resource utilisation and management under statutory and customary legal provisions; and
- iv) consequences of the enforcement of these provisions.

In each case, the problems, the work, and the research agenda for seeking alternative legal models, as well as the further empirical research required to do this, are outlined.

In the concluding part, the results of the Himachal case study are extrapolated for environmental legislation problems relating to the mountain ecology in general.

The secondary data sources, on which the analyses are based, are given in the footnotes. The availability of these sources from various government departments in Shimla and New Delhi and other agencies is as indicated in the acknowledgements.

For the primary data survey, personal visits were made by road to various villages to observe the actual progression of social forestry projects, use of common lands, arrangements in the *Rakhas*, people's perceptions of the ongoing programmes, laws and rules, and the problems faced by local level organisations such as the *Panchayats*, Village Development Committees (VDCs), and *Mahila*

Mandals. The villages in the following districts of Himachal were visited: Shimla, Bilaspur, Chamba, Hamirpur, Kangra, Kinnaur, Mandi, and Solan.