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CONSTITUTIONAL REFORMS AND POLITY RECONSTRUCTION

But for the high tension on India's borders and the threat of a war, the report submitted by the National Commission to Review the Working of the Constitution would have generated a nation-wide debate. The report of the Commission has already attracted the attention of the experts with many newspapers and journals making study and analysis of the 249 recommendations suggested by it. In spite of initial criticism and skepticism voiced against the very idea of Constitutional reforms and constitution of an expert body for the job, the task completed by the Commission and the manner in which it has been done have received the approbation of many. One of the key factors for such a turnaround in public perception is the eminence and integrity of the members of the Commission. Mention must also be made of the humility and sincerity with which they approached the daunting assignment, neither overawed by the magnitude of the load of work nor dispirited by the adverse comment in press and public. Those who opposed the creation of the Commission had far outnumbered those we commended it. It is against such a background that the Report submitted by the Commission must be examined.

The need to reform the Indian polity cannot be overstated. As early as 1959 Jayaprakash Narayan pleaded for a reconstruction of Indian polity. In the words of Lok Nayak whose birth centenary is being celebrated this year "This is not only a question of constitutional forms of political systems. It is a creative question in the widest sense of the term. It is a task that defines India's destiny. It spells a challenge to India's sons and daughters." Since then the demand for constitutional reforms has been made several times, feebly in the past and strongly during the last ten years or so. Eminent elders associated with Indian politics for long years and also with the working of the Constituent Assembly, during those momentous three years, have been suggesting reforms to stem the rot. Fifty years after the Constitution came into force a bold step to constitute a commission and to consider effecting changes without altering the basic structure has been initiated. In that context a public debate on the recommendations made by the NCRWC is both necessary and relevant.

Among the major afflictions of Indian polity are: its unrepresentative character, its criminalization, the

politicization of the state, the distortions occurring due to the nexus between money and muscle power and the disproportionality between the votes polled and the seats obtained under the First Past the Post system. The steep increase in the use of article 356 to unseat a state government and impose President's rule there by the Union government in the last three decades is too well known to merit special mention here. Similarly the unwillingness of state governments to nurture democracy at the grassroot level by implementing effectively the 73rd and 74th amendments works contrary to the three main goals of democracy, decentralization and development.

Elections in a democracy are only a means to an end, never an end in themselves. In spite of the tall claim of successfully conducting elections during the last half-a-century, the fact remains that those elected to the legislative assemblies and Parliament do not represent the majority of the people of India. Under the FPP, with vote banks deciding the outcome of election results, those securing less than one third of the votes polled are getting elected and even a coalition of a dozen parties hardly gets the fifty percent support of the electorate. Worse still, those with criminal background have sneaked into assemblies and Parliament and, of course, to the corridors of power. A study made by the Election Commission in 1997 revealed that 40 members of Lok Sabha and over 700 of the 4071 members of the various state assemblies had a criminal record. A CBI official pointed out that 17% of the contesting candidates, with U.P. topping the category by 40%, had a criminal record and "criminals in some cases have a higher chance of being elected than non-criminals." President K.R. Narayanan appealed to political parties not to appoint criminals for public office.

Indian polity must be restructured. Constitutional reforms and institutional changes should be welcomed though by themselves they cannot bring about a national political transformation. Social and cultural factors are no less important. Equally so are conventions and customs. It is an amalgam of all these that India needs at this critical juncture to put the nation on the path of progress and in achieving the goals enshrined in the Constitution and elegantly proclaimed in the Preamble. We the People must rise to the occasion.

- The Editor

"The Working of the Constitution does not depend wholly upon the nature of the Constitution. If the Constitution of India gets derailed, the reason will not be that we had a bad Constitution. What we will have to say is that man was vile"

- Dr. B.R. Ambedkar

MESSAGE

Prof. B.SARVESWARA RAO

PRESIDENT, Gayatri Vidya Parishad, &
CHAIRMAN, Centre for Policy Studies
Visakhapatnam.

I consider it a privilege to welcome Prof. A. Prasanna Kumar as the Director of the Centre for Policy Studies which has recently come under the management of the Gayatri Vidya Parishad. I have known Prof. Prasanna Kumar for the last few decades as a distinguished social scientist with varied educational and cultural interests. He has become a well known enlightened citizen of Visakhapatnam and public worker of repute. After his retirement from the Andhra University as Professor of Politics and Rector of the University, he has been as active as before. During the last few years, he devoted a good deal of his energies and knowledge to develop the Centre for Policy Studies. The bi-monthly Bulletin of the Centre has received wide appreciation from scholars, scientists and public workers. I hope Prof. Prasanna Kumar will succeed in further developing the Centre as an educational and cultural institution of the Gayatri Vidya Parishad.

B.SARVESWARA RAO

Dt.24.5.2002

(While thanking Prof. Sarveswara Rao for his kind message the Editor wishes to recall that the inaugural issue of the Bulletin, dated October 2, 1996, was privileged to carry as the lead article Prof. Rao's article titled "Some Comments on Participatory Economic Growth and the Role of Literacy and School Education.")

REPORT OF THE NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION

Centre for Policy Studies organised on May 9, 2002 a seminar on the Report of the National Commission to Review the Working of the Constitution, after circulating among the participants copies of the summary of the recommendations. Prof K. Gupteswar, former Principal of Andhra University College of Law, Shri M.Ramakoti, senior advocate and Prof R. Venkata Rao of the Andhra University College of Law, the main speakers, have contributed the following summaries of their views presented at the seminar - Editor.

"The prescriptive arrogance of the Central and State governments should yield place to genuinely democratic and participative development initiatives at the local and district levels." - C. Subramaniam

REPORT OF THE CONSTITUTION REVIEW COMMISSION

I

Prof K. Gupteswar

On the 31st of March 2002 the National Commission's Report was presented to the Government of India by the Chairman Justice M. Venkatachalliah. Indeed the nation owes a word of thanks, nay, a debt of gratitude to the Chairman and his 10 - Member Team for the splendid work done in a span of just two years in a manner reflecting the rich background and the variegated interests of the several members almost by process of consensus. No such report, however, could be expected to be perfect nor supported by unanimity of views expressed. But there lies underlying the whole exercise a commendable unity of purpose and understanding. The Commission from the beginning understood the kind of review it was expected to do, and equally important, the type of constitutional and political issues which the Commission is not expected to examine, much less express its views. All of which reveals the judicial discipline and the judicious outlook which the Commission observed throughout. It will be helpful for a better appreciation if certain facts are kept in mind. The name of the Commission is "The National Commission to Review the Working of the Constitution". The following terms of reference were stipulated in the Resolution dated 22 Feb 2000 of the Government of India, Ministry of Law, Justice and Company Affairs creating the Commission :

The Commission shall examine, in the light of the experience of the past 50 years as to how best the Constitution can respond to the changing needs of efficient, smooth and effective system of governance and socio - economic development of modern India within the framework of parliamentary democracy and to recommend changes, if any, that are required in the provisions of the Constitution without interfering with its basic structure or features".

Altogether 249 Recommendations were made in the Report, out of which 58 do require amendment of the Constitutional provisions, 86 call for legislation, and the remaining 105 recommendations were addressed to the executive for proper action.

Constraints of space and time make it possible only to highlight the most salient features in the recommendations. The media has played and continues to play a vital role in informing and educating the public about governance of the country and the state of the nation, and it is highly appropriate that the Commission recommended express recognition of "freedom of the

press and other media" as integral part of the fundamental right of freedom of speech and expression mentioned in Article 19(1). In fact this freedom received further enlargement in tune with the modern times and the demands of the public. So the Commission further added "the freedom to hold opinion and to seek, receive and impart information and ideas. The media often expressed suffocation due to the threat of contempt of court, even when it wanted to publish the truth of the matter, even if it be the personal character of the judge concerned. To some extent the Commission wanted to afford additional protection that in such cases "it shall be open to the court to permit a defence of justification by truth on satisfaction as to the bonafides of the plea and it being in public interest." Another direction in which the Report made an advance is to spell out clearly and in specific terms certain fundamental human rights, hitherto considered to be implicit, such as (i) the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (ii) right to safe drinking water and healthy environment free from pollution and ecological degradation (iii) right of every person to leave India and right of a citizen to return to India (of course this is subject to the usual limitations on fundamental rights such as security and sovereignty of the country, the criminal law of the land, etc., etc.) There is need to insist that a man's privacy deserves to be respected and saved from the excesses of the governmental action and police investigation, and quite appropriately a suitable provision in that behalf is recommended. While recommending that the provision in respect of legal aid and advice free of charge should be made a fundamental right and not a mere directive principle as it is now, and also a new right is to be added - right to reasonably speedy and effective justice through courts or other appropriate tribunals. A most noteworthy proposal made is that "every person who has been illegally deprived of his right to life or liberty shall have an enforceable right to compensation". Additional protection in the event of the State depriving a person of his property is afforded by another recommendation in the case of scheduled castes and tribes. Agricultural, forest and non - urban homestead belonging to or customarily used by them shall not be taken away by way of acquisition without providing suitable rehabilitation scheme before taking possession of such land.

"The divorce between politics and morality is basic to the question of perpetual peace and no peace is possible as long as this divorce is maintained".

- Immanuel Kant

Many salutary aims and objects in the Constitution continue to remain as Directive Principles of State Policy, not enforceable directly in a court of law. Now it is recommended that they be renamed as Directive Principles of State Policy and Action. Detailed recommendations concerning further steps to be taken by the appropriate agencies of the government and the members of the legislature have been made. The hope is that governments at the state as well as central levels would be spurred into positive action towards implementation. Every child is to be assured care and assistance in basic needs and protection from all forms of neglect, harm and exploitation. An important recommendation, which may not be free from debate and dispute, is to the effect that any legislation which may hereafter be included in the 9th schedule to the Constitution shall not be questioned in a court of law regarding constitutional validity if it relates to "reasonable quantum of reservation under Articles 15 and 16", that is to say, admission to educational institutions and employment.

The very foundation for a working democracy under a republican constitution is undoubtedly the electoral process and the regulation of the political party system. The Commission made several critically important recommendations in this vital area, especially to ensure free and fair elections, elimination of criminals from the electoral privileges and transparency and honesty in the matter of funds collected or expended for election of candidates.

The studies conducted by the Commission, the consultation papers earlier circulated to institutes and organisations, and the seminars held at various places redound to the credit of the Commission, especially its sense of commitment, transparency of purpose and the successful attempt to be free from partisan politics in its approach as well as accomplishment.

Apprehensions as well as allegations, orchestrated in a calculated manner, have been proved hollow and baseless. To name only some of them: that the Commission has a hidden agenda, that one of its avowed purposes is to cut at the vital roots of the policy of reservations in jobs, that it is expected to force a uniform civil code on the people there by destroying the spirit of secularism, that one of the chief aims is to bar from holding high offices persons who are not native born (having Sonia Gandhi in mind), that it is expected to come out with a detailed plan of action for Presidential system of government, replacing the present system of Parliamentary democracy with Prime Minister and his cabinet, that it would stipulate a fixed term for Parliament, ruling out any possibility for midterm polls,

and the like. The Commission has emerged with its Report pure and blemishless, perhaps like burnished gold.

II

**Shri M. Ramkoti
Advocate**

A persistent demand in civil society, ultimately reflected in two articles in December 1990 and 1991 published in Times of India, led to the National Constitution Committee, known as Karan Singh Committee which held seminars in 1992 - 93, jointly with fifteen national Organisations. President of India appointed NCRWC (National Commission for Review of the Working of the Constitution) in February 2000, an eleven member commission, to review the working of the Constitution, - not to revise or rewrite and report. Four retired Judges; ex and present Attorney Generals, former Lok - Sabha Speaker, two retired I.A.S Officials, a reputed journalist and once Secretary General of Lok - Sabha, had sat and set their minds, bestowed their knowledge, experience, thought and attention and after laborious exercise of twenty five months, had submitted two Volume report to the Government on 31.3.2002. The summary of the report contained two hundred and forty nine paras of recommendations, suggesting amendments to the Constitution. We expected that the Commission would assess the achievements and failures in the working of the Constitution, in the report.

The first and the foremost suggestion in Para 25 striking the readers mind, and arresting the eye, is the Constitution of an Inter faith mechanism to ensure inter - religious harmony in collaboration with National Human Rights Commission (NHRC); National Commissions for S.Cs and S.Ts and Women and in tandem with National Foundation For Communal Harmony, to discharge functions effectively under Section 12 of The Human Rights Act, supervised by 'Mohalla Committees' to be set up there for. All this is what for? Create a 'Civil Society' after the turn of half a century of Constitutional experience or culture of governance. The founding fathers had discovered India and Indian inheritance or heritage of Upanishadic thinking and constituted India, that is Bharat, 'A Sovereign Democratic Republic' on 26.11.1949 cherishing the concepts of 'justice, social, economic and political' assuring liberty of thought and expression' in the preamble to the Constitution. This quintessence of Indian heritage permeates throughout the Parts III and IV there of enshrining the 'Fundamental Rights' and 'Directive Principles of State Policy' without even a whisper of 'Secularism or

Socialism'. The 42nd amendment, inter - polated the terms 'Secular and Socialist' in the Preamble. Articles 14, 15, 16, 17, 25, 26, 27, 28, 29, 39, 44 and 46 encapsulise equality and secularism without mentioning either. Article 25 ensures freedom of conscience, and the right to profess, profess and propagate any religion, this enshrining the age old Indian tradition of a common platform, for all and every school of thinking - a Sarva dharma Samabhavana. The State i.e., Union of India, and the Governments of states do not all profess or practise any religion such as U.S.A. or U.K. Article 39 speaks of the Government's mandatory obligation to direct their policies towards securing the operation of the economic system in such a way as not to result in the concentration of wealth and means of production to the common detriment and that the ownership and control of the material resources of the community are so distributed as best to subserve the common good, without ever whispering the word 'Socialism' therein and yet diffusing the concepts throughout the body of the Constitution (the essence of Esa Vasyopanishad).

While, thus taking every care to see that some of their decisions are integrated into the body of the Constitution, the Commission did not care to refer to the repugnancy and scant respect shown to the fundamental duty (Art. 51-A) of honouring the 'National Flag' and 'National Anthem' by a bench of the Supreme Court in Bijo Emmanuel and others Vs. State of Kerala (AIR 1978 S.C. 748) where the Circulars issued by the Director of Public Instructions were flouted by the students owing allegiance to the faith of 'Jehova' witness' by not joining the singing of "The National Anthem". Justice Chinnappa Reddy held the circulars as unconstitutional, and the students have 'a freedom of Conscience to profess and practise their religion' (Article 25). It is the basic axiom of law, that every right has a corresponding duty. Fundamental Right under Article 25 is subject to the Fundamental duties under Article 51 - A. This did not prick the civil society national conscience of the Commission.

Another decision of the Supreme Court relating to Article 123 (6) of the Constitution and section 77 of the Representation of the Peoples Act 1951, in Kanwarlal Gupta Vs. Amarnath Chowla (AIR 1975 S.C. 646), dealing with limit of election expenses and corrupt practices, escaped the attention of the Commission, which bestowed so much of care and attention to clense the stinking stable of electoral process. The Supreme Court held that the expenses incurred by the political parties, friends and admirers to the knowledge of and authorized by a candidate have to be included in

III

Prof. R. Venkata Rao

his / her expenses account. Madam Gandhi's regime reacted immediately and added an explanation to Section 77 of The Representation of People's Act 1951 to the effect that notwithstanding any decree or order of a court or a tribunal, such expenses incurred by any person or organization other than the candidate do not form part of and include in the election expenses of the candidate. Several times the Supreme Court criticised this legislative atrocity, but the Government remained immune and unabashed. The Commission should have suggested deletion of the said explanation to Section 77 of the Representation of People's Act.

The suggestion to add proviso to Article 19 (2) making "justification by truth" as a defence in cases of contempt of court, which the Constitutional courts have been most zealously guarding their right to haul up anyone even when he speaks truth about the courts and judges and judiciary in general, is most welcome feature.

Para 2 of Chapter 3 of the summary deals with proposed amendments to Articles 15 and 16. The Commission suggested that the prohibition against discrimination should be extended to "ethnic or social origin, political or other opinion, property or birth." Article 15 provides with a right of access to public place etc., and Article 16 deals with the right of a citizen to have equal opportunity to public employment etc., irrespective of religion, race, caste, sex or place of birth. Both these articles contain a prohibition against denial of the rights on the ground of "place of birth" already in clear categorical terms. Is it not redundant to add "birth" once again? Why did the Commission think of the words "ethnic", "social origin", "political or other Opinion"?

Does not freedom of Conscience enshrined in Article 25 already include "political opinion"? Is it not a repetition of the phraseology in the amendments proposed to Articles 15, 16 and 19?

Now in view of our constitutional articles and oaths or affirmations, any foreigner citizen with a dual citizenship can hold any high constitutional positions in our country. The people of India expected the Commission to bestow a little concern to suggest an effective mechanism to save the country from such predicament. Instead, the Commission left the problem to the wisdom of political parties without adding one more amendment to Articles 58; 60; 66 (3) and 3rd schedule of our constitution by substitution of "any citizen of Indian origin" for "any citizen" occurring therein.

"Today disease and medicine have great respect for wealth. It will be the next millenium's task to cure that"
- The Economist.

The Report of the National Commission to Review the Working of Constitution clearly proved the skeptics wrong. The 'preview' of the Review Commission was proved to be totally prejudiced. The Commission consisting of 11 eminent members drawn from different fields worked for a period of two years and one month and submitted the Report of 1976 pages containing 249 recommendations in the first week of April 2002. Notwithstanding the difference of opinions among the members of the Committee, it performed a highly complex and difficult job admirably and the voluminous report was also luminous. The Committee's recommendations were neither extraordinary nor totally new. The recommendations were based on the Judgements of the Supreme Court of India, the recommendations of the Law Commission of India in its various reports and the recommendations of several National Seminars organised by the Government of India, Bar Council of India, leading Law Schools and Universities among others. The Report, infact, authenticated the above.

Though the Commission came out with a number of recommendations which would bring about seminal changes in Fundamental Rights, Directive Principles and Fundamental duties: Electoral process, Union State relations, the Judiciary, executive and public Administration and Parliament and State Legislatures, this paper would focus its attention on specific areas like the Union State relations, Electoral process and the Judiciary.

Ever since 1966 when the dominance of the single Party has started declining, one of the grey areas in the Constitution has been the role of the Governors. Article 200 of the Indian Constitution gives the power to the Governor, after a Bill has been passed by the Legislative Assembly of the State or by both the Houses of the Legislature as the case may be, either to give assent or to withhold the Assent or to reserve the Bill for the consideration of the President. As no time limit has been fixed, incidents were not rare when the Article was misused causing friction between the Union and the State. The Commission in this regard made a recommendation that the Governor within the period of Six months should take a decision whether to grant Assent or reserve the Bill for the consideration of the President. If the Bill is reserved for consideration of the President, there should be a time limit of Three months within which the President should take decision whether to accord his Assent or direct Governor to return it to the State Legislature or to seek opinion

of the Supreme Court regarding the Constitutionality of the Act under Article 143. This is indeed welcome.

Regarding the Electoral process, the Commission's emphasis has been on making the entire process as clean as possible. Where it has become a fashion for the higher strata of the society not to cast their Votes, the Commission's recommendation that the duty to Vote at elections and actively participate in the democratic process of the Governance be included in Fundamental Duties, is timely.

A number of stringent measures to discourage independent but frivolous Candidates from contesting the Elections have been suggested.

Doubling the Security Deposit for the Independent Candidate (to be doubled progressively every year for those independents who fail to win and keep contesting), disqualifying an independent Candidate who fails to get at least 5% of total number of Votes polled from contesting for the same office at least for Six years and permanently debarring an Independent Candidate who loses election three times consecutively are some of the recommendations.

Empowering the Election Commission to de-register and de-recognise the political Parties if they do not comply with the norms is another recommendation. Though the issue of the State funding of elections has been deferred, the Commission made an interesting suggestion that contribution to Political Parties upto a specified limit should be exempt from payment of taxes and this Tax loss to the State can be shown as its contribution to State funding of Elections.

Regarding the Judiciary, the present opinion is that there is nobody to judge the Judges and that the Judges are more equal than others in matters of accountability. Both regarding the appointments of the Judges and the accountability of the Judges, the Commission has made important recommendations. It said that in the matters of appointment of Judges the National Judicial Commission should be constituted. It should consist of the Chief Justice of India, two senior most Judges of the Supreme Court, Union Minister for Law and Justice and one eminent person nominated by the President after consulting the Chief Justice of India. This Commission should be entrusted with the re-

sponsibility of making recommendations for the appointment of Judges.

An elaborate procedure has been drawn for dealing with the complaints of the deviant behaviour of all kinds and complaints of mis-behaviour and incapacity against the Judges of the Supreme Court and High Court. This procedure which would ultimately require the Judge to promptly demit the Office himself by way of convention, hopefully would save the Nation from the embarrassment of the present Constitutional Procedure involved in the matter.

CAN WE PROTECT OUR WILD LIFE ?

- Prof. M.N. Sastri

Human activities that lay waste massive tracts of vegetation and cause atmospheric and water pollution (apart from hunting) are responsible for a rise in the extinction rates of wild animal and plant species. The world community has realized the need for the protection, preservation and sustainability of all wildlife forms through preserving their natural habitats. To this end, large networks of natural reserves known as national parks and sanctuaries are demarcated. The Yellowstone National Park (about 6,150 sq. km.) and the Yosemite National Park (2,083 sq. km) in the USA are two well-known examples. UK is taking steps to create sea parks for protecting fisheries.

The loss in area of wildlife habitat in the biodiversity-rich Indian sub-continent, is a matter of great concern. There are two specific provisions in the Constitution of India for the protection of wildlife and its habitat. Article 48A dealing with the Directive Principles says that "the State shall endeavour to protect and improve the environment and to safeguard forests and wildlife of the country." Article 51 - A Clause (g) says that "it is one of the ten fundamental duties of every citizen of India to protect and improve the natural environment including forests, lakes, rivers, wildlife and also show compassion for all living creatures." A number of national parks and sanctuaries were established in various parts of the country for preserving wildlife. By 1998 there were 83 national parks covering over 4 per cent of the country's area. Some well-known national parks are, Corbett National Park, Ranthambore National Park and Gir National Park. The national park authority has the responsibility to prevent forest fires and stream pollution and safeguard the plant and animal life in the area. Some specified areas other than reserve forests are declared as sanctuaries if they are found necessary and suitable for protecting, propagating or developing wildlife or its environment. There are at

"Vedanta studied man in depth and found the spiritual dimension of the human personality. This science of values is a very beautiful science which is unfortunately neglected all over the world today. Globalization must take care of this science"

- Swami Ranganathananda

present 447 sanctuaries covering 3.5% of the country's area. Some well-known sanctuaries are, Chilika Lake Bird Sanctuary, Bharatpur Bird Sanctuary, Srisaikal Sanctuary, Bannerghatta Sanctuary, Sundarban Tiger Sanctuary and the Silent Valley Sanctuary. Entering a sanctuary without proper permission, carrying weapons, teasing of animals or causing any damage to the habitats in the national parks and sanctuaries are punishable offences.

Over the long run, it is being realized that most of these habitats may not be large enough to serve the purpose of protecting wildlife. Many of these are landscapes carved into fragments in which the endangered species are kept insulated. If one species goes extinct, it takes other species with it and the effect is felt by all the species in the area. This is called the *island effect*. The smaller the area, the greater is the vulnerability of the species. For example, the Bryce Canyon National Park in Utah (USA) with an area of 144 sq. km. established in 1928, lost more than a third of its mammal species by the end of 80s. The Yosemite National Park measuring an area of 2083 sq. km. and established in 1891, had lost a quarter of its species by 1988. In contrast, the Kootnay - Banff - Jasper - Yoho constellation of contiguous national parks in British Columbia (Canada) with a total area of 20,736 sq. km. did not lose any mammal species, apparently due to the fact that the species in these parks could interact with those in the neighbourhood.

It is also reported that species confined in tracts of landscapes, though looking healthy to begin with, are really "among the living dead" and may not be able to survive over long terms. They are vulnerable to an occasional disaster such as a fire, flood, epidemic or a temporary famine. The sudden death in July 2000 of 13 tigers (7 of them the rare and precious white tigers) in the course of a few days in the Nandankanan Zoological Park in Orissa due to parasitic infection is still fresh in our memory. Experts are of the opinion that overcrowding and inbreeding were responsible for this shocking event. According to another report, the changing habitat of the Gir Forest is proving unsuitable to the lion population there.

A major factor that could have an adverse effect on the survival of wildlife in developing countries is the increasing human pressure on the reserves and the threats from poachers and smugglers. Under the Project Tiger Programme, the Government of India created 14 tiger reserves over an area of 33,000 sq. km. with financial assistance from the Worldwide Fund for Nature. Out of these, seven tiger reserves have armed activists engaged in hunting this majestic cat, our national

animal. Between 1998 and 2000, the vigilance forces seized 54 tiger skins from these activists. But the number actually killed could be much larger. Poaching of elephants is a common feature in the narrow corridor connecting the Western and Eastern Ghat Reserves that facilitates the movement of the elephant herds.

Poachers from China kill the Tibetan antelope, declared an endangered species, and smuggle the wool into India, across the Himalayas. It is bartered for other wildlife products like tiger skins and bones. The fine wool is woven into *shahtoosh* shawls in Jammu and Kashmir. Each shawl made with the wool of three animals, fetches a fabulous price of \$16,000 in the European market. Ironically, the local poachers get a mere \$50 for each undressed skin with its wool.

Most of these clandestine activities are believed to be flourishing with the complicity and patronage of politicians.

THE GAYATRI - I

Shri C. Sivasankaram

*Gayatri va idam sarvam bhutam yad idam kirncā,
vag vai gayatri. Vag va idam sarvam bhutam gayati ca
trayate ca*

— Chandogya Upanishad.

Verily, the Gayatri is all this that has come to be, whatsoever there is here. Speech, verily, is Gayatri. Verily, the Gayatri sings of and protects every thing here that has come to be.

Translation - Dr. S. Radhakrishnan

Man like Madhava is beginningless and endless. He knows that he is Madhava lost in the woods of mortal lure. Periodically, there rises a superman adhered to a life of supreme knowledge, not confined to his own enlightenment and progress towards self salvation but for the universal uplift of mankind. He may not be different in appearance and outward bearing from other men at large. Where he differs significantly is that he remains inwardly conscious of his Being as Madhava while moving amidst the commonlings. The alert Madhava showers his grace, lavishes his compassion on certain men to embellish the world with their presence as masterminds came into being to purify and sanctify the world that is the ground of their celestial activity. They are called the Rishis. Out of their inner glory, awareness and ceaseless churning of the milk of universal truth had come into vogue certain discoveries called Sritis. These are *apaurusheyas* as much as the Vedas. The Rishi cogitates and speculates when mind is absolutely subdued and self-conquest is complete.

Freed from all jealousies, renounced every desire the sage sits in the state of total Samadhi and ventilates divine truths. These are heard and recorded on the canvas of mind. The culmination of their spontaneous outpourings is the priceless Upanishad. The sages are one with God. They are identified with God - head. Their perfection and perfected personality attract the Avatar of the age to sit at their lotus - feet to draw their dust to worship it in solitude.

The Upanishads are not limited to an age or a time. They are progressive and perennial and came out to fit in with the times to ameliorate the lot of mankind. It is a permanent spiritual revolution.

Of the several means suggested by the sages Gayatri has been the most sought after Mantra that could ramake and reconstruct the mankind which is direly stricken in the whirlpool of mundane concerns. I seek to cite two Upanishads to base my theory of regeneration of mankind. The two are Brihad - Aranyaka and Chhandogya Upanishads. These two are the magnum opera (opuses) of all the Upanishads. They are comprehensive texts that threw magnificent light on the Gayatri.

"The Gayatri or Savitri is a sacred verse of Rigveda." It reads: "Tat Savitur Varenyam - Bhargo devasya Dheemahi, Dhiyo yonah Prachodayat." "That sun, the adorable one on the glory of that luminous one we meditate. May he endow us with pure intelligence."

There is a meter or prosody called Gayatri that has three feet of eight syllables each. The Gayatri verse is in this meter. Gayas are life - breaths and Gayatri protects the life - breaths. Now because it protects the life - breaths, therefore it is called Gayatri. The Savitri verse which the teacher teaches is just this: And whomsoever he teaches it protects his life - breath.

Savitri the inner ruler who inspires and goads to action is the same as the Gayatri. Gayatri is Aditi. Aditi is the cause or motive of the body. The Gayatri itself can create, sustain and protect all as Aditi. Aditi is ageless. Sage Vasistha said that earth was Aditi. Gayatri is the mother of all metres (Chandassulu). She is the mother of Veda. She does not ever perish. She is the Sandhya Devi. The Gayatri imparts the truth of Brahman. She is the consummate composite of all syllables. She is the mainstay of the junction called Sandhya. As a great Goddess she radiates splendid light. She is similar in form with Saraswati. She is able to protect and save him who sincerely worships her. She is the eighth mineral (Dhatuvu) that produces vigor essential for sound mind and healthy body. She is inexhaustible vital energy able to fight out debility of psyche and vulnerability of the physique. She is responsible for generation of effulgence and its endurance. Wherever there is radiance and luster it is hers. Hers is the radiance and splendor of Indra and Agni. She is the central figure of the whole world. She is the progenitor - pervader of the universe. The luster of the angels is that of the Gayatri. She is the full longevity of the mortals and vivifier of the world. As herself is beatitude she leads the prayer on the road to beatitude. The world is constituted by Gayatri.

(To be concluded)

"Western governments have a duty not just to their own taxpayers but to the poor nations to ensure that aid money is spent on schools, hospitals, roads and fresh water rather than limousines and villas in the south of France"

- Larry Elliott

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