

cover for wonder tree in Gulmarg hills appearing in 'Indian Express', dated January 7, 1997;

(b) if so, whether the forest mafia are smuggling the bark of that tree containing anti cancer drug to the Western countries; and

(c) if so, the steps proposed to be taken to prevent this smuggling due to which the tree is becoming fast extinct ?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (PROF. SAIFUDDIN SOZ) : (a) Yes, Sir.

(b) The Chief Wildlife Warden of Jammu & Kashmir has informed that *Taxus bacatta* (also known as *Taxus wallichiana*) is well protected in the Kashmir valley and there are no reports of its smuggling.

(c) *Taxus bacatta* and its parts and products is prohibited for export under the current Import-Export policy, unless it is of cultivated origin. It is also included under Appendix II of the convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which regulates the international trade in the species and its parts and derivatives. The species is not becoming extinct as reported.

Environment Appellate Authority

468. SHRI K.H. MUNIYAPPA : Will the Minister of ENVIRONMENT AND FORESTS be pleased to state :

(a) whether National Environment Appellate Authority has been set up to deal with representations, complaints and appeals against the decisions of competent authorities under the Environment Protection Act; and

(b) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (PROF. SAIFUDDIN SOZ) : (a) and (b) Yes, Sir. The Government has issued an Ordinance on 30.01.1997 to provide for the establishment of a National Environment Appellate Authority. The Authority shall have a former Judge of the Supreme Court or former Chief Justice of a High Court as the Chairperson, a Vice Chairperson and three expert members.

The Authority will hear appeals made by any person aggrieved by an order granting environmental clearance. The Authority shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice.

The following class of persons shall have the right to appeal :

- any person who is likely to be affected by the grant of environmental clearance;

- any person who owns or has control over the project with respect to which an application has been submitted for environmental clearance;
- any association of persons (whether incorporated or not) likely to be affected by such order and functioning in the field of environment;
- the Central Government, where the environmental clearance is granted by the State Government and the State Government, where the environmental clearance is granted by the Central Government; or
- any local authority within any part of whose local limits is within the neighbourhood, wherein the project is proposed to be located.

Use of Third Degree Methods during Interrogation

469. SHRI V. PRADEEP DEV : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Apex Court has ruled that third degree methods adopted by sleuths during interrogation of suspects/criminals is violative of the Fundamental Right; and

(b) if so, the guidelines issued by the Government to State Governments and others in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR) : (a) Yes, Sir.

(b) "Police" and "Public Order" are included in the State List of the Seventh Schedule of the Constitution. Consequently, the State Governments concerned are primarily responsible for taking action to improve the methods for interrogation. The Government of India have, however, issued guidelines to the State Government from time to time to ensure that the police forces conduct themselves in a humane manner and that alleged cases of police excesses, if any, should be taken serious note of and dealt with promptly and firmly.

Criminal Activities

470. SHRI CHANDRABHUSAN SINGH : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether crimes in NOIDA have increased substantially for the last one year;

(b) the number of cases of robbery at gun, point, solved during the said period

(c) whether the police are able to trace out the culprits involved in robberies the cases where the vehicle numbers were reported;

(d) if not, the reasons therefor; and