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**14.14 hrs.**

Title: Discussion on the Wild Life (Protection) Amendment Bill, 2002 (Bill passed).

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU): Sir, I beg to move:

"That the Bill further to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

Sir, India has been and continues to be one of the most important nations in terms of species richness and contributes eight per cent of the global biological diversity. In order to ensure protection to wild life and their habitats, several major initiatives have been taken ...(*Interruptions*)

MR. DEPUTY-SPEAKER: The Chair has protected you very well. I am telling you that the Statement will be made tomorrow. I have given the permission to the Law Minister to make the Statement tomorrow.

...(*Interruptions*)

SHRI RUPCHAND PAL (HOOGLY): Sir, at what time would the Statement be made?...(*Interruptions*)

MR. DEPUTY-SPEAKER: Are you prepared to listen to the hon. Minister?

...(*Interruptions*)

**पेट्रोलियम और प्राकृतिक गैस मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री संतो कुमार गंगवार) :** उपाध्यक्ष महोदय, सदन में किसी भी विषय पर हम लोगों ने चर्चा करने के लिए, बात करने के लिए कभी मना नहीं किया है। आज भी मैं यही कहना चाहता हूँ कि माननीय विधि मंत्री जी अस्वस्थ हैं, उनसे पूछकर मैं बताऊंगा। वे भी इस बारे में जानना चाहते हैं। अब चूंकि आसन की तरफ से निर्देश हो गया है इसलिए मेरा आपसे आग्रह है कि कल उनका वक्तव्य होगा। कृपया आप उसे सुन लें।

â€¦ (व्यवधान)

SHRI RUPCHAND PAL: Sir, tomorrow is the last day of the Session . So at what time would the statement be made? ...(*Interruptions*)

SHRI SANTOSH KUMAR GANGWAR: After lunch...(*Interruptions*)

SHRI RUPCHAND PAL : Would it be immediately after lunch?â€¦ (*Interruptions*) कल कब होगा ? â€¦ (व्यवधान)

**श्री संतो कुमार गंगवार :** कल आफ्टर लंच होगा। â€¦ (व्यवधान)

**श्री रूपचन्द पाल :** आफ्टर लंच तो रात हो जाएगी।â€¦ (व्यवधान)

**उपाध्यक्ष महोदय :** रूप चन्द पाल जी, कल दिन में दो बजे उनका स्टेटमेंट हो जाएगा और दिन के दो बजे रात नहीं होती है।

â€¦ (व्यवधान)

MR. DEPUTY-SPEAKER: Now, the hon. Minister to move the Bill.

SHRI K.P. SINGH DEO (DHENKANAL): Sir, the hon. Minister has already moved the Bill, so when do we move our amendments? ...(*Interruptions*)

SHRI G.M. BANATWALLA (PONNANI): Sir, I would like to have a clarification on procedure. How can `one hour' be over in `half an hour'! How can `Zero Hour' be over within a span of `half an hour'! It started at 12.30 p.m. but ended at 1 p.m. It was just half an hour and not one hour.

MR. DEPUTY-SPEAKER: I will clarify the position. Any fraction of an hour, be it five minutes or ten minutes, constitutes the `Zero Hour'.

SHRI RAMESH CHENNITHALA (MAVELIKARA): Sir, I think, the hon. Minister wants to make a statement.

MR. DEPUTY-SPEAKER: All right, let the hon. Minister make his statement.

SHRI T.R. BAALU: Sir, before I start, I would like to thank my comrades, through you, from that side for being patient now and also thank you for giving me this opportunity to make my initial remarks on this Bill.

MR.DEPUTY-SPEAKER: Everybody is patient now.

SHRI T.R. BAALU: Sir, India has been and continues to be one of the most important nations in terms of species richness and contributes eight per cent of the global biological diversity. In order to ensure protection to wildlife and their habitats, several major initiatives have been taken over the years including the enactment of Wildlife (Protection) Act in 1972, species conservation projects like Project Tiger and Project Elephant, regulating the import and export of wildlife and launching of centrally-sponsored schemes for the development of national parks and sanctuaries. India also acceded to major international conventions dealing with wildlife, such as, the Convention on International Trade in Endangered Species, known as CITES, World Heritage Convention, Convention of Migratory Species etc. It is because of these sustained efforts that we have been able to conserve our precious bio-diversity despite rapid population increase in the country during the second half of the last century.

Sir, conservation of forests and wilderness areas holds the key for water and food security to millions of Indians in future. More than 600 million people and their livestock depend on forests, wetlands, grasslands and coastal areas for food and other requirements. It will not be out of place to mention that a tiny oasis of 104 square kilometers, known as Boriville National Park, in Mumbai provides more than 120 million litres of water to the city of Mumbai each day. Similarly, Gir National Park in Gujarat not only protects the only surviving population of Asiatic Lion but also provides fodder worth Rs.10 crore annually to the local *maldharis* and others.

Though our National Parks and Sanctuaries cover only 4.7 per cent of the geographical area, they provide protection to 300 rivers and priceless animals and plants like Asiatic Lion, Tiger, One-Horned Rhino, Musk Deer and Orchids. India takes pride in possessing 50 per cent of the global Tiger and Asiatic Elephant population. 65 per cent of the One-Horned Rhino and the only surviving population of Asiatic Lion are found in this country.

From 65 protected areas in 70s, we have now been able to establish 587 National Parks and Sanctuaries for the protection of wild flora and fauna. The population of tiger, elephant, rhino, crocodile, lion and others has improved satisfactorily due to the sustained efforts of the Centre and the States. Nevertheless, it has been felt that there is an urgent need to further strengthen the conservation measures in order to harmonise our future needs.

Mr. Chairman, Sir, in this backdrop, I now bring the important features of the Bill to the attention of the House. The Bill envisages creation of two new categories of protected areas, namely, 'Conservation Reserve' and 'Community Reserve'. These reserves would preferably link the National Parks and Sanctuaries for the protection of wildlife. However, they will be managed by the local community in a transparent and participatory manner involving the members of Village Panchayats, NGOs and other experts. It is also proposed that the existing wildlife sanctuaries are managed in a participatory way with the involvement of representatives of Panchayati Raj institutions, NGOs and other experts.

The existing provisions do not prescribe any time limit to settle the claims of the people after the notification of intent is issued in respect of national parks and sanctuaries. As a result, the objectives of conservation have received a setback and several sanctuaries and national parks have been put to misuse and encroachments. It is now proposed to limit the period of settling the claims to two years.

At the time of enactment of the original Act in 1972, many persons who had in their possession wild animals and their derivatives belonging to Schedule I and Part II of Schedule II could not declare them within the limited period of 30 days. A provision to give them one more opportunity is incorporated in the Bill. Currently, persons having ownership certificates in respect of Schedule I and Part II of Schedule II animals, can sell or transfer such articles. This has encouraged illegal trade in wildlife products. In order to prevent such activities, an amendment is proposed to restrict such transactions except by way of inheritance.

We need to curb poaching and illegal trade, or else they have the potential to nullify all achievements made so far in wildlife conservation. Therefore, stringent provisions are proposed for forfeiture of the properties of criminals who have been convicted in the past for heinous wildlife crimes, which are similar to the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Sir, presently, the penalties for committing wildlife offences lack in severity. It is, therefore, proposed that these be enhanced from a minimum of one year to three years extendable to seven years besides doubling the fine from the existing Rs.5,000/- to Rs.10,000/-.

Encroachment in the sanctuaries and national parks is a matter of serious concern for bio-diversity conservation and integrity of the area. Hence, the proposal has been made to empower the officials to evict such encroachments. Besides, some other changes of consequential and incidental nature have also been proposed in the Bill.

I hope this Bill, which seeks to further the cause of protection of wildlife of the country, is a non-controversial measure and hence, will find support of the House.

With these words, I commend the Wild Life (Protection) Amendment Bill, 2002 for the consideration of the House.

**श्री रघुनाथ झा (गोपालगंज)** : उपाध्यक्ष महोदय, किसी-किसी राज्य के मुख्य मंत्री आवास में बिना अनुमति के हाथी वगैरह जानवर लाए जाते हैं। उसके लिए भी सजा का प्रावधान होना चाहिए। बिहार में ऐसा ही हुआ है।

**उपाध्यक्ष महोदय** : जब आपको बोलने का मौका दिया जाएगा, तब आप पूछना, वह जवाब देंगे।

**SHRI RAMESH CHENNITHALA (MAVELIKARA)**: Sir, I rise to support the Bill. It is an endeavour to protect the biological environment and ecological sectors.

The variety of flora and fauna is our national wealth. India has got a vast variety of this natural wealth. To ensure the ecological and environmental security, such a legislation is highly needed. The interests of the indigenous people, who are the real guardian of the wild life, should also be protected. We are happy to note that the Minister has incorporated an amendment regarding the protection of indigenous people who are really the protectors and guardians of the wild life.

Though it is a welcome step, we had to wait for seven long years for such an amendment. The Wild Life (Protection) Act was enacted in the year 1972. This Act was subsequently amended in the years 1982, 1986, 1991 and 1993 to make the provisions more effective. Major amendments were incorporated in 1986 and in 1991, particularly in respect of controlling illegal trading of endangered species of wild life and plants, and management of zoos. However, during the intervening period, many new issues have emerged and the Ministry has made a concerted effort to bring more amendments in this regard. Though it took seven long years, maybe for various reasons - I do not want to go into them - it is a welcome step. It is going to have a far-reaching effect. With this, fundamental changes are being made in the preservation of our environment and the ecological sector of our country.

More than 600 million people are dependent on the forest for their livelihood. This shows the magnitude of its importance. So, we should be more concerned about the preservation of our environment and ecology. According to me, the most important amendment is regarding the participatory management of the protected area. Realising the fact that the subject of biodiversity cannot be handled in isolation, an amendment has been proposed to include two categories of protected area. One is conservation of reserves and the other is, community reserves.

I would like to suggest that more importance should be given to the indigenous people because they are the real protectors of the ecology and forest. Nowadays, they are completely isolated. They are slowly perishing. If you go to Andaman and Nicobar Islands, you will find that the real protectors of forests are becoming extinct. No care has been taken in this regard. So, more importance should be given to these indigenous people who are really protecting our nature. The management of these two reserves should be done in a transparent and participatory manner. Otherwise, it will not be effective.

The hon. Minister has rightly pointed out that NGOs, village *panchayats* and related Government departments will be involved in this process. It is a welcome step. There is no doubt about it. While selecting NGOs, we should be very careful. I do not want to cast aspersions on anybody but there are certain NGOs who are working only on papers.

Unfortunately, that kind of NGOs are getting more and more encouragement. So, that should be taken up seriously. In reality, there are so many dedicated people and organisations which are really concentrating in this field. They should be given more and more importance.

Sir, clause 17 says:

"The management of wild sanctuaries is also proposed to be made more effective and participatory by including representatives of the Panchayati Raj institutions, NGOs, experts, and members of related Departments."

It talks about effective participation by the organisations. I would like to make a submission to the hon. Minister in this regard. In practice, we are seeing that the officers dominate in such bodies. I do not want that the officers should not contribute. They should contribute. Definitely, they are experienced persons and their contribution is necessary. But at the same time, people who are really knowledgeable in this sector and are working in this area, should be given more and more preference so that we are able to have effective participation by them.

As regards constitution of National Board for Wild Life, it will be the highest statutory body for advising the Central

and the State Governments. It would suggest ways and means for promoting wild life conservation and protection. Definitely, this body will be getting more teeth and it would give more and more suggestions to improve the present condition. This amendment would definitely give more impetus to this area. I would again like to suggest to the hon. Minister that the Wild Life Advisory Board should be very carefully constituted. At the State level, of course, it would be headed by the Chief Minister. If we are constituting such kind of bodies, we should give more preference to the people who are really working in this area. Unfortunately, we are always forgetting all those people and we are giving representation only to the other people who are not connected with this area. This aspect has to be taken care of because this amendment is for effective functioning of the Board. If the Board would function effectively, then only the amendment will be more effective. Otherwise, there is no need for such an amendment. If you want to really enforce this amendment, it should be given more powers. It should be made more effective.

The other day, the hon. Minister, in Answer to Q.367 regarding peacock, mentioned that Section 43 of the Wild Life Act, 1972 provides exemptions to the owner of peacock and tail feather articles made therefrom from selling or transferring the same. Section 44 of the Act provides exemption to the dealer in peacock tail feathers and articles made therefrom by obtaining licence for dealing in the same. Now, what is really happening? In my Constituency also, there are peacocks. From my experience I would like to mention one very serious thing. The peacocks are being killed by these people. It is a very serious matter and it has to be taken care of. While replying to one supplementary in the Question Hour, he said that it will be taken care of. But this has to be enforced and dealt with very seriously.

As regards prevention of wild life crimes, I think we would be in a position to deal with this seriously with the help of this amendment. At present, the persons who have ownership certificate in respect of Schedule 1 and Part II of Schedule II animals, can sell or gift such articles.

This is encouraging the illegal trade in wildlife products. In order to prevent such illegal acts, this Amendment has been brought. By adopting this Amendment, I think this kind of illegal acts can be checked.

Likewise, in the forest and adjacent areas we are seeing in a large way crimes taking place. As rightly mentioned, killing of elephants and other species has become the order of the day. I think the Government should be able to put a halt to this kind of activities after passing this Bill.

I do not want to take much time of the House. I would confine my submission to one or two issues which are directly connected with my State, Kerala. The Tiger Reserve Forest at Tekadi is one of the very important tiger reserves in our country. Actually speaking, proper maintenance of this tiger reserve forest is not taking place. A large number of complaints are coming up. As regards the functioning of the Eco Development Society, we have brought it to the attention of the hon. Minister. The Eco Development Society is supposed to help the indigenous people to sell their forest produce in the outside market so that their economic activities will be boosted. But unfortunately this legitimate activity has not been taken care of by the Eco Development Society and the officers concerned. They do not make proper programmes and implement them in this area. We have to promote their indigenous skill and ability. Unfortunately, we have failed in this regard. Therefore, more attention needs to be given to this aspect.

Coming to the Silent Valley, it is one of the prestigious places for the whole country. The hon. Deputy-Speaker knows personally about this valley. When there was an attempt to construct a dam there, the then Prime Minister Smt. Indira Gandhi intervened and said that there should be no hydro-electric project in that area. Because of her intervention the Silent Valley Hydro-Electric Project was stopped. But I doubt whether the Silent Valley which was supposed to get preference in all respects is today being properly managed or is receiving the importance that it deserves. I would request the hon. Minister to have a review of the functioning of the Silent Valley and the activities which are taking place in that area. I would also request the hon. Minister to pay a visit to that valley which is one of the major forest wealth. The Central Government should have the direct monitoring of this area.

The bird sanctuary in Kumarakom, where the hon. Prime Minister spent some days a few years back, is one of the rarest bird sanctuaries. Kumarakom needs more attention. There is no proper management of the bird sanctuary and a number of complaints are coming up against it. When we are having total concentration on preserving zoos and sanctuaries, I think this bird sanctuary should get preference. As I said, there is a hue and cry against its management and proper preservation. I would request the hon. Minister to have a look into the affairs of this sanctuary.

This is a welcome step. Definitely, when our country is progressing, this aspect has to be taken very seriously. Otherwise, it will be highly detrimental to the future of our environment. By passing this Amending Bill, I hope the Government will give a boost to the wild life protection activities. I do not want to go into other details as there are other speakers from the Congress Party who would speak on various other issues. I hope this amendment will create an awareness among the people so that environmental protection will become a major agenda before us.

SHRIMATI MANEKA GANDHI (PILIBHIT): Sir, I thank you for giving me this opportunity.



I would like to take this opportunity to speak on a few points while I support the Bill. It has left out a large number of things which are absolutely necessary and I would like to point them out.

One is about what the honourable speaker who spoke before me was mentioning, namely, on peacock. Peacock is our national bird. It is a matter of great shame that when all other articles of all the other wild animals and birds are not allowed to be traded, barring no exceptions, peacock is the only one whose trade is allowed in its body parts.

Man's understanding of nature grows from year to year. Till some years ago, it was believed that the shahtoosh shawl was made from the shed hair of a goat. Only now, we know that eight antelopes which are found only in the Shantoon plateau of Tibet are killed for one shawl. Likewise, when the original Act was made, it was believed that trade in peacock feathers could be allowed in 1972 because peacock sheds its feathers. Peacock does not shed its feathers enough for a trade to continue. For instance, till two years ago, 20 lakhs feathers were allowed by licence to be exported which is being stopped two years ago. However, peacock sheds its feathers only in August to early September.

In any case, peacock is a solitary bird and lives alone or in small groups of two or three. When it sheds that one feather, nobody is going to employ people to run after the shed feathers. There is no doubt that the peacock is trapped, killed and then the feathers are plucked out and sent in sackloads and truckloads to the shops and trading centres. If it becomes difficult, then mass poisoning takes place. As you know, everyday there are reports in the papers and there is something about Morena. Peacocks are poisoned in Rajasthan and even in Gujarat. In any case, they have been wiped out either by drought or by mass poisoning. In Uttar Pradesh and Madhya Pradesh, they are being killed everyday.

Now, how do we know that the peacock parts are in the market? It is because people will contest it. No traders is selling shed feathers. There is a very simple way to realise that the peacock feathers are from peacocks that have been killed. The peacock feather shaft, if it has been shed naturally, is a clear transparent shaft. If it has been plucked from a killed peacock, in whatever manner the peacock has been killed, either by poisoning or by strangling or by shooting, then the last part of the shaft will have blood in it. Now, what a trader does is, he cuts the last 20 mm of the shaft so that you cannot see the blood in the shaft. You can see every single peacock feather in the market today. You may pick it up from anywhere in India. Now, if it has been taken from a naturally shed feather, this shaft would not be cut whereas it is cut in all feathers.

The Government, two years ago, stopped foreign trade which is a wonderful thing that has happened. However, 80 per cent of the trade is still being catered to foreigners who come here. There are peacock feathers in every shop, in every hotel, in every tourist shop, in every so-called antique and curio shop, in every monument-related shop. Foreigners come and take fans and other peacock feathers.

Now the strange thing is, peacock itself is in Schedule I of the Wildlife Act which means that if you kill, you would go to jail. It is a non-bailable offence. However, not a single person has ever been indicted or even been caught because you can sell feathers. Therefore, it is very strange that if I kill and if I have the body, then I go to jail. But if I have the feathers, then I am exempted. So, we want the Government to remove Section 43 and also 44 which is as follows:

"Provided further that nothing in this sub-section shall apply to the dealers in tail feathers of peacocks and articles made therefrom and the manufacturers of such articles &€;"

And Section 49A(b) should be amended in conformity with that.

My second point is on zoos. Why am I saying about zoos? It is because today, zoos are the largest killers of wild animals. There are 193 large zoos and over a couple of hundred illegal municipal zoos.

Last month alone, Surat Zoo was caught buying birds illegally from a poacher in order to fill up this. Over 20,000 birds and animals die in the Zoos every year. Today, the perception of Zoos in the country has descended to the level that they are regarded as amusement parks. Zoos are not considered centres of scientific research or centres for the preservation of wildlife with an emphasis on aspects of breeding. Zoo administration has to be seen as a specialization which cannot be done effectively without proper training and experience in the field. Due to lack of specialised personnel and a clear focus of the objectives of Zoo management, the animals dying in Zoos run into thousands every year.

The Zoo Policy presented to the Parliament in 1998 was an excellent document. However, it was pointed out at that time and several times subsequently, that the policy was non-implementable because there was no dedicated cadre in the Zoos to carry out any work. Till today, hundreds of zoos in India have no idea of what their functions are – whether it is the display of animals or scientific regeneration of the species. Animals are not being given an

economic value. Therefore, their administration is typified with amateurishness, bungling and theft of their medicine and food are regarded as minor misdemeanours. As you all know, in Hyderabad, a tiger's skin was taken off while it was within the cage. Till today, not a single person has been punished for any animal dying in the Zoos. 95 per cent of animals that die in Zoos are listed as having died of gastric disorder which means either the food is bad or it is non-existent or it is stale. It is for this reason that the formation of a Zoo cadre for the management of the Zoos in the country is extremely important and needs to be properly thought out.

There are millions of problems facing the zoos. They are badly designed, ill-lit. The animals are under-fed and unhappy. We do not contribute to our own happiness or our own health or knowledge at all. The animals in the Zoos are looked after by an officer usually on punishment posting, particularly from the Indian Forest Service who has no specific expertise or experience in captivity management or in animals at all. Most of the Zoos have no doctors and even the ones that do, are usually unable to meet the needs of the animals as there is not a single doctor in any Zoo who has been trained in wildlife. They are, in effect, being run by sweepers who clean the zoo cages, feed the animals, act as guards and they are also used to medicate and handle the animals as well. They are not trained, nor literate and have no empathy with the captive animals. Not surprisingly, thousands of animals die every year .

All these animals are not bred in the Zoos. They are caught in the wild. Therefore, the Zoos become the biggest poachers of animals. Every time one animal dies, another one is caught from the wild to fill the cage. In a lot of Zoos when the rare animals are killed, they fill up with the common ones. In the Guwahati Zoo, they have crows and peacocks. In Trivandrum Zoo, they have camels and lovebirds. In Bondla Zoo, they have grass snakes. They have ducks. They have anything that you can see. A large number of animals are filling up like prisoners in the Zoos. I would like to request the hon. Minister to make a special cadre which is long overdue and which has been demanded all over the world. In fact, this has been made all over the world. All over the world, there is a trained Zoo cadre. How does that work? For instance, people working in the Zoos can be sent for re-training and education. The Government could bring in people from outside Zoos. But to make the specialised cadre, there are hundreds of people in the country who are trained in wildlife management and a few doctors who have wildlife degrees from abroad. They have not been able to use their skills for the benefit of animals because there is no employment opportunity for them in the Government structure at present. The veterinary colleges have not mainly started a degree in wildlife medicine because there has been no employment opportunity after completion of the course. If the cadre is formed, then corresponding courses will be formulated and introduced as they are all over the world. It would create employment opportunities. I would request the Government that a specific cadre of handlers is required with a minimum of 20 handlers per Zoo, who will also get their jobs after an examination. Each large Zoo should have different levels of handlers. A handler would be a rung above the cleaners or feeders etc. and then, he would be in charge of different types or groups of animals. Each one of these should have been through a course in wildlife management. All the posts must be promotion-related.

The Deputy Directors must be able to become Zoo Directors in time. The other branch of the cadre to be formed for looking after the animals is the one of Zoo Veterinarians, with a minimum of two senior and two junior officers. They should be supported by a complement of wildlife compounders and staff. The Central Zoo Authority which already exists, could be in charge of recruitment, training and all service matters relating to promotions, posting etc. The constitution of a committed and dedicated cadre of zoo professionals is very much essential. I would be very grateful if the Government would consider this suggestion since it has been hanging fire since 1998 when this was first mooted.

The third point that I would like to make is about the creation of a special task force for wildlife crimes. Today, it has been proven again and again that the people who are smuggling arms and drugs are also involved in the wildlife trade. If we are the last country that has elephants, tigers and lions, then these have become extremely vulnerable to our neighbours. For instance, bears are taken out to Nepal every day and sold for their hair. Tiger bones are taken to the Tibet border and exchanged for antelope skin which forms shawls. So, everywhere we are under attack, whether it is for our large bears or it is for our animals. Today, it has been quantified all over the world that wildlife smuggling or wildlife crime is as large as the drug trade. Therefore, it becomes very important to have a specialised task force which will deal with wildlife crimes. Today, there is no task force and poachers are not caught. I would like the hon. Minister to tell me how many people have been convicted for poaching in this country. It is not even one per cent. There is a person called Sansar Chand who has been caught 53 times with 53 tiger skins, but he is still out in the open, he is still on bail. There are so many people like him who are given bail immediately and the cases proceed endlessly. If we have a special task force, then, we would be able to catch them quickly. So, without our own intelligence wing and proper security system, we cannot catch such people. We have seen at Chennai airport as to how 24,000 turtles went out in one consignment. One can miss one turtle or two turtles, but how can they miss 24,000 turtles in one consignment which went to Singapore? This is happening daily. People take suitcases with butterflies. In the Frankfurt Insect Fair, which takes place every year, about 20 per cent of the insects that are sold for upwards of \$1,000 each come from India. These are mainly butterflies and three or four species of them have become extinct which used to be found near the Rohtang Pass because they have all

been smuggled abroad through Customs. A number of Russians and Germans have been caught smuggling these insects, but what has happened to them? Nothing has happened. The trade goes on because we have never been able to catch such people in time. Therefore, what is needed is a special task force under the Home Ministry which would respond as they respond to terrorism, as they respond to drugs' trade or as they respond to any other major threat to this country. I would request the Government to consider this suggestion as well.

The next thing that I would like to talk about is on elephant corridors. Everyday, there are reports about elephants encroaching into villages. This is happening only because the corridors through which elephants pass have been encroached by the villagers. All over the North-East, the Army has taken over all the elephant corridors. So, where would these elephants go? They are not small enough to sneak in. They need a huge amount of food to eat. Unless we leave their corridors free, it will be very difficult to protect our elephants. A proposal was mooted for this purpose in 1990 and money was made available, but till now, not even one acre of land has been cleared to make their corridors free. In fact, there has been more and more encroachment. The fact is that we have lost a very valuable vote in CITES this year, which has made ivory available to the world market. We won this vote last year in Africa and we won it saying that ivory should not be opened to world market because India will lose her elephants. In Africa, they are well regulated, but in India, they roam free. There is no regulation and nobody is keeping an eye on that. A person like Veerappan can kill so many elephants. So, we fought against this and won the vote last year, but we have lost this year. Having lost it, the ivory smuggling will continue in this country unless we stop encroaching of the elephant corridors. It has not been taken seriously for 12 years now.

I would request the Minister and the Government to start it.

Now you have made a special Act allowing you to acquire lands immediately for making of a highway. Could we not apply this also to the making of an elephant corridor which stretches from Bhutan across to Karnataka – a small thin highway - in which they can go up and down and remain safe instead of attacking villagers.

The last thing I would like to talk about is what we call the *Madaris* or *Kalandars*. There is a mistaken belief here that these are very poor people with a traditional trade. We have done a two-year survey on this aspect. This was done about five years ago, the results of which have been shown internationally. We have seen, for instance, in the bear trade alone, one man owns between 29-30 bears. He rents them out for Rs. 150 a day. Each bear-person makes between Rs. 1,000 to Rs. 1,500. It has fallen into the hands of criminal elements. It is not a traditional trade. When these bears become three to four years old, because of the suffering they have undergone and because of the way they have been treated and fed, they are no longer capable of what is known as dancing. So, they are danced all the way past to the Nepal border where they are immediately killed and sold for their skins.

Now, there is a Government initiative to make a rescue centre and the first rescue centre has come up in Agra. I would like to request the Minister and the Government to take this far more seriously. There are fewer bears left in this country than there are tigers. If we want to save this species, then we should start picking up the *Madaris*. Of the 2,000 bears left, there are 1,200 on the road. These need to be picked up and put into the sanctuary. I would like to thank you again for giving me time.

**श्री महबूब ज़हेदी (कटवा) :** माननीय उपाध्यक्ष महोदय, मैं सबसे पहले आपको बहुत-बहुत धन्यवाद देना चाहता हूँ, इसलिए कि आपने मुझे इस विधेयक पर बोलने का अवसर प्रदान किया। मैं इसके साथ ही साथ मंत्री जी को भी धन्यवाद देना चाहता हूँ कि उन्होंने इस विषय पर सात साल के बाद चर्चा का अवसर प्रदान किया है। इस बिल के ऊपर दोनों तरफ से चर्चा हुई है। इस तरफ से भी चर्चा हुई है और बहुत सारे एक्सपर्ट्स बोले हैं। अभी मेनका जी बोल रही थीं। वे इस इस विषय की एक्सपर्ट हैं। उन्होंने बहुत लम्बी चर्चा की। मैं उन सब बातों को दोहराना नहीं चाहता हूँ।

महोदय, मैं सिर्फ चार-पांच चीजों की ओर आपके माध्यम से सदन का ध्यान दिलाना चाहता हूँ। वन्यजीव प्राणियों के दृष्टिकोण से अभी तक मेरे ख्याल में हमारे देश में विशे चिन्तन नहीं हुआ है। मैं कहना चाहता हूँ कि वाइल्ड लाइफ भी एक लाइफ है। दूसरी प्रकार की लाइफ भी हो सकती हैं, लेकिन इसके लिए आप देखें कि हमने वाइल्ड लाइफ की रक्षा के लिए उसके उपाय करने के लिए बजटरी प्राँवीजन कितना किया है। हम यहां कहते हैं कि वाइल्ड लाइफ की प्रोटेक्शन के लिए यह करेंगे, वह करेंगे, लेकिन उनकी सुरक्षा के कामों पर जो व्यय होगा, उसके लिए हमने कितना प्राँवीजन किया है, वह देखने की बात है।

महोदय, 1972 में वाइल्ड लाइफ के बारे में एक नैशनल बोर्ड बना, जिसका अध्यक्ष प्रधान मंत्री को बनाया गया, लेकिन उसकी तब से अब तक कितनी मीटिंग हुई है, यह मंत्री जी बताएं। मेरे ख्याल में अंगुलियों पर गिनने लायक ही मीटिंग तब से अब तक हुई होंगी। यदि इसी प्रकार के काम किए जाएंगे, तो यहां चाहे हम जितनी भी चर्चा कर लें, उसका कोई परिणाम आने वाला नहीं है। मैं पहली बात यह कहना चाहता हूँ कि वाइल्ड लाइफ के ऊपर कैलेमेटिक अटैक बहुत ज्यादा हुए हैं। बहुत सी सैक्चुरीज पानी में डूब गईं और राजस्थान में बहुत सैक्चुरीज में सूखे के कारण बहुत से वाइल्ड एनीमल मर गए। वहां सूखे के कारण बहुत सारे डॉमैस्टिक एनीमल भी मरे हैं।

**15.00 hrs.**

लेकिन आपने कितने एनीमल पूरे किये? उड़ीसा में सेंचुरी एकदम खत्म हो गई थी। वहां खाने के बगैर भी जन्तु मर गये थे। सब कुछ हो गया था। आप सदन को बतायें कि आपने इसमें से कितना पूरा किया है ?

दूसरी बात संरक्षण के बारे में है, that is preservation. प्रीजर्वेशन के बारे में मेनका जी बोली हैं। उन्होंने मैनेटेनेंस, फूड, इम्पलाइज स्ट्रेंथ आदि के बारे में कहा है

कि आपका ये सब कहाँ है ? मेरी इस संबंध में बंगाल में थोड़ी सी जिम्मेदारी थी। मेनका जी उस समय मंत्री थी और वह वाइल्ड एनीमल डिपार्टमेंट को ही देखती थीं। वहाँ हमने यह सब देखा था। खाली नेपाल के बारे में बोलना बेकार है। इसके साथ नेपाल है, बांग्लादेश है वहाँ टाइगर, ऐलीफेंट्स ट्रेड के जरिये चले जाते हैं। अभी तक उनके बारे में ऐसा कोई निर्णय केन्द्र सरकार की तरफ से नहीं लिया गया है। सब स्पीशिस चले गये। इसमें वाइल्ड एनीमल 34 हैं और इंसेक्ट्स बहुत ज्यादा हैं। यहां के जो स्पीशिस हैं, वे लुप्त हो गये हैं। वे हमें अब नहीं मिल सकते। आपने उसके बारे में क्या कुछ किया है ? हम एक बात कहना चाहता हूँ कि **These are domestic after all.** बूढ़े जानवर दो-चार हैं। वे सब अब बर्बाद हो रहे हैं। हम खासकर उन्हें रखने के लिए हम कुछ नहीं कर रहे हैं। हम यह नहीं कह रहे कि बक्सों में बटरफ्लाई आदि चले आ रहे हैं। मैं यह कह रहा हूँ कि उन्हें रखने के लिए हमने क्या किया है ? हमें इन पर स्पेशली अटेंशन देना चाहिए। अभी इन्वियरमेंट के बारे में बोला गया है। हमने खुद देखा है। **I have got a very vast experience in this matter. On that day, particularly, I was in Kolkata Zoo.** हमने देखा है कि वे माँकी के ऊपर रिएक्शन कैसे होता है। **How is it reacted?** आप हैदराबाद जाइये, कोलकाता जाइये। हम तो दिल्ली में कभी नहीं गये हैं, मगर आप दिल्ली में भी जाइये। **All the zoo at present are surrounded by sound.** इससे वाइल्ड एनीमल सबसे ज्यादा प्रभावित होते हैं। जंगल तो साउंडलेस जगह है मगर यहां साउंड है। **All are surrounded by the terrible sounds.** मेरा कहना है कि साउंड में ही जू रखा गया है। वहाँ आप उनको क्या फूड देते हैं ? उनको ज्यादा फूड नहीं मिलता है। मेनका जी ने **Corridor of animals** के बारे में भी कहा है। यह नहीं सोचा कि एनीमल के लिए खाने की जगह कहाँ है ? **Why these animals are coming down?**

वे उड़ीसा में आ रहे हैं, बंगाल में आ रहे हैं। **All the elephants are coming down from the mountains.** वे पहाड़ से उतरकर आ रहे हैं क्योंकि वहाँ उनको खाने के लिए कुछ नहीं है। उनके लिए कोई जगह नहीं है इसलिए उनको नीचे आना पड़ रहा है। वे खेत में घुस रहे हैं। यह भी सोचने की बात है कि वे जंगल को भी बर्बाद कर रहे हैं, जो हकीकत है। उसके बारे में मिनिस्टर से पूछना बेकार है। जब फारेस्ट मिनिस्टर आयेंगे तो हम उनसे यह पूछेंगे। **â€¦ (व्यवधान)** अगर यहीं है तो बहुत अच्छा है। आप जंगल के मिनिस्टर भी हैं और जंगल के प्राणी के भी मिनिस्टर हैं। मेरा कहना है कि जंगल बर्बाद हो रहा है। हाथी के खाने का क्या होगा? सब चले जा रहे हैं।

Anyway, I would like to inform the hon. Minister that this single amendment is not enough. The execution of this amendment is very important and if he does that and if he sees the situation in the States then this amendment will be very successful. For that reason, I congratulate the hon. Minister and support this Bill.

**डॉ. रघुवंश प्रसाद सिंह (वैशाली) :** उपाध्यक्ष महोदय, वन्य जीव प्राणियों के संरक्षण के लिए सन् 1972 में कानून बना था। वह ठीक ढंग से लागू नहीं हो रहा है, हालांकि हमने वह विभाग मेनका गांधी जी को दे रखा है कि वे ही कुत्ते, बंदरों की रक्षा का इंतजाम करें। प्रधान मंत्री नेशनल बोर्ड ऑफ वाइल्ड लाइफ के अध्यक्ष हैं। उन्होंने जो कहा, उसे मैं एक पंक्ति में बताता हूँ कि क्या कानून बन रहा है। लोग कहते हैं - ताला लागलवा कानून और पल्ला खुलवा, कानून भी बना हुआ है और वन्य जीवों की हत्या और मारा जाना रुक नहीं रहा है। वन्य प्राणियों की तीन तरह से हत्याएं हो रही हैं - एक, बड़े लोग जिनको शिकार का नशा होता है, वे अवैध शिकार करते हैं, एक तरह से वहाँ हत्या हो रही है, दूसरी हत्या, व्यापारी लोग हाथी के दांतों और खाल का अवैध व्यापार करते हैं, लोग कहते हैं कि बाघ की खाल पर बैठने से, पुराने जमाने में साधू-महात्मा पूजा करते थे और बड़े-बड़े लोग खाल का इस्तेमाल करते थे। 1972 में जो कानून बना, उसके अनुसार यह प्रतिबंध लगाया गया था कि कोई व्यक्ति जानवरों को मार नहीं सकता लेकिन उसके बावजूद मंत्री जी ने बताया कि तीन सालों की तुलना में वर्ष 2000 के दौरान 49 बार, 201 तेंदुओं की खालें अथवा उनके शव बरामद किए गए। तेंदुआ और बाघ की हड्डियों के रूप में 176 किलो अस्थियां बरामद की गईं। ब्लैक बक स्किन की संख्या 221, शाहतूस की 63 शालें पाई गईं। शाहतूस का रोयां बहुत गरम होता है। मंत्री मंडल में कई ऐसे सदस्य हैं जो शाहतूस की शाल ओढ़कर घूमते हैं। उनको पकड़ा जाना चाहिए या नहीं। **â€¦ (व्यवधान)** आप लोगों को मालूम नहीं है। **â€¦ (व्यवधान)** एक मुख्य मंत्री के वास में रंग-बिरंगे जन्तु हैं। **â€¦ (व्यवधान)**

MR. DEPUTY-SPEAKER: Order please. We have to pass two more Bills today.

**श्री महेश्वर सिंह :** वन्य प्राणियों को बंद रखना भी पाप है।

**डॉ. रघुवंश प्रसाद सिंह :** वन्य प्राणियों का संरक्षण है। चिड़ियाघर और बड़े-बड़े राष्ट्रीय वन्य प्राणी उद्यान जैसे रणथमभोर, सरकार के राष्ट्रीय वन्य प्राणी उद्यान में भी जानवर मर रहे हैं। हाथी, बाघ, चीता, हिरण आदि को वहाँ भोजन नहीं मिलता, पीने का पानी नहीं मिलता, उनके रख-रखाव का इंतजाम नहीं है कुप्रीम कोर्ट, दिल्ली हाई कोर्ट, इलाहाबाद हाई कोर्ट ने सरकार को बार-बार निर्देश दिया कि वन्य प्राणियों का संरक्षण होना चाहिए। मैं एक बात की सूचना सरकार को देना चाहता हूँ। गिद्ध जो आसमान में उड़ता है, कहा जाता है कि जलचर, थलचर, नभचर जग नाना, जे जन चेतन जीव जहाना। कुछ जन्तु आसमान में उड़ने वाले हैं, कुछ जमीन पर चलने वाले हैं और कुछ जल में रहने वाले हैं जैसे मछली। **â€¦ (व्यवधान)** मगरमच्छ अलग है, घड़ियाल अलग है। **â€¦ (व्यवधान)**

महोदय, डालफिन मछली के बारे में बहुत से लोग कहते हैं कि वह है तो जन्तु, लेकिन उसे ज्ञान होता है। वह आदमी के साथ बहुत फ्रेंडली है, बहुत मेल रखने वाली है, उसका भी संरक्षण नहीं है। माननीय मंत्री ने बताया कि हमने उसमें कानून को सख्त बनाया है और जुर्माने को बढ़ाकर दो हजार से 25 हजार रुपये कर दिया। इन्होंने दावा किया है कि हम कानून को सख्त बना रहे हैं, लेकिन यह सब कानून से नहीं होगा। आज वर्ल्ड लाइफ खतरे में है, इनका जीवन हर जगह खतरे में है, चाहे हाथी हो, बाघ हो।

एक तो बड़े आदमी शिकार करते हैं और दूसरे जो अवैध व्यापार करने वाले हैं, क्योंकि कहीं सांप की खाल की मांग है, इसी कारण अपने देश का मेंडक दूसरे देश में भेज दिया। जब वार्ता होती थी तो कहते थे कि पीला-पीला मेंडक टर्-टर् टर्ताता है, मेंडक उच्चारण करता था, आवाज लगाता था, लेकिन अब हम लोग मेंडक नहीं देख रहे हैं, सबको बाहर भेज दिया, क्योंकि उसका मांस अच्छा होता है। सारे मेंडक बाहर सप्लाई हो गये, यह सभी खतरा है। गिद्ध जो आसमान में उड़ता था, जो मरे हुए जानवर को देखकर नीचे उतर जाता था, अब गिद्ध भी हम लोग नहीं देख रहे हैं। उसे विभिन्न बीमारियां हो गईं, यह टी.वी. पर भी आया कि गिद्ध मारे जा रहे हैं। सब लोग कहते हैं कि गिद्ध जैसा वन्य प्राणी भी कहाँ गया। चील, गिद्ध सब लोगों को नहीं दिख रहे हैं। जो सब फ्री आसमान में उड़ने वाले वन्य प्राणी हैं, उनकी न देखभाल है, न कोई इन्तजाम है, इसलिए हमारा सुझाव है कि इसमें कानून बनाने से काम नहीं होगा।

इसे ग्रामीण जीवन से जोड़ना पड़ेगा, नहीं तो कहीं-कहीं खतरनाक जानवर सब बाहर निकल जाते हैं, उन्हें गांव के लोग मार देते हैं। राजो बाबू के यहां सैदपुर जिले में बाघ निकला, वह अभी तक नहीं मारा गया, लेकिन उसने तीन आदमियों को मार दिया। अगर इस तरह वह आदमियों को मारता चला जायेगा तो गांव के लोग अथवा पुलिस प्रशासन मुस्तैद होकर उस तरह के जानवर को, चूंकि उनका जनता को बचाने का काम है या वन्य अधिकारी लोग, जो विशेषज्ञ हैं, जाकर उसे कोई गैस छोड़कर, उसे मदहोश कर देते, उसे पकड़ लेते। गांव के लोग गीदड़ या जो छोटा-छोटा सियार होता है, गांव में जब निकलता है तो उसे खदेड़कर मार देते हैं।



चूंकि पुराने जमाने में जंगल अधिक थे, जंगल की कटाई हो गई, ज्यादा जंगल खत्म हो रहा है। बिहार में सन् 1947 में 37 परसेंट जंगल था, वह घटकर 15 प्रतिशत हो गया। सरकार ने कुछ प्रगति की, कुछ प्रगति पर्यावरण आदि के बहाने हुई, वनरोपण का काम, वन संरक्षण का काम हुआ तो अब 17-18 प्रतिशत जंगल हुआ है। कहां 37 परसेंट था, अब वह घट गया। वैज्ञानिक और पर्यावरण के विशेषज्ञ कहते हैं कि एक तिहाई भूमि में जंगल होना चाहिए, जिससे पर्यावरण भी दुरुस्त रहेगा और वन्य प्राणी भी बचेंगे। जंगल कट जायेगा तो वन्य प्राणी कैसे रहेगा। कहीं-कहीं यह काम राज्य सरकार के जिम्मे है और कहीं भारत सरकार के जिम्मे है, उत्तरांचल में कार्बेट पार्क और झारखंड में बेतला फोरेस्ट में बाघ, सिंह रहते हैं। बाघों की गणना होती है, उसके पैर का छपा लेते हैं, जब बाघ नदी किनारे टहलता है, उस पर फर्मा लगाकर लोग उसकी गणना करते हैं, वह बड़ा साइंटिफिक सिस्टम है। बाघों की गणना में बराबर आता है कि बाघों की संख्या घट रही है। सर्कस वाले बाघ, सिंह दिखाकर कुछ जीवन-यापन करते थे, वे अब अलग मर रहे हैं। गरीब लोग सुग्गा दिखाकर कुछ कमाते थे, उन पर अलग खतरा है, उसमें चिल्लाहट है। इसलिए इन सभी बातों को देखते हुए इस पर बहुत संतुलन रखने की जरूरत है। जंगल कटने के चलते वन्य प्राणी घट रहे हैं। रंग-बिरंगे जीव-जन्तु कभी-कभी हम लोग डिस्कवरी चैनल पर देखते हैं। उस चैनल में दुनिया भर के जन्तुओं के बारे में बताते हैं, उसमें एक से एक अजूबा प्राणी है।

सचमुच में 84 लाख योनियां हैं - ऐसा हमारे शास्त्रों में भी लिखा है। अभी तक वैज्ञानिकों को इसके बारे में बहुत कम पता चला है और वे करीब 74,000 तक ही पहुंच पाए हैं। रंग-बिरंगे पशु-पक्षी हैं। मृग होता है, उसकी नाभि में कस्तूरी होती है। कस्तूरी के लोभ में आदमी उसको मार देता है। कुछ खास समय में लोग उसकी खाल उतारने के लिए उसको मार देते हैं। कस्तूरी पाने वाले और हिरण का मांस खाने वाले लोग उसको मार देते हैं। इससे उनकी संख्या में काफी कमी हो रही है। इसी तरह से गैंडे का मामला है। वह भी एक अद्भुत बनावट वाला जंतु है। उसके शरीर से विभिन्न तत्व निकलते हैं, जिससे दवा बनती है। इसलिए उसको भी मारा जाता है। इसलिए वन्य प्राणियों को आज बहुत खतरा हो गया है। उसके संरक्षण के लिए यह कानून लाया गया है। जो एडवाइजरी बोर्ड है, प्रधान मंत्री जी उसके अध्यक्ष हैं। स्टेट के एडवाइजरी बोर्ड्स में सुधार करने के लिए यह विधेयक लाया गया है। लेकिन हम वन्य प्राणियों की संख्या देखते हैं, तो लगता है कि लोग उन्हें मार रहे हैं और उस संख्या में निरंतर कमी हो रही है। प्रधान मंत्री जी ने वन्य जीवों की स्थिति पर गहरी चिंता व्यक्त करते हुए राज्य और सम्बद्ध संस्थाओं से वन्य जीवों के शिकार और अवैध व्यापार रोकने तथा उनको वांछित संरक्षण प्रदान करने के लिए समुचित कदम उठाने का आग्रह किया है। 1994 से 1998 के बीच चार वार्षिक शिकार अथवा अप्राकृतिक परिस्थितियां पैदा होने से करीब 245 बाघों की मृत्यु हो चुकी है। एक हजार तेंदुए हर साल मारे जा रहे हैं। उस वक्त यह कानून क्यों नहीं लागू किया जाता है।

**श्री हन्नान मोल्लाह :** इन्सान भी मर रहे हैं।

**डॉ. रघुवंश प्रसाद सिंह :** इन्सानों का भी संरक्षण होना चाहिए। यह सब चिंता की बात है। सदन को इस मामले में संवेदनशील होना चाहिए। हम चाहते हैं कि इस कानून का सरकार सख्ती से इम्प्लीमेंटेशन करे और आम आदमी को सहभागी बनाए। ग्राम्य जीवन को भी इसमें जोड़ने का काम किया जाना चाहिए, तभी यह सफल होगा। कंज़र्वेशन वाला रिजर्व और कम्युनिटी वाला रिजर्व दोनों का प्रावधान होना चाहिए, तभी वन्य जीवों का संरक्षण हो सकता है। जो जानवर पुराने जमाने से अभी तक चल रहे हैं और उनका नाश होता जा रहा है, उनके संरक्षण के लिए लिए सरकार को विचार करना चाहिए।

**श्री अनंत गुटे (अमरावती):** उपाध्यक्ष महोदय, मैं मंत्री जी लाख-लाख धन्यवाद देता हूँ कि उन्होंने बहुत ही महत्वपूर्ण विधेयक सदन में विचार के लिए रखा है। 1972 में जब यह कानून बना, उस कानून के पहले इस देश में अंग्रेजों से लेकर वन्य जीवों की हत्या होती रही। उसके बाद देश में राजा-महाराजा आए। उन्होंने अपने महलों को सजाने के लिए वन्य जीवों की हत्या की और शेर तथा हिरणों को मारा जाने लगा। हत्या करना, शिकार करना उनके लिए बहुत बड़ा शौक बन गया था। उस समय से वन्य जीव धीरे-धीरे खत्म होने शुरू हो गए।

1519 hrs. (Dr.Raghuvansh Prasad Singh *in the Chair*)

1972 के इस कानून में काफी खामियां थीं। इस कानून में सजा का प्रावधान बहुत कम था। इसीलिए हम वन्य जीवों को बचा नहीं पा रहे हैं। इन सब बातों को रोकने के लिए जो यह संशोधन विधेयक लाया गया है, यह बहुत जरूरी हो गया था। वन्य जीवों के क्षेत्र से मैं बहुत नजदीक से जुड़ा हुआ हूँ। मेरा संसदीय क्षेत्र अमरावती है। वहां अभी मेघघाट करके एक एरिया है, जहां नया टाइगर प्रोजेक्ट बन रहा है।

कई सालों से मैं इस क्षेत्र में घूमता रहा हूँ। मैंने देखा है, वहां जो सरकारी रिकार्ड है, कि 75 टाइगर वहां हैं लेकिन मुझे राजनीति में दस-बीस साल हो गये और मैं इन पार्कों में घूमा हूँ, इतने साल के बाद भी मेघघाट के एरिया में जहां टाइगर प्रोजेक्ट बन रहा है, वहां शेर तथा अन्य वन्य जीव नहीं दिखाई देते हैं। शेर मारा गया, ऐसा सुनने में आया लेकिन कोई पकड़ा नहीं जाता था। कोई शेर मारा जाता था तो गांव में दो-चार लोगों को पकड़कर कानूनी कार्रवाई हो जाती थी लेकिन सही में जो हत्यारे थे, वे नहीं मिल रहे थे। आज वहां पर टाइगर प्रोजेक्ट एरिया बन रहा है। मैं कई जगह पर कई नेशनल पार्क में घूमा हूँ। नंदकानन नेशनल पार्क में भी हम माननीय मंत्री जी के साथ वहां पर गये थे। वहां जहां सारी सुविधाएं हैं, हम अप्रतीका से शेर वहां पर लाए हैं, हम करोड़ों रुपये खर्च करते हैं। वहां पर पूरे अधिकारीगण हैं लेकिन वहां जो शेर मारे जाते हैं, बीमारी से मरते हैं। लेकिन हमारी कोशिशें कम पड़ रही हैं और हम उनको नहीं बचा पा रहे हैं। इसलिए इस कानून को सख्त करना जरूरी है। माननीय मंत्री जी ने अपने भाषण में कई मुद्दों को बताया। वन्य जीव को बचाना तो हमारा राष्ट्रीय कर्तव्य है लेकिन उनको बचाते वक्त इन वन्य जीवों से बाकी जिन लोगों का नुकसान होता है क्योंकि ये जितने भी टाइगर प्रोजेक्ट हैं, ये पहाड़ी एरिया में हैं और जब वहां पर इन वन्य जीवों को खाने को नहीं मिलता, पीने को पानी नहीं मिलता तो ये उस एरिया के आसपास के जो गांव होते हैं, शहर होते हैं, ये वहां आ जाते हैं और इससे गांव के लोगों की तकलीफ शुरू होती है। उनकी इतनी तकलीफ बढ़ती है कि ये वन्य जीव कभी किसी आदमी को मार डालते हैं। हिरण और जंगली डुक्कर ऐसे प्राणी हैं और जिस मेघघाट की मैं बात कर रहा हूँ और मेघघाट क्षेत्र के नीचे अगर आ गये हैं तो परतबाड़ा, तेंदुबाजार और अनजन ऐसे बड़े-बड़े गांव हैं तथा इन बड़े देहातों में हिरण वगैरह को जब खाने को नहीं मिला तो वे शहरों में आ गए और खेतों में बस गए हैं तथा वे खेती का नुकसान करते हैं। किसान ने अपनी जमीन में बोया हुआ है और थोड़ी सी खेती उमर आई है लेकिन तभी हिरण और जंगली डुक्कर उस खेती को खा डालते हैं और किसानों का नुकसान करते हैं। इसलिए उनको बचाते वक्त इस कानून में इस बात का प्रावधान करना जरूरी है कि जो वन्य जीव लोगों के खेतों में आ जाते हैं और खेती का नुकसान करते हैं, उनके लिए हम क्या कर सकते हैं? उनसे हम किसानों का बचाव कैसे कर सकते हैं? वहां के एनजीओ, पंचायत के जो लोग हैं, मैं यह भी कहूंगा कि जो समितियां बना रहे हैं और जिन क्षेत्रों में अभ्यारण्य हैं, वहां के एमपीज और एमएलएज को इसमें सम्मिलित करना चाहिए क्योंकि जो खेती का नुकसान होता है, वह बहुत ज्यादा होता है। मैं महाराष्ट्र से आता हूँ। महाराष्ट्र के किसानों की बात चल रही है कि इन वन्य जीवों से खेती को नुकसान होने से बचाया जाए। (व्यवधान)

**सभापति महोदय :** अब अपनी बात समाप्त करिए। आपकी पार्टी का टाइम तीन मिनट है और आप 6 मिनट बोल चुके हैं।

**श्री अनंत गुटे :** मैं अकेला अपनी पार्टी की तरफ से बोलने वाला हूँ। मैं कह रहा था कि इन वन्य जीवों से किसानों को बचाना जरूरी है और यदि ऐसा नहीं किया गया तो एक दिन ऐसा आएगा कि आपका कानून कुछ नहीं कर पाएगा।

लोग सड़कों पर आ जायेंगे।

**श्री नरेश पुगलिया (चन्द्रपुर) :** जंगली सूअरों के कारण किसानों को बहुत समस्या है।

**श्री अनंत गुटे :** किसानों को बचाना बहुत जरूरी है। इस सदन में किसानों के बारे में कई बार चर्चा हो चुकी है। जंगली सूअरों से किसानों को तकलीफ है और हिरनों से भी तकलीफ है। इस बारे में मंत्री जी को ध्यान देना चाहिए।

महोदय, मैं एक बात और कहना चाहता हूँ। वन्य अधिकारी अपने ए.सी. कमरों में ही बैठे रहते हैं। वे पैट्रोलिंग का काम नहीं करते हैं। इस संबंध में कई सुझाव माननीय मंत्री जी को दिए गए हैं। मैं आशा करता हूँ कि मंत्री जी उन सुझावों पर ध्यान देंगे। इसके साथ ही जहां-जहां भी टाइगर प्रोजेक्ट्स हैं, वहां वन्य जीवों के लिए पानी की व्यवस्था करना बहुत जरूरी है। एक बार वन्य जीव खाने के बगैर रह सकता है, लेकिन पानी के बिना नहीं रह सकता है। वार्न न होने की वजह से पानी की उपलब्धता नहीं होती है। इस दृष्टि से मैं कहना चाहता हूँ कि वन्य जीवों के लिए पानी की व्यवस्था करनी चाहिए।

अंत में, मैं कहना चाहता हूँ कि वन्य विभाग से साधारण बजट में काफी राशि जमा होती है, लेकिन उस राशि का उपयोग वन्य क्षेत्रों के विकास के लिए नहीं किया जाता है। मेरा सुझाव है कि जितनी राशि इस मद से सरकार को प्राप्त होती है, उसका 60 प्रतिशत पैसा इन क्षेत्रों के विकास पर खर्च किया जाना चाहिए।

इन शब्दों के साथ मैं आपको धन्यवाद देता हूँ कि आपने मुझे बोलने के लिए समय दिया।

**SHRI BIJOY HANDIQUE (JORHAT):** Mr. Chairman, Sir, I rise to support the Wildlife (Protection) Amendment Bill, 2002. The Amendment Bill is more comprehensive and has gone in depth into some of the problems of conservation that appear in our day to day life. I give one instance about poisoning of wild birds not only in protected areas, not only in bird sanctuaries but in outside areas, outside sanctuaries and outside reserve forests. This is a cruel method of killing birds by offering them rice cakes mixed with pesticide. It is not only that; those poisoned birds are sent by truckloads to different markets thus poisoning the human system all over.

Our demand is that all the important bird areas need to be declared protected areas. At the same time, while extending whole-hearted support to this Bill, I take note of what the hon. Minister has stated at the outset in the Statement of Objects and Reasons. I quote :

"taking into consideration the increasing wildlife crimes and growing alienation of local communities from wildlife conservation process"

It is very significant. In pursuance of the Joint Management of Forest Policy, I am all in for people's involvement in protection of wildlife. But it is not only that; the very important point is that if it is not people-friendly, I am afraid, the people will not cooperate and it will be difficult to protect the wildlife.

Sir, with these observations, I draw the attention of the hon. Minister to the man-elephant conflict in Assam as well as in other States, which has taken such a serious dimension that it poses a threat to conservation itself. I know that this is a very delicate situation. The problem has been living with us over a couple of decades, but we failed to resolve it and allowed it to grow to a menacing size. There is a stock reply from the government that the man has encroached upon the elephant's habitat. Thus, the inference is that the man is to blame. Yes, there is no doubt about it that the man is to blame. But my question is this. Till today, in the course of last so many years, why no sustained effort has been made to meet the situation? Now, like it or not, this is the reality today and it cries for action, though belated. The most legitimate question that arises is why nothing was done to prevent such encroachments of elephant habitats right at the outset. Encroachments did not appear overnight.

Imagine a situation where human lives, houses and crops in villages are destroyed by wild elephants. The Government feels helpless and we expect the people to tolerate it and restrain themselves. In the heat of the moment, in such distress, it is too unfortunate that they retaliate and kill elephants. Here is also our failure. Here, our conservation efforts collapse and it is the Government which will be held responsible for not finding out the effective way out.

There are 5,000 wild elephants in Assam. Instances of poaching for ivory in Assam are very rare. However, there has been a spurt in the man-elephant conflicts in the past few years, which is a matter of great concern. On an average, about 50 persons are killed every year by wild elephants and there take place 50 incidents of crop-raiding every year in the State.

Due to continuance of such depredations over the years, there have been some retaliatory killings of wild elephants by people. It is terrible. During the last part of the year 2001, in one incident, the villagers in Sonitpur district killed about 17 wild elephants. It is terrible. It is horrible.

Now, I give some suggestions as to what we demand to mitigate the situation. First of all, the Government needs to take effective steps such as intensification of habitat improvement programme, including the corridors. The Government should constitute inter-State Elephant Reserves. There should be resumption of periodical *kheda* operation and enhancement of *ex gratia* payment for injury or loss of life, compensation and insurance cover for crop damage, and involvement of NGOs in the elephant conservation programme.

Sir, the State Government of Assam, besides initiating these steps, is sending a proposal for setting up a Technology Mission for Elephant Conservation. The Central Government is to provide funds, experts' counseling and do monitoring. The State Government with limited resources is not in a position to formulate all these steps.

What we want is that the Government should come forward and give some incentive and take some measures in sustained manner; otherwise, we should remember that it is a failure of conservation. When it is a case of man-wildlife conflict, ultimately, the wildlife always loses out. So, it is the responsibility of this Government and society to see to it that our care and understanding restores harmony in man-wildlife relations.

SHRI BIKRAM KESHARI DEO (KALAHANDI): Sir, I rise to support the Wild Life (Protection) Amendment Bill, 2002, being piloted by the hon. Minister of Environment and Forests because when we talk about wild life, we talk about 75,000 species known in the country -- 81 species of mammals, 47 species of birds, 15 species of reptiles, 31 species of amphibians and a large number of butterflies, moths and beetles, which are in the endangered list. These have to be protected. Beside, there are other species which have been completely extinct like, for example, the cheetah. It has been extinct from the sub-continent.

Though the Wild Life Act has been amended in 1982, 1986, 1991 and 1993, we have never achieved or we have never even strived to protect our wild life. So, this bit of legislation is required to make wild life protection more efficient, to increase the penalties, to make wild life preservation more friendly to the people. Unless wild life awareness is created among the people, wild life cannot be protected.

Sir, from time immemorial, the Indian population or the Indian masses have lived in harmony with wild life. Wild life has been depicted in our scriptures, in the *Ramayana*, in the *Mahabharata* -- there is a mention of *Garuda*, *Hanuman* and, in *dasavatars*, there is a mention about *Varaha Avatar*, *Matsya Avatar*, *Kachchapa Avatar*. All these *Avatars* are very symbolic to our identification with wild life and how the Indian masses lived in harmony with the wild life. This is a clear example and, till today, it is being followed.

However, in the course of time, when the wild life became a sport or a game, it was gradually destroyed. After Independence also, it took us nearly 25 years to get in a legislation in the form of the Wild Life (Protection) Act, 1972. That means, from 1951 till 1972, there was no Act or any law to protect wild life. So, wild life and environment became free for all. In the name of development, we destroyed so many species of animals and we damaged the forest. Then came the Forest Act, and now we have woken up to the situation that wild life has to be protected for survival of mankind.

We support this legislation thoroughly because the penalties have been increased, but, there is one problem. I would like to make one suggestion here that the Wild Life Crime Intelligence Cell should be created on the lines of preventive measures in the narcotic and drug trafficking. As the previous speaker Shrimati Maneka Gandhi said, people who are involved in narcotics and drug smuggling are also involved in illegal wild life trade. So, Wild Life Crime Intelligence Cell should be created so that those people who are destroying our wild life can be nabbed and our wild life can be saved.

Then, to preserve our wild life, like I said earlier, we have to keep the people happy. The tribals who live in the jungles are compensated much less, I mean, the compassionate payment is very meagre. Today, if a farmer or a

tribal is killed by a wild animal or a tiger or an elephant, he is eligible for Rs. 10,000. However, if a person is killed in a road accident, he is eligible to lakhs of rupees from the insurance company.

This thing has to be changed. If wildlife protection is made people-friendly, then only wildlife would survive. For example, if a person is injured in an attack by a bear or a tiger or is hurt by an elephant, then the compensation that is given to the injured person is only Rs. 5,000. This amount of compensation should be enhanced to a minimum sum of Rs. 2 lakh.

**सभापति महोदय :** अब आप कन्कलूड कीजिए।

...(व्यवधान)

**SHRI BIKRAM KESHARI DEO :** Sir, please give me some more time since I come from a wildlife rich area.

Sir, now it has become mandatory that a person who has been killed by wild animals should be compensated properly. The compensation amount should be nearly Rs. 3 to 4 lakhs. In parts of Kalahandi forests, if the cattle of farmers are killed by wild animals, then the compensation that is paid to them is only a meagre amount of Rs. 500/-. In such a situation, why should the farmers or the tribal people be attracted to save the wildlife? It is a very common thing. If a farmer applies for a dairy loan under ERP or IRDP scheme from the banks, then the loan sanctioned to him is Rs. 40,000/- and he uses that amount to raise his farm. But when a wild animal kills his cattle or cow, why should he be given a paltry sum of Rs. 500/- as compensation? This amount should also be enhanced.

Sir, I would like to cite one example here. In countries like Nepal and Kenya, the Army is involved in the protection of wildlife. I think, in India also we should raise a Wildlife and Environment Wing in the Territorial Army for protection of wildlife in our country. Further I would like to add in this context that one CRF battalion was guarding the Barbara forest in the Khurda district of Orissa. One would be surprised to know that the forest was brought back to its original glory, the ecology was preserved and wildlife in the forest also has increased. But this battalion now has been transferred. Therefore, I would like to submit that the Armed Forces should be involved in the protection of wildlife.

Sir, I would also like to mention about the Zoological Society of India. They are doing a very good job. They have a lot of programmes for conservation and collection of species. But this organisation is under-staffed. They should have adequate staff strength to pursue their programmes and efforts should be made to make this organisation more vibrant.

Sir, finally before I conclude I would like to make a mention, otherwise it would be a great injustice to the people of my area, on one particular aspect. Today the Zoological Society of India has chosen priority areas for development. Top on the list of their priority is the development of rich habitats, the fragile eco-systems, the Himalayan eco-system, the desert eco-system of Rajasthan and Gujarat, the marine islands in the Andaman and Nicobar Islands and the Lakshadweep islands and also the tropical rain forests, the Western Ghats and the Northern region. I would like to request the hon. Minister to include the Eastern Ghats also in this list.

**श्री रघुनाथ झा (गोपालगंज) :** माननीय सभापति महोदय, राष्ट्रीय वन्य जीवों का संरक्षण करने के लिए जो बिल लाया गया है, उसके लिए मैं माननीय मंत्री जी को बधाई देना चाहता हूँ। मंत्री जी ने जो विधेयक इस सदन में प्रस्तुत किया है, उसे उन्होंने बहुत व्यापक बनाया है। अब वन्य जीवों की रक्षा कैसे होगी, संरक्षण कैसे होगा, के बारे में मेनका जी और दूसरे माननीय सदस्यों ने जो सुझाव दिये हैं, उसमें मैं अपनी मर्जी भी रखता हूँ। मेरा कहना है कि कानून तो बहुत बनते हैं लेकिन मुख्य चीज यह है कि कानून का पालन कैसे होता है और पालन करने वाला कौन है ? लॉ मेकर ही लॉ ब्रेकर है। अफसोस की बात यह है कि जो कानून बनाने वाला है, वही अधिकतर कानून को तोड़ता है।

आप देहातों में चले जाइए, वैसे झारखंड बन जाने के बाद बिहार के इलाके में वन का हिस्सा बहुत कम रह गया है, कुछ पश्चिमी चम्पारन, कुछ रोहतास, कुछ मुंगेर के हिस्से, हम अपनी आंख से देखते हैं कि बड़े-बड़े पदाधिकारी, कलैक्टर लैवल, कमिश्नर लैवल, डी.आई.जी. लैवल, एस.पी. लेवल के लोग शिकार के शौक से जाते हैं, वहां रहते हैं, हिरण मारते हैं, दूसरी चीजों का शिकार करते हैं, उनको खाते हैं लेकिन उनके बारे में कोई प्रश्न नहीं उठाता। वे खाते भी हैं, पीते भी हैं, नीला पीते हैं या पीला पीते हैं, इसके बारे में हमें कुछ नहीं कहना। आपको ज्ञात होगा, एक बार बिहार के स्पीकर साहब पलामू जिले में गए थे। वहां हिरण का शिकार हुआ था। भोज में उनके साथ सारे पदाधिकारी थे और सबके साथ हिरण के मांस का वितरण हुआ था। वहां के सारे अखबारों और दूसरी जगहों में व्यापक रूप से इस बारे में आया था। आवश्यकता इस बात की है कि लॉ को ऐनफोर्स करने वाली एजेंसी ताकतवर होनी चाहिए। यदि कलैक्टर, कमिश्नर, एस.पी. जाएगा तो फॉरैस्ट आफिसर डर के मारे क्या बोलेगा, उसकी क्या हिम्मत है कि उनके बारे में कुछ बोले, वह उनकी मदद करता है। इसलिए उसे कानून से प्रोटैक्शन देना चाहिए, उसकी मदद करने का काम करना चाहिए। आप देखेंगे कि बिहार में व्यापक रूप से हाथी, हिरण, नीलगाय, बक्सर के इलाके में सैंकड़ों एकड़ जमीन में दो सौ, चार सौ की संख्या में नीलगाय चरते हुए दिखाई दे जाएंगी, वे किसानों की उपज चर जाती हैं। उसकी भरपाई कोई नहीं करता। हाथी जंगलों से निकलकर किसानों के खेत बर्बाद कर देते हैं, उनकी कोई मदद नहीं करता। सरकार को इस बारे में भी देखना चाहिए जैसे आप फैंसिंग करवाएं ताकि वह बाहर नहीं जा सके। अगर कोई जानवर बाहर जाकर किसानों के खेत को नुकसान पहुंचाता है तो उन किसानों की मदद करनी चाहिए। हम जानते हैं कि बाघ वगैरह को जो खाना दिया जाता है, फारेस्ट के अधिकारी, कर्मचारी उसमें भी कटौती करने का काम करते हैं। इस वजह से वनों में रहने वाले बहुत से जानवर मर जाते हैं। वहां के जानवरों को ठीक से खाना नहीं दिया जाता, पानी नहीं दिया जाता, दवा नहीं दी जाती। हमारे यहां बाल्मीकी नगर में नेपाल से लेकर बिहार, दोनों का पूरा जंगल एक जैसा है। वहां फैंसिंग नहीं है। जंगल का एक हिस्सा नेपाल की तरफ से है। हाथी, बाघ आदि आसानी से उस तरफ बढ़ते जाते हैं। सरकार इसे रोकने का काम करे। हम इस विधेयक का स्वागत करते हैं।

**SHRI K.P. SINGH DEO (DHENKANAL):** Sir, I rise to support the Bill.



Conservation and preservation is not something new to India; it is a part of our psyche. From Emperor Ashoka in 3<sup>rd</sup> century B.C., we have been protecting and conserving wild animals, wild birds and amphibians. Love for wildlife was depicted in Kalidasa's *Abhijnana Shakuntalam* also.

Year 1972 was a landmark and a watershed in conservation. As Shri Bikram Keshari Deo was saying, there were no laws before 1972. But there were a plethora of State laws, archaic from the British days. However, these were game-shooting laws, not for protection and conservation. Due to the leadership of Shrimati Indira Gandhi in 1972, all the States agreed to make this a Concurrent Subject. That is how a model legislation was enacted

And the same lead has now come from Prime Minister Shri Atal Bihari Vajpayee, which is a step in right direction because 1972 Conservation Act had a few lacunae. The biggest lacuna was, there was no community participation. The community did not have a stake. The 1991 Act made it a little more stringent. After ten years, I congratulate Shri Baalu, because this amendment is another step in the right direction but there are still a lot of lacunas. Only a fortnight back, we passed the Biodiversity Bill. It was a hastily, hurriedly, knee-jerk reaction which had left many questions un-answered. It is a bio-degradable law because we have not taken safeguards for bio-piracy, where our own indigenous people, local communities interests are subservient to IPR, TRIPS or WTO. Recently, the hon. Minister and the hon. Member, Shri B.K. Deo, also attended World Sustainable Development Summit Conference at Johannesburg...*(Interruptions)* Sir, I require a few more minutes. I will make my speech point-wise. I have 15 or 16 points which were discussed there. Therefore, this Conservation Protection (Amendment) Bill must be seen in the backdrop of that.

One was climate and effect of green house gases. This has a very significant importance to us because we are an agricultural country. Our agriculture, biosphere, environment, forest and the climatic changes are all important to us. Shri B.G. Verghese had written a letter to all Members of Parliament that the biggest threat to the Indian economy is the climatic changes and the global warming. It is because of carbon-dioxide and monoxide emissions. This can only be curtailed if we maintain our forests apart from the agreements which the North has always been asking us to commit ourselves but they are not party to it. They expect the developing South to adhere to all the requirements but the North is not forthcoming in its commitments.

The second one is, biodiversity where, ecology, economy and equality all are absent.

The third was, desertification and the poor subsidising to the rich. This also happened in Johannesburg.

The fourth was, persistent organic pollutants.

Forest global negotiations without any mandate.

Trade and environment, which Shrimati Maneka Gandhi mentioned was more in violation than anything. But it is a step in the right direction.

Multilateral agreement on investment. This is the crux. Shrimati Indira Gandhi used to say, 'the poor out of need and the rich out of greed' have been denuding the ecology.

Commerce and Trade has depleted our forests. Today, your own Government agency, the National Remote Sensing Agency, study has a great significance. In 1952 we had 36% forests, now only 11%. After the *Rajas and Maharajas* had done their damage, there were 40,000 tigers in 1947 and today there are only 4000 of them. For the last 60 years, *Rajas and Maharajas* have not been there. Who is now cutting the forests? Who is destroying the forest and the wild life?

I come from Dhenkanal. We had a law in 1927 that if you want to cut a tree even in your backyard, you have to plant three trees and maintain them for three years, then only you can cut a tree. The same thing is happening in Andamans where you have to plant three trees and then you can cut. Sir, in the Armed Forces, where there is a fire fighting drill every week. There is a fire fighting party, fire picket party and fire salvage party. Likewise, our villagers used to pay four *annas* of cess and used to get their fuel, fodder and house building materials free. But a number of villagers were designated the protection party, were designated to fight fire and a number of villagers were designated to do protection and salvage.

Therefore, the community must have stake in this. The forests and wild life should be the economic resources for them rather than anything else. As regards institutes of environment, there were plethora of institutes. But what does a developing country like India get? It gets nothing. The next point was regarding ozone depletion, hazardous waste, and prime informed concepts as also the right to information. All these are desired. One more subject was the role of zoos in the conservation and the protection of the wild life. We have a large number of zoos. Thirty years back, in this very House, it was decided that the zoos will be a model institution for captive breeding where those facing extinct or endangered species would be bred in captivity. Now we do not have any experts nor any policy or

scientific management nor cadre .

**श्री रामजी लाल सुमन (फिरोजाबाद) :** सभापति महोदय, चार बजे नियम 193 के अधीन चर्चा शुरू कराएं, क्योंकि वह बहुत महत्वपूर्ण विषय है।

**सभापति महोदय :** माननीय सदस्य अब आप समाप्त करें।

**SHRI K.P. SINGH DEO :** One more thing is regarding raising territorial army/battalions for wild life protection. Another point is regarding game farming which will be a renewal economic source for farmers. They should be allowed to do game farming. The last point is regarding a trust to which I or anybody else can give any grant for a particular forest area or a protected area or a zoo. In the Nandankanan Zoo, we lost 17 white tigers. The largest concentration of white tigers in the world is in Nandankanan. But there are no facilities and there are no specialist doctors. These are the things which he may like to consider and reply.

**श्रीमती जस कौर मीणा (सवाई माधोपुर) :** सभापति महोदय, वन्य जीव संरक्षण संशोधन विधेयक, 2002 का मैं समर्थन करती हूँ। मैं यह भी निवेदन करना चाहती हूँ कि वन्य जीव अपने आप में एक वृहद शब्द है। इसके पीछे हमारी 84 लाख योनियां समाई हुई हैं। मैं उनकी तरफ भी आपका ध्यान आकर्षित करना चाहती हूँ। जो 84 लाख योनियां बताई गई हैं, उनका वर्णन कुछ इस प्रकार है, स्थावरवस्तु विनस्ति लक्ष्म चः - 20 लाख हमारे पेड़, पौधे और वनस्पतियां आदि हैं। जलजनः न वम् लक्ष्म चः, यानी नौ लाख हमारे जल के अंदर रहने वाले जीव हैं। कुरुमुख्य रुद्र लक्ष्म चः, यानी 11 लाख रेंगने वाले जीव हैं। त्रियोदशम पशु लक्ष्म चः, यानी 30 लाख पशु हैं। दशः लक्ष्म पक्षीनाम चः, यानी दस लाख पक्षी हैं और चतुर्थ लक्ष्म वानरः चः, यानी चार लाख वानर हैं। इस प्रकार कुल 84 लाख जीव हैं। इनमें अधिकांश वन्य जीव हैं और एकमात्र मनुष्य इन सब जीवों पर राज करने वाला और इनको प्रभावित करने वाला है। अभी आपने समय की कमी बताई है इसलिए मैं संक्षेप में कहना चाहूंगी कि जंगल क्यों बचे और कैसे बचे। वन्य जीवों को हम क्यों बचाएं और वे क्यों बचें तथा कैसे बचें, यह सोच उस क्षेत्र में रहने वालों में जब तक नहीं आएगी, तब हम वन्य जीवों और जंगलों को सुरक्षित नहीं कर सकते।

वन्य जीवों और मनुष्य का आपसी सम्बन्ध है। हमें इस सम्बन्ध को प्रचारित करना होगा। जन-जागरण करके उनको समझाना होगा और एक दूसरे के महत्व को जब तक हम नहीं समझा पाएंगे, तब ये जीव सुरक्षित नहीं होंगे। एक तरफ आबादी बढ़ रही है, गुणात्मक दृष्टि से 100 गुना तक हो गई है। दूसरी तरफ हम वन्य जीवों की आबादी घटा रहे हैं और उन्हें मार रहे हैं। आज जंगलों में टाइगर लुप्त होते जा रहे हैं। लोग इनका शिकार क्यों करते हैं और क्यों इनको मारते हैं, इसके तीन कारण हैं। पहला कारण है शत्रुता, दूसरा कारण है पेट के लिए, क्योंकि लोग इनको खाते हैं और तीसरा कारण है शौक के लिए इनका शिकार करना, जैसा सलमान खान ने शौक के लिए किया। जहां-जहां टाइगर प्रोजेक्ट हैं, उनके सर्राउंडिंग में रहने वाले लोगों को जब तक आप अवेयर नहीं करेंगे, उन लोगों के हाथ में कोई माकूल व्यवस्था नहीं होगी, तब तक वन्य जीव सुरक्षित नहीं रह पाएंगे।

**सभापति महोदय :** अब आप समाप्त करें। जिनको अपना लिखित भाषण सदन के पटल पर रखना है, वे रख सकते हैं।

श्री लक्ष्मण सिंह जी का लिखित भाषण है, वह टेबल पर लेड माना जाएगा।

\*SHRI LAKSHMAN SINGH (RAJGARH): Mr. Chairman, Sir, at least the Government has woken up from a deep slumber and introduced this Bill of great importance to the nation. I would rather compliment the press, people connected with the subject and NGO's who were able to put enough pressure on the Government to bring this bill.

The Government has not been very serious about this can be judged by the fact that The Indian Board of Wild Life had its first meeting in January, 2002 after a gap of 4 years. If the meetings were held regularly under chairmanship of P.M. then probably we would have saved hundreds of tigers., elephants and other wild species which fell victims to large scale poaching and smuggling for their bones, tusks and skin. The official statistics tell us that 200 tigers were poached in the beginning of the millenium. Talking about tiger population in the survey of 1997, there were 3508 tigers in the country, although an official of the tiger project disagrees and says, "directors of tiger reserves create tigers which do not exist. In a bid to keep their seniors happy and to show that their parks are flourishing."

This view is also shared by the famous tiger expert Valmik Thapar who says the census is a scam and further adds that most are "paper tigers" living only in the imagination of the forest officials. In the meeting chaired by the Prime Minister it was pointed out by no other person then the P.M. himself that in recent years there has been an increase in killings of wild animals due to decline in standards of wild life protection. The letter on the subject was received by M.O.F. and all states Forest Departments and union territories on April 04. According to which between November 99-2000 nearly 1100 panthers were killed and 46 tigers poached. Their tigers census puts their number at about 1500.

\*Speech was laid on the Table.of the House.

The most important official who is directly responsible for patrolling to check poaching is the forest guard. It is most unfortunate to know that no new appointment was made in the last 20 years and 40% such posts are still vacant. The forest guards are totally unequipped and laden with duties of afforestation, manning check post and social forestry. In several states forest guards are equipped just with a stick and are supposed patrol 15 sq. Kms. on foot. Directors of Project Tiger, Mr. P.K. Sen says that ground staff should be provided sophisticated weapons, adequate mobility and effective mechanism for intelligence gathering to keep a tab for wild life offenders. He also feels that like policemen who are trained to trace criminals, forest officials too should be trained to trace smugglers and poachers. There should be special wild life courts and wild life lawyers to try smugglers and poachers.

There is also serious problem of the park area shrinking due to overgrazing and encroachments. The tiger and elephants and other wild animals are entering in to villages due to their shrinking habitat and posing serious problems to villagers living near the park. Since 1973 we have lost 50% or 150000 sq. kms. Of the tigers habitat. There are fishing mafias operating in the Pench tiger reserve, Indravati in Chhattisgarh is inhabited by the naxalites. Nagarjunsagar in A.P. is home to P.W.G. While Hazaribagh once called (the land of thousand tigers) and Palamau in Bihar are ripped apart by mines, while the bodo militants have taken over Manas. It is estimated that if these problems are not tackled seriously, then in the next 15 years we might have about 400 tigers left and pushed into small pockets, desperately seeking survival and the Project Tiger will fail.

Delicacies like Rou song (shredded dried meat) (chopped grilled meat) and are all a must on any gastronomical tour to china, containing Tiger meat. Soup of tiger genitals fetches an exorbitant prices.

Kishore Rithe member of Maharashtra wild life Board says tiger skins and bones are taken to Nagpur, an important transit point for wild life trade from where it makes its way to Nepal or Bangladesh and further to the South Asian countries, Europe and U.S.A. The illegal bone trade is valued at 30 billion \$ annually world wide.

Activities such as mining (the kundremukh National Park, Karnataka), construction of dams (the Great Himalayan National Park, Himachal Pradesh), roads (the Kalakad Mundanthurai Tiger Reserve, Tamil Nadu) and railway lines (the Rajaji National Park, U.P.) aquaculture (the Bhitarkanika sanctuary, Orissa), tea and coffee planting (the BRT wild life sanctuary, Karnataka), and encroachments by large farming interests were cited as greatest threats to local people's livelihood. The environment support group Bangalore, made a presentation on the mining activities in the Kundramuck National Park.

Sir, this Bill would support the democratic management of parks and sanctuaries. The ideal is to have a partnership between their villages as a community and the Forest department, and not with individuals. An arrangement with individuals can create rivalries that will make a joint effort for conservation difficult. The composition of the board should ensure popular participation. There is no reason why equal membership should not be granted to the people and the administration. The Board should be the supreme policy making body, having binding authority to enforce the law. It does not have to be a state level body alone. There can be one such board for each sanctuary and park.

The term "conservation" has not been defined in the law. In making these suggestions we begin with the assumption that conservation means a clear programme of action that satisfies the basic socio economic needs of the local people, by creating in them a personal stake in the maintenance and sustainable use of plants, animals and genetic resources contained in the eco-system.

In so defining conservation, our assumption is that what needs to be practised is not the philosophy of restoration but an ethic of renewal. A painting, a piece of architecture, a building can be restored. But culture and nature have to be renewed or revived. For renewal of Wild Life to be meaningful and sustainable, one needs to work out a scheme of joint protected area management built on a partnership of equals between the forest department and the communities that depend on the resources and as such have a high stake in its protection.

\*SHRI VIJAYENDRA PAL SINGH BADNORE (BHILWARA): Sir, I stand to support the Wild Life (Protection) Bill, 2002.

Wild life is being endangered for quite some time. The Tiger population has dwindled in last one decade and decimated to 1000s from 4000s figures. Tiger population being dwindled in numbers means that an animal population is being dwindled as the Tiger is the epitome of the whole Forest and Eco System. It is the pinnacle of the triangle of the whole flora and fauna system and when the Tiger is endangered the flora and fauna is being threatened.

There are many reasons for this flora and fauna being threatened. I will not go into the details of it but I hope this Bill will act as a deterrent.

Let me also say that in Rajasthan there are two 'Project Tiger' i.e. Sariska and Ranthambore and then there are quite a few other Reserves. I suggest that both these Tiger Projects should be connected by Corridors. Corridors are very important to the Project Tigers along with buffer zones. These two, if made strong, can really save the Tiger and when we talk of the Tiger, we talk of the whole forest system as I have already specified.

It is a good thing to give the statutory status to the National Board for wild life and the state wild life Advisory Body but they must meet in every 4/6 months and if they do not meet what is the purpose of the same?

May I also suggest that the Asiatic Lions are decimating in Gujarat. They are threatened due to ill-breeding and also due to drought condition. Also the Earthquake in that region also had bad affects in that region.

I suggest some sort of translocation should be done by creating Gir type of infrastructure and ambience for them to

survive in other state like Rajasthan. If this is not done immediately, the only surviving Asiatic Lion will disappear totally from the face of this Earth.

\* Speech was Laid on the Table of the House.

Some forest areas in Rajasthan like the Sita Mata Reserves can be turned into forest heaven for the Asiatic Lions and this project which was thought about can be provided easily and must be taken up.

Sir, I also suggest that the wild life wing should be separated from the Forest Guards Cadre and to be given special training to understand also stop the poaching and going after the wild life forest. Wild life work and protection are deft and specialized work.

I also suggest that the indiscriminate growing and planting and breeding of India Flora should be restricted only in the desert areas and should not be grown in the forest areas. This India flora does not allow other trees to grow and is detrimental to the forest in many ways.

## 16.00 hrs

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU): Mr. Chairman Sir, first of all, I would like to thank all the hon. Members who have participated in the deliberation of the most important Wild Life (Protection) Amendment Bill, 2002.

We can be proud to say that about eight per cent of the bio-diversity wealth lies in the Indian sub-continent when compared to the world bio-diversity wealth. What is the aim of this Amendment Bill? We want to go heavily on the culprits and criminals who are very vociferous in poaching and who have got international connections in harming and poaching animals. So, we want to deal with them with a heavy hand.

Secondly, as I said, we have got eight per cent of the bio-diversity wealth of the world. But, what is the protected area in the country as far as wildlife protection is concerned? It is only 4.7 per cent. We want to enhance and increase the protected area network to 10 per cent, which is the world average. When we compare ourselves with the neighbouring countries, Bhutan has got 20 per cent protected area and Sri Lanka has got 13 per cent of the protected area, whereas Nepal has got, just as we do, 8 per cent protected area. So, to cope up with the international average, we want to increase the protected area network to 10 per cent.

## 16.02 hrs. (Mr. Deputy Speaker *in the Chair*)

The third most important point of the Government is that whereas we have got 48000 flora varieties and 81000 fauna species, in order to protect this flora and fauna it is essential to see that our own communities do take part in the protection activity. We want to bring about amendments to incorporate these three important items and that is the reason why the Amendment Bill is before the House.

To answer some of the points raised by hon. Members, firstly, Dr. Raghuvansh Prasad Singh has made an important point about decline in wildlife population. To be very frank with him, his projection regarding the decline is not very correct. On the contrary, from 65 numbers of national protected areas we have increased it to 587 protected areas as of now. From 1970 onwards the area under national parks and sanctuaries has been extended to 1.15 lakh sq. kms. Besides, the Prime Minister has written to all the Chief Ministers urging them to concentrate on the subject and pay personal attention insofar as the management of national parks and sanctuaries is concerned.

In the Ninth Plan we have provided Rs.478 crore. We have increased the allocation to Rs.828 crore now. He has also mentioned about the vulture population. To take care of the vulture population and to have a research instituted on the vulture population, we have already advised BNHS, Mumbai to take it up, so that the exact vulture population is revealed.

Shri Bijoy Handique mentioned about the man-elephant conflict. In consideration of this aspect, we have increased the compensation amount to Rs.1 lakh in case of death and Rs.33,000 if a person is injured in the conflict. These



are the latest notifications of the Government on the subject. As far as elephant corridors are concerned, we have got four elephant reserves in Assam.

In the Ninth Plan, we have provided Rs.30 crore for the Project Elephant. In the Tenth Plan, we have provided Rs.60 crore. It has to be increased two-fold. As far as Assam is concerned, for the current year, we have released Rs.20 lakh. The amount of Rs.25 lakh is for the anti-depredation purpose and Rs.20 lakh for the compensation purpose. We have provided rupees one crore for Project Elephant....(*Interruptions*)

SHRIMATI MARGARET ALVA (CANARA): What about compensation for crop damage?...(*Interruptions*)

SHRI T.R. BAALU: As far as time is concerned, I am compressed. I will take care of this point.

Shri B K. Deo has raised a point. In fact, I have already answered it. Same matters have been raised by Shri Deo and Shri Handique. As far as Orissa is concerned, the compensation amount has been increased to Rs.20 lakh. For anti-depredation, it is Rs.25 lakh. This is included in the total amount which is Rs.98 lakh as far as this year is concerned.

Shri Chennithala has raised some points about conservation, community reserves and the importance to be given to people. These points have been taken into consideration while making the amendments. Importance has been given to community people.

As far as the National Board for Wildlife is concerned, the Indian Welfare Board has been reconstituted like this. It has got a statutory status.

Sir, I will be concluding if I answer the points raised by Shrimati Menaka Gandhi. Sister Menaka Gandhi met me on 21.10.1999 after I took over the charge of this Ministry. She advised me to have a Zoo Cadre to take care of the Zoos in India. Taking her advice very seriously, I have advised the senior officials of my Ministry and also the Central Zoo Authority to prepare a concept paper so as to create a Zoo Cadre. I have also circulated the concept paper, proposal to the Ministries of Finance, Animal Husbandry, Department of Personnel and the Law Ministry. The DoPT has advised me to take up that concept paper to the States. I have circulated the matter to all the States and the Secretaries from all the States had been called here. We had conducted an interaction. In this interaction, no State has come forward to create such a Zoo Cadre. That is why, we are not inclined to create a Zoo Cadre.

As far as *Kalandars* and the street entertainers are concerned, they are toiling for their livelihood. They have not selected the particular profession out of their desire. It is out of despair, to win their bread every day, that they have selected this sort of a profession. With all the strength at my command, I could say that I cannot provide any licencing system for the *Kalandars* or the petty street entertainers.

As far as the issue regarding peacock feathers is concerned, I would like to say that every year, a peacock is bound to shed not less than 400 to 500 feathers. When compared to the total number of birds' population.â€¦  
(*Interruptions*)

SHRIMATI MANEKA GANDHI (PILIBHIT): The hon. Minister has said that 400 to 500 feathers are shed. It is only 110....(*Interruptions*)

SHRI T.R. BAALU: Actually, it is in the banned list from 1.4.1999. Previously, it was allowed by her to have an export of 20 lakh feathers. It has been banned from 1.4.1999. There is no problem at all. If at all there is an export facility available in this country, people would go for poaching. Do you say that anybody would kill the peacock, the national bird? Every Indian has got reverence and esteem for that particular bird. Would anybody kill it for the petty purpose. No.

Nobody will kill peacock. It has got a cultural value and people hold it in high esteem. ...(*Interruptions*) Even school children keep peacock feathers in their books. So, there is no necessity to go in for any licence system with regard to peacock trade.

Sir, before I conclude, I would like to quote from the report submitted in August, 1997 by a UK based charity called, World Society for Protection of Animals. In their report they have said:

"Indiscriminate seizure of dancing bears from *Kalandars* will increase poverty and disease. It may also increase poaching of wild bear as *Kalandars* will have no other option for livelihood.

The Community is willing to change but need necessary support for rehabilitation. "

So, as and when the Government comes up with a proposal for rehabilitation of *Kalandars*, we would definitely

consider the suggestion made by the hon. Member. But as of now, there is no rehabilitation programme as far as *Kalandars* are concerned. Therefore, the amendment to this effect may be rejected.

SHRIMATI MANEKA GANDHI : Mr. Deputy-Speaker, Sir, I would like to say only two things. One is, perhaps, the Minister is certainly not aware of how the peacock trade is conducted, because his own Wildlife Institute has informed him that peacocks are killed and I am surprised that he could say that they are not killed.

Secondly, he is saying that there is no scheme for rehabilitation of *Kalandars*. In his own Ministry, there is a scheme which has been allotted Rs. Two crore for rehabilitation of anybody who is willing to give up bears. I am again surprised that the Minister does not even know of this scheme which exists in his own Ministry.

SHRIMATI MARGARET ALVA : Mr. Deputy-Speaker, sir, the hon. Minister stated that the Government is not going to create any zoo cadre for the management of zoos in the country. I would like to know from the hon. Minister as to why he cannot use a section of the Indian Forest Service officers for this purpose. He has the Indian Forest Service officers under his Ministry. The Indian Administrative Service officers never allow the Indian Forest Service officers to occupy high posts even in his own Ministry. Posts are all controlled by the Indian Administrative Service officers. So, the hon. Minister can at least use the services of the Indian Forest Service officers for the purpose of maintaining zoos in our country.

SHRI T.R. BAALU: Sir, as far as the first point raised by Shrimati Maneka Gandhi is concerned, I would like to inform the House that we are not going in for zoo cadre. I would also like to inform that we are not having any proposal to have a licence system for peacock trade and we also do not have any programme for the rehabilitation of *Kalandars* or street entertainers. At the same time, I would like to assure her that her sentiments, views and suggestions would be examined by the Government.

The law which we are enacting is not a sacred document. Every now and then, it has to be subjected to amendments as and when necessary. I have already ordered for a peacock population drive to be taken up by SACONI Coimbatore. After finding out as to how much population of peacock is there in the country, we will decide what to do further on this matter.

As far as the suggestion of Shrimati Margaret Alva regarding utilising the service of Indian Forest Service officers for management of zoos is concerned, I would like to submit that the Indian Forest Service officers are trained for some other purpose, but for management of zoos there should be wildlife experts. Till last year, there was no subject of zoo management in the curriculum of our colleges for zoo management. ...(*Interruptions*) Now, I have requested them to include this in the curriculum from this year.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: *The House shall now take up clause by clause consideration of the Bill.*

*The question is:*

*"That clauses 2 and 3 stand part of the Bill."*

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

#### **Clause 4 Amendment of section 3**

SHRIMATI MANEKA GANDHI (PILIBHIT): I beg to move:

Page 3, --

*after line 34, insert -*

(iii) after sub-section (3) the following proviso shall be added, namely –

"provided that there shall be a separate cadre of officers for the efficient management of Zoological parks and gardens in the country." (2)

MR. DEPUTY-SPEAKER: I shall now put amendment No. 2 moved by Shrimati Maneka Gandhi to vote.

*The amendment was put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 4 stand part of the Bill."

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clause 5 was added to the Bill.*

#### **Clause 6 Insertion of new sections 5A to 5C**

SHRI K.P. SINGH DEO (DHENKANAL): I beg to move:

Page 5, --

*after line 21 insert –*

"(ca) suitable grants to the recognised trusts or fund

**instituted for the purpose of assisting the conservation of any protected areas or any endangered species." (1)**

MR. DEPUTY-SPEAKER: I shall now put amendment No. 1 moved by Shri K.P. Singh Deo to vote.

*The amendment was put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 6 stand part of the Bill."

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Clauses 7 to 26 were added to the Bill.*

SHRI K.P. SINGH DEO (DHENKANAL): Sir, this is for enabling either the Central Government or the State Government to have trusts. â€¦ (Interruptions) What is the objection? ... (Interruptions)

#### **Clause 27 Amendment of section 42**

SHRIMATI MANEKA GANDHI : Sir, I beg to move:

Page 11, --

*after line 11, insert –*

"provided further that no licence would be issued for

**for the purpose of using animals in the circus houses, or by kalandars and street entertainers." (3)**

MR. DEPUTY-SPEAKER: I shall now put amendment No. 3 moved by Shrimati Maneka Gandhi to vote.

*The amendment was put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 27 stand part of the Bill."

*The motion was adopted.*

*Clause 27 was added to the Bill.*

**Clause 28 Substitution of new section for section 43**

SHRIMATI MANEKA GANDHI Sir, I beg to move:

Page 11, --

*omit* lines 25 and 26. (4)

*The amendment was put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 28 stand part of the Bill."

*The motion was adopted.*

*Clause 28 was added to the Bill.*

*Clauses 29 to 38 were added to the Bill.*

*Clause 1, the Enacting formula and the long Title were added to the Bill.*

SHRI T.R. BAALU: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

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