

Fourteenth Lok Sabha

**Session : 8**

**Date : 25-08-2006**

**Participants :** [Badnore Shri Vijayendra Pal Singh](#), [Appadurai Shri M.](#), [Raja Shri A.](#), [Athawale Shri Ramdas](#), [Rijiju Shri Kiren](#), [Shiwankar Shri Maha Deo Rao](#), [Singh Shri Dushyant](#), [Gandhi Smt. Maneka](#), [Bhavani Rajenthiran Smt. M.S.K.](#), [Munshiram Shri](#), [Yadav Dr. Karan Singh](#), [Singh Shri Lakshman](#), [Kharventhan Shri Salarapatty Kuppusamy](#), [Raja Shri A.](#), [Kumar Shri Shailendra](#), [Satpathy Shri Tathagata](#), [Deo Shri Bikram Keshari](#)

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Title : Discussion on the motion for consideration on Wild Life (Protection) Amendment Bill, 2006 as passed by Rajya Sabha and moved by Shri A. Raja.

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI A. RAJA): 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.”

Hon. Speaker, Sir, the Project Tiger has been under implementation since 1973 as a scheme of the Government of India. ... (*Interruptions*) Since then the project coverage has also increased over the years from the initial nine tiger reserves to 28 reserves at present. As many as 17 States are involved in the field implementation of this project.

Several constraints affect field implementation of the project, *viz.*, delayed release of Central Assistance given to the States for Field Units, staff vacancies, ageing of field staff, lack of capacity building initiatives, weak enforcement and monitoring of protection work, etc. The events in the recent past have highlighted the fact that there is a need in the States for greater commitment and vigilance. The field administration managing the tiger reserve requires capacity building and supervision.

Considering the urgency of the situation and the exigencies involved, the above concerns can only be addressed by providing statutory authority to the Project Tiger apart from creating the Wild Life Crime Control Bureau, as recommended by the Tiger Task Force appointed by the hon. Prime Minister. The Departmentally Related Parliamentary Standing Committee on Science and Technology, Environment and Forests, examined the proposed amendments, and in its Report had accepted the same, apart from making several recommendations. It also strongly emphasised creation of the Wild Life Crime Control Bureau as a statutory body under the Wild Life (Protection) Act, 1972.

The proposed amendments would address the ecological as well as administrative concerns of conserving tigers, by providing a statutory basis for protection of tiger reserves and providing strengthened institutional mechanisms for the protection of ecologically sensitive areas and

endangered species. The proposed Authority would ensure enforcing the guidelines for tiger conservation and monitoring compliance of the same, apart from placement of motivated and trained officers having good track record as Field Directors of the tiger reserves. It would also facilitate capacity building of officers and staff posted in tiger reserves, apart from a time bound Staff Development Plan. There is a need for providing an enabling provision in the Wild Life (Protection) Act, 1972. These amendments will provide a statutory basis for constituting the “Tiger and Other Endangered Species Crime Control Bureau” by making enabling provisions.

Subsequent to giving the Amendment Notice relating to the Wild Life (Protection) Amendment Bill, 2005 pending in the Rajya Sabha, the Ministry of Environment and Forests had received some suggestions for making some modifications in the pending Bill to remove the apprehensions of tribal people living in and around the tiger reserves. Though the provisions contained in the Bill adequately protect such interests, a few changes have been made in some of the provisions of the Bill.

The Bill has been deliberated in the Rajya Sabha, and some suggestions have also been incorporated. The provisions in the Bill not only takes care of ecological and administrative concerns for conserving tigers by creating the National Tiger Conservation Authority and the Wild Life Crime Control Bureau, but also addresses the livelihood concerns as well as man-wild animal conflicts in the fringe areas of tiger reserves.

Sir, with these words, I request that the Bill to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha, be taken into consideration.

MR. SPEAKER: Motion moved:

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

प्रो. महादेवराव शिवनकर (चिमूर) : अध्यक्ष महोदय, वन्य जीव (संरक्षण) संशोधन विधेयक, 2006 और वन्य जीव (संरक्षण) अधिनियम, 1972 का और संशोधन करने वाला विधेयक जो सभागृह में प्रस्तुत किया गया है, वह और कुछ नहीं है, फॉरेस्ट डिपार्टमेंट के द्वारा नये प्रकार का विधेयक लाकर अपनी चमड़ी बचाने और हाथ झटकने का प्रयत्न है। वास्तविक रूप से अगर हम इस बिल को देखें तो एक प्राधिकरण बनाया गया है। वर्ष 1973 से व्याघ्र परियोजना सारे देश में लागू की गई। हम देखते हैं कि 28 व्याघ्र परियोजनाएं 17 राज्यों में चल रही हैं, लेकिन बाघों की संख्या दिन-प्रतिदिन कम होती जा रही है। बाघ जंगल का राजा है। एक ओर जंगल तबाह हो रहे हैं और जब गांवों के पास बाघों का सड़कों पर आना प्रारम्भ हुआ, तब सरिस्का और रणथम्भौर और देश के अन्य भागों में बहुत चिल्लाहट हुई। उसके परिणामस्वरूप सरकार द्वारा इस प्रकार का विधेयक लाना अपनी चमड़ी बचाने और लोगों की आंखों में धूल झोंकने का प्रयत्न है। मैं सदन को बताना चाहता हूँ कि इस संबंध में देश में क्या स्थिति है, यह देखना अनिवार्य है। इस सभागृह में भी कई बार इस तरह के सवाल आये और उन पर चर्चाएं हुईं कि कहां-कहां कितने बाघों की संख्या कम हो रही है। माननीय मंत्री जी ने एक रिपोर्ट कल-परसों सदन में प्रस्तुत की। रिपोर्ट बहुत सुन्दर है। सुन्दर का मतलब उसकी छपाई अच्छी है, मुखपृष्ठ पर शेर का चित्र भी बहुत अच्छा है, लेकिन रिपोर्ट में जो बताना चाहिए था कि 1973 से लेकर अभी तक कितने बाघों की संख्या कम हुई तथा किस परियोजना में बाघों की संख्या कम हुई, इसके बारे में कोई जिक्र

नहीं किया गया है। इसमें 'ए' 'बी' या 'सी' किसप्रकार का सुधार होगा या कैसा सुधार होगा, इसके बारे में कुछ नहीं कहा गया है। मैं समझता हूँ कि इस परियोजना को विभाजित करके सभागृह को गुमराह करने का प्रयत्न किया गया है।

अध्यक्ष महोदय, इस सभागृह में 25.07.2005 को एक सवाल आया था। उसमें पूछा गया था कि उस समय बाघों की कहां-कहां समस्या है और कहां-कहां बाघ मरे हैं, क्या इसकी सूचना केन्द्र सरकार को मिली - इस प्रकार का सवाल सदन में आया था। सरिस्का के संबंध में उस समय सरकार ने स्वीकार किया था कि यह सूचना प्राप्त हुई है। उसके साथ 25.07.2005 को जवाब देते समय, कितने बाघों की संख्या किस राज्य में कम हुई, बाघों की परियोजना के संबंध में तथा नेशनल पार्कों में जहां बाघ मरे थे, उनकी संख्या इसमें नहीं है। मैं आपका ध्यान कुछ आँकड़ों की ओर आकर्षित करना चाहता हूँ - 2002-2005 के बीच आंध्र प्रदेश में एक, असम में एक, गुजरात में तीन, झारखंड में तीन, कर्नाटक में 26, केरल में तीन, मध्य प्रदेश में चार, महाराष्ट्र में 20 और राजस्थान में एक बाघ मारा गया। इस प्रकार से ये बाघों के मरने के आंकड़े हैं।

महोदय, मैं कहना चाहता हूँ कि सदन में हम बाघों के अतिरिक्त हाथियों के संबंध में चर्चा क्यों नहीं करते, चीतों के संबंध में चर्चा क्यों नहीं करते? गैंडे इस देश से चाइना में जा रहे हैं, उनकी हड्डियां और चमड़ी बाहर जा रही है, इस संबंध में सदन में हम चर्चा क्यों नहीं करते। गैंडों के भी कुछ आंकड़े मैं सदन में प्रस्तुत करना चाहता हूँ - वर्ष 2001-2004 में असम में 22 गैंडे मारे गये। ऐसी ही संख्या हाथियों के संबंध में भी है। देश में हाथियों की भी बहुत दुर्दशा है। यदि हम हाथियों के आंकड़े देखें तो असम में एक, झारखंड में तीन, कर्नाटक में 26, केरल में 15... (व्यवधान) महाराष्ट्र में हाथी नहीं शेर रहते हैं। रामदास जी, आप वल्वर का काम क्यों करते हैं? मैं बता रहा था कि मिजोरम में 3, उड़ीसा में 22, यह संख्या हाथियों के संबंध में है। वन्य प्राणियों के संबंध में यह चिन्ता का विषय है। एक बार यहां माननीय प्रधान मंत्री जी ने सन् 2002 में, अपनी अध्यक्षता में गठित भारतीय वन्य जीव बोर्ड के संबंध में कहा था कि राष्ट्रीय वन्य जीव कार्य योजना 2002 से 2016 के लिए बनाई गई है। मैं बताना चाहूंगा कि 29-07-2005 के उत्तर के क्रम में, इस देश के प्रधान मंत्री जी ने, उस समय एक सिफारिश टॉस्क फोर्स के गठन हेतु की थी, लेकिन वह टॉस्क फोर्स गठित करने के बाद भी बाघ और शेरों का मरना कम नहीं हुआ है। इसीलिए इस बिल पर मैं अपना तीव्र असंतोष व्यक्त करना चाहता हूँ।

मैं बताना चाहता हूँ कि केवल शेर ही वन्य प्रोजेक्ट्स में मारे जाते हैं, ऐसा नहीं है। जो हमारे नेशनल पार्क है, उसमें भी शेर बहुत बड़े प्रमाण में मारे जाते हैं। सरकार ने कबूल किया कि सरिस्का, रणथम्बौर और पन्ना में भी शेर मारे गए हैं। इस देश में कस्तूरी मृगों की संख्या भी दिन-प्रतिदिन कम होती जा रही है। वर्ष 2003 में उसकी संख्या 513 थी, जो संख्या अब घटकर 279 रह गई है। मैं जहां से आता हूँ, उस महाराष्ट्र में, नवेगांव बांध, नागझोरा, नाडोबा और तालोबा में राष्ट्रीय उद्यान हैं। नवेगांवबांध में, गोंदिया भंडारा में, नागझोरा, गोंदिया भंडारा में तालोबा और चंद्रपुर में खुलेआम बाघ मारे गये लेकिन कोई कार्रवाई नहीं की गई।

**अध्यक्ष महोदय :** अब आप कंक्लूड कीजिए।

**प्रो. महादेवराव शिवनकर :** अध्यक्ष जी, मैं एक बात वल्वर के संबंध में और बताना चाहता हूँ। डायक्लोफेनिक दवा, जो जानवरों को दी जाती थी, इससे वल्वर मारे जाते थे, उस दवा पर बैन लगा दिया गया, मगर उसके स्थान पर दूसरी दवा मैलॉवसीकैम, जो प्रैस्क्राइब की गई, एक्सपर्ट्स का कहना है कि उस दवा से भी वल्वर को मलेरिया होता है। गढ़चिरौली जिला, जहां से मैं आता हूँ, ... (व्यवधान) अध्यक्ष जी, मैं दो मिनट में अपनी बात समाप्त करता हूँ। वल्वर के संबंध में, इसकी रिपोर्ट को केवल जहां पर अमेरिकन एड मिलती है, बॉम्बे नैचुरल हिस्ट्री सोसायटी, केवल इस सोसायटी की रिपोर्ट को ही स्वीकार किया गया। वहां जो बाकी एनजीओज हैं, वहां जो शासन के पशु वैद्य और पक्षी वैद्य हैं, उनका विचार न करते हुए उस संबंध में इस प्रकार की यह मैलॉवसीकैम दवा को एप्रूव किया गया। इसलिए मैं चाहता हूँ कि इस संबंध में सरकार पुनर्विचार करे। केवल बोर्ड ने नया प्राधिकरण स्थापित कर दिया और बाकी कुछ नहीं हुआ, इसलिए मेरा निवेदन है कि इसका जरा विस्तार करना चाहिए। मैं माननीय मंत्री जी से प्रार्थना करना चाहता हूँ कि इस बिल को वापस लें और इसके साथ-साथ परियोजनाएं और नेशनल पार्क के संबंध में पुनर्विचार करें। यह कहते हुए आपने मुझे बोलने का समय दिया। मैं आपका धन्यवाद करता हूँ।

**अध्यक्ष महोदय :** समय तो सीमित है। आप बहुत अच्छा बोलते हैं। आप अध्यापक हैं, हम आपका बहुत आदर करते हैं।

...(व्यवधान)

MR. SPEAKER: Any hon. Member who wishes to submit his or her written speech can do so.

Shri Prasanta Pradhan - Not present.

Shri Shailendra Kumar, you can submit your written speech.

SHRI SHAIENDRA KUMAR (CHAIL): I will do that, Sir.

अध्यक्ष महोदय :ले कर दीजिए।

...(व्यवधान)

MR. SPEAKER: Shri Ram Kripal Yadav has sent it.

Shrimati Bhavani Rajenthiran

SHRIMATI M.S.K. BHAVANI RAJENTHIRAN (RAMANATHAPURAM): I will lay my speech on the Table, Sir.

अध्यक्ष महोदय :आप ले कर दीजिए।

SHRI TATHAGATA SATPATHY (DHENKANAL): Sir, the Wild Life (Protection) Amendment Bill, 2006 is a shame on the intelligence of Indians as a race. I am unable to support this Bill because it seems this House is adept at bringing everything down to politics. Everybody is impatient to run through this Bill and get it over with this like, how would I put it, another Money Bill or something like that[[KMR17](#)].

We are forgetting that man alone cannot exist on this planet. We have to learn to co-exist with nature and wildlife is something that is part and parcel of the existence of ecological balance and that alone will help mankind survive.

In India, today, we see how we have damaged the ecological balance and because of that States like Orissa, from where I hail, we see every year immense damage that we have to face due to nature's fury. Mankind has been blessed by the Creator with two things that no other life on earth has. The first is, intelligence; and the second is, rationality. But are we using these faculties in this House? We have to question ourselves. I am questioning myself. I am not questioning anybody else. It seems like we are not using our basic intelligence because of our impatience to get through, get over the work, and be done with it. So, this kind of an attitude would create a situation where generations that would come after us, would curse us for our shortsightedness and for our ignorance.

It is a well known fact that the Tiger as also the Lion are at the head of the Food Chain of land-based animals. When we destroy the Crown, be very very sure that we are going to destroy the total balance that nature has created on earth. Indirectly, this would also threaten the existence of mankind. We all know that proliferation of herbivorous animals is destroying the green cover. This has been realised in Africa; it has been realised in Australia for which many African countries have

gone as far as bringing in their Armed Forces, their armies to protect animal reserves and to protect wildlife.

Plant eating animals release methane gas into the environment thereby damaging the ozone. Man somehow only loves those animals which are happy with man. We like cattle, dogs, cats and only those that we can domesticate and we can use. They are the animals who have value for us in our life. But the world needs something else, we are not able to comprehend that.

A great philosopher of India, Sri Aurobindo had said that the evolution is a process that will always take place and is consistently taking place. Monkey evolved into man and man will evolve into the superman. But the monkey did not cooperate with evolution, therefore, it was left behind. If man does not cooperate with evolution, a time may come, man may also be left behind and the superman will go ahead of us. We are at that kind of a juncture now. This Bill is not a very simple Bill for protecting only one specie of animal, namely, the Tiger. It is a Bill which will tell the future of this country, the generations that are to come as to what was our vision about this country about the wildlife, about the flora and fauna and as to what kind of a balance we wanted to create for this country.

I am the only speaker of my party.

MR. SPEAKER: Allotted time for your party is five minutes. You have already taken five minutes. I would give another two minutes.

SHRI TATHAGATA SATPATHY : Thank you for being considerate.

I will come to the Bill. I have just one or two pints. This Bill envisages that Gram Sabhas will decide the parameters of the Tiger reserve. Gram Sabha will also decide as to whether the tribals or other forest dwellers should be relocated or not. We all know that Gram Sabhas cannot be demeaned. They are the base of democracy and our whole edifice of this structure depends on that kind of foundation.

But as people's representatives, we also know what kind of people are there in the Gram Sabhas, how – for small and little projects of very little consequence – the debates go on, how – during the debates – people start fighting, there is blood and gore on the floors and people get hospitalized. That is the epitome and that is the peak of our Gram Sabhas. You want to hand that over to that particular kind of people thinking that they will protect our flora and fauna. The House should consider this. Is that a very wise thing? Is that the reaction of an intelligent and a rational human being? It is a fact and let us accept it.

Man and tiger can never ever co-exist. Mankind has to sacrifice its conveniences in the interest of environment. In other words, not only tiger, but also all such animals and birds, that need our care, our love and our understanding so that they can survive and keep a balance on the Earth. We have to create core reserves and the Tiger Conservation Authority has to have sweeping powers in those pockets. ... (*Interruptions*) The Authority must not have so many members which is a very important thing. If you see the way it is constituted, it will become a farce and nobody will have any

power; and the Tribal Affairs Ministry or the Ministry of Environment and Forests will make a complete joke of this whole project.

MR. SPEAKER: Please cooperate.

SHRI TATHAGATA SATPATHY : Just two more minutes.

Is it the desire of this House to give birth to more Sansar Chands? We have to think on those lines. It is my earnest request that this wise House under your leadership, Sir, stalls this Bill. It is not an ordinary Bill where the 'ayes' will have it and the 'noes' will keep shut. It is an extraordinary Bill. We have to feel it because we have no representatives of vultures or tigers or lions here. They are mute and they are dumb; and we have to speak. There are many tigers here – brave men; these brave men and women, and especially women, have to stand up and speak.

MR. SPEAKER: An hon. Member of your Party was in the Standing Committee which scrutinized this Bill.

SHRI TATHAGATA SATPATHY : That is no excuse, if a member of my Party did a mistake.

MR. SPEAKER: You have a right to speak.

SHRI TATHAGATA SATPATHY : I am sorry if my Party member makes a mistake and does not raise his or her voice.

MR. SPEAKER: Okay, please conclude. You have taken thrice the time allotted.

SHRI TATHAGATA SATPATHY : I would pray and beseech this House that this Bill should not be passed. It is not man alone who can exist. It is not only a few people who will decide with political interests, what should be and what should not be done to the future of this country. It is my desire to stall the Bill and we teach children in schools and colleges, how to protect the flora and fauna of this country. Let us not take an action today for which the future generations of India who will live in this land tomorrow will be ashamed of our ignorance and our short-sightedness. Thank you.

MR. SPEAKER: Thank you for your cooperation.

SHRI S.K. KHARVENTHAN (PALANI): I rise to this Bill on behalf of my Congress Party and on behalf on my leader, Smt. Soniaji. Based on the recommendations of Tiger Task Force and Department – Related Parliamentary Standing Committee on Science and Technology, Environment and Forests, our Government has come forward with this Amendment Bill.

India holds over half the world's tiger population. Though referred to by experts as a "guesstimate", the last all-India census in 1993 estimated a total of 3750 tigers. The figure was a sharp decline from the previous census four years earlier. Of these only 1266 (34%) of the total were found within the boundaries of the then 19 (there are now 25 covering an area of over 33000 sq. km)

Project Tiger Reserves. The current estimate of the number of tigers in India is from 3000 to 3500 tigers. Many of tiger populations, particularly those outside protected reserves, are fragmented suffer from intense poaching pressure, a dwindling prey base and over-used habitat.

The strategy for tiger conservation in India revolves around Project Tiger and the Wildlife (Protection) Act, 1972. Between the mid 1970's and mid-1980's many protected areas (66 national parks and 421 wildlife sanctuaries) were set aside, including large tracts of tiger habitat. This resulted in an increase in tiger densities at many locations. Tragically, these conservation successes were short lived. Rampant poaching for the trade in tiger parts – all destined for markets outside India's borders –now threatens the tiger's very existence.

Prevailing conservation efforts and Project Tiger are not geared towards, nor have they adequately addressed the new protection strategies i.e. better law enforcement, training and support. Few of the tiger reserves have an established intelligence network and nearly 80% of our tiger reserves do not have an armed strike force or basic infrastructure and equipment to combat poaching.

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\*The speech was laid on the Table.

The forest guards are often out-gunned and out-manned by poachers. During December 1998, three forest staff were murdered in Manas Tiger Reserve and in the year 2005 from ten places in various States, tiger skins were recovered from the poachers. For the past one year, nearly in seven places in the same way tiger skins were recovered. The country's highest wildlife conservation policy planning body, the Indian Board for Wildlife which is under the Chairmanship of the Prime Minister has met only once in the past ten years. Large number of development projects such as mining and hydroelectric dams are also taking their toll on the tiger's habitat. In the past five years, thousands of square kilometres of forest land have been diverted and destroyed to facilitate such projects. Though mostly outside the protected network, the loss of this vital habitat will have serious repercussions on tiger conservation in India.

I want to bring to the kind notice of this august House Sir, there is a big National Park at Shivpuri in Madhya Pradesh called a Madav Vidyan named after late Leader Madhav Rao Scindiaji. All kinds of wild animals including tigers are available there. But illegal mining in nearby forest areas are affecting the animals. Mining and Extravacations are going on even Gazette Notified Area. In the case of T.N. Godhavarman, Hon'ble Supreme Court directed Union of India to ensure that no forest activities are permitted within the 5 and 7.5 kms. Of Protected Forest and Reserve Forest.

Sir, there is no specific provision in Wild Life (Protection) Act, 1972 to constitute a Body to prevent the wildlife crimes. For providing an enabling provision, these amendments were put forth by the Ministry of Environment & Forests. The proposed amendments in this Bill pave way to constitute a Wildlife Crime Control Bureau.

“Project Tiger” was introduced in this country during 1973. Madam Indiraji has taken steps to preserve the tigers in this country. Now this project has grown to 28 Tiger Projects in 17 States.

In the present Bill, there is an amendment U/s 38L(1) to constitute “National Tiger Conservation Authority” by Union of India. It is a welcomeable step. U/s38-O(1), the powers and functions of Tiger Conservation Authority is highlighted. U/s 38(U), the State Governments are empowered to constitute Steering Committee of Project Tiger in Tiger Range States under the Chairmanship of the Chief Minister. But in this Bill, nowhere there is mention about the functions of Steering Committee in States. Another important amendments in this Bill is about the notification of Tier Reserve. Based on the recommendations of Tiger Conservation Authority, the State Governments can notify an area as Tiger Reserve.

For preserving the tigers, our Hon’ble Ministers has introduced these valuable amendments. I am congratulating both the Ministers, Shri Raja and Shri Namo Narain Meena for bringing these amendments.

With these words, I am concluding my Speech and supporting this Bill.

SHRIMATI M.S.K. BHAVANI RAJENTHIRAN (RAMANATHAPURAM): I am happy and grateful for the opportunity given to me to speak on the Wildlife Protection (Amendment) Bill, 2006. The Bill is intended to amend the original Wildlife Protection Act, 1972 by inserting a new section IV B for the purpose of constituting a National Tiger Conservation Authority.

The Bill seeks to provide for the organisation structure of NTCA – Chairperson, and Members and terms and conditions of office, powers and functions of the Authority in clause 38 and its sub-clauses. The provisions are elaborate and well-drafted to meet the objectives of the Bill.

India is a vast country with rich flora and fauna. Blessed with bountiful monsoons and a wealth of natural resources in terms of mountains, valleys, rivers and thick forests, our country is spotted with innumerable locations like enchanting habitats for wildlife to thrive. Animals are part of earth’s life system. Animals and plants protect the health of ecosystem. If animals and plants are not taken care of, human life itself will face danger. Proper and enlightened interaction between human beings on the one hand and plants and animals on the other hand is essential for mutual survival on this planet. Only then, we can maintain balance of nature. If wild animals have to thrive, rich forests are indispensable. Thick forests are a sine-quo-non for copious rain.

Forests help us to preserve ecological balance. Forest and wildlife are a major attraction for a tourist both domestic and foreign. We have a number of national parks and tiger reserves which need to be preserved in a sustainable way. Therefore, the proposed Amendment Bill is very timely. For the first time since Independence UPA Government has taken a major initiative in bringing about a statutory measure to preserve and protect wildlife, particularly tigers.

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\*The speech was laid on the Table.

Any attempt on the part of the Government to preserve nature and nature's creations which are facing the prospect of getting endangered is quite welcome. Therefore, the hon. Minister for Forests and Environment deserves to be profusely congratulated for taking a major initiative to table the Bill before the august House. From a perusal of the Bill, we can easily notice his perseverance and deep involvement in drafting the Bill with meticulous care. Hon. Minister has taken pains to provide a comprehensive statutory measure for the purpose of creating a strong national conservation authority for protection and promoting tiger population.

The Bill seeks to provide extensive powers to the Authority to manage all aspects for maintaining proper environment in the habitats in the tiger reserve and for providing all necessary inputs for promoting tiger population. The National Authority is entrusted with the duty of offering guidelines to the State Governments for the tiger projects. It is also responsible for conducting detailed studies and research about the living conditions of tigers, disease surveillance, and mortality survey for the tigers. The Bill also provides for Steering Committee to be headed by the concern Chief Minister of the State with elaborate powers for planning, coordinating and implementing all aspects of functioning of tiger reserve areas, both in core segments and the conditions, problems relating to buffer or peripheral areas.

The Bill also provides for the required powers both for the National Authority and the State Steering Committee to resolve conflicts arising between the interest of tiger population in the core areas and the interest of the people living in neighbourhoods outside the core areas.

Another salient point of the Bill indicates that the Ministry has taken considerable pains to protect the interest and livelihood concerns of the Scheduled Tribes and other forest dwelling groups from getting affected or tampered with. Therefore, this act is a balancing act aiming to harmonise the conflicting interest of tiger populations, Scheduled Tribes living in hill areas and the possible livelihood problems of the citizens living in the vicinity of tiger reserve areas.

Another major contribution of this Bill is that it provides for the constitution of a Wildlife Crime Control Bureau to protect tigers and other endangered species. We are quite aware that in the present context anti-social and anti-national elements in our country have been indulging in undesirable activities putting wildlife to great dangers. It is reported that there is considerable

poaching into reserve forests and hunting valuable animals. We also hear reports that there is so much of international smuggling across national borders for dealing in animal and animal products. It is absolutely essential that these criminal activities should be put down and crushed with an iron hand. Therefore, we express deep appreciation to the hon. Minister for bringing about a major initiative in establishing a Crime Control Bureau for preservation of tiger and endangered species.

Sir, this Bill is a unique legislation from a humanistic angle; while human beings can cry and express their grievances, the dumb animals can not speak. Now, this Bill comes to their rescue of the lakhs of wildlife which are dumb creatures of nature. I would hail this Bill as a landmark legislation. The saint Vallalar of Tamil Nadu said: "*Wadiya payirai kanda pothellam wadinen*" which means: "I would shed tears on seeing the crops which are withering for want of water." This is the finest sentiment of humanism which finds echo in the current Bill. I, therefore, wholeheartedly support the Amendment and welcome the Bill on behalf of our DMK Party headed by Dr. M.K. Stalin.

Before I conclude, I would like to make a request to the hon. Minister of Environment and Forests on behalf of Tamil Nadu. My State is blessed with vast hilly ranges both Western and Eastern Ghats with luxurious forest areas which have all the potentials for a well designed habitat for promoting tiger population. For example, we have dense forest with excellent natural environment in Mudhumalai, Mundanthurai and a few other places in Tamil Nadu. Therefore, I would like to request the hon. Prime Minister and the hon. Minister of Environment and Forests to sanction a Tiger Reserve Sanctuary, so that Tamil Nadu can make its due contribution to protect and preserve tigers and other endangered species.

श्री शैलेन्द्र कुमार (चायल) : महोदय, एनिमल प्लेनेट के अनुसार दुनिया के इंसानों को मौसम, जीव, जंतुओं, पहाड़, नदी, जल और पेड़ के बारे में जागरूकता बढ़ेगी तो सभी बचेंगे। देश में खालों की तस्करी जबरदस्त हो रही है। तेंदुए की खाल की कीमत बाजार में ढाई लाख रुपये आंकी गई है। इस पर तीन र्वा की सजा और दस हजार रुपये का जुर्माना भी कम है। आज वन्य जीव को संरक्षित रखने का प्रयास हो रहा है। लेकिन देखा जाए तो स्टाफ की बहुत कमी है। पुलिस एवं वनकर्मियों की भूमिका पर भी निगाह रखने की जरूरत है। क्योंकि वे शिकारियों तथा तस्करों से मिले होते हैं। उत्तर प्रदेश, उत्तरांचल में चीतो की संख्या 535, तेंदुए 2168 हैं। देश में कुल चीतों की संख्या 3642 है। तेंदुओं की संख्या 8203 है। उत्तर प्रदेश में केवल एक बाघ मरा है। उत्तरांचल में वन्य जीवों के संरक्षण के लिए चार करोड़ रुपये की योजना रखी गई है। सेना के फील्ड कमांडरों को मुख्य वन संरक्षक अधिकारी का अधिकार दिया जाए तभी तस्करी कम हो सकती है। इसमें सेना की भी मुख्य भूमिका होगी। अब तो डी.एन.ए. टैस्ट से पता चल जायेगा कि कौन सा जानवर किस जंगली एरिया का है। कुख्यात खाल तस्कर संसार चंद गैंग 654 तेंदुए और 40 बाघ मार चुका है। जिसका खुलासा उसके बेटे से जब्त डायरी से हुआ है। यह सब खुलासा सी.बी.आई. द्वारा किया गया है। जयपुर ताल छपर अभयारण्य 110 लाख रुपये का विशेष पैकेज दे रहा है। सरिस्का अभयारण्य में अवैध शिकार के चलते बाघ समाप्त हो गये हैं। इस पर विशेष ध्यान देने की जरूरत है। चमगादड़ फल खाने वाली 13 प्रजातियों में से 8 प्रजातियां लुप्त होने के कगार पर हैं। भारत में 116 प्रजातियां हैं। सुनामी से चमगादड़ों को विशेष खतरा हुआ है। उनके रिहायशी स्थान खत्म हो गए थे। एक चमगादड़ फ्रूट बैट एक र्वा में 14 करोड़ 60 लाख बीजों को फैलाता है जिससे नए वृक्ष आते हैं। जो फलाहारी पक्षी हैं, 10 परसेंट ही वृक्ष अगर बचाए, तो बहुत है। एक फ्रूट बैट प्रत्यक्ष रूप से एक र्वा में 1 लाख, 46 हजार वृक्षारोपण का कार्य करता

है। हाथियों की भी तस्करी होती है। इनके दांतों तथा खालों की तस्करी होती है। इसे भी रोका जाये। वनों में उपरोक्त जानवरों, पक्षियों के अलावा अन्य बहुत से पशु-पक्षी, जानवर होते हैं, उन्हें भी संरक्षित कराने की जरूरत है।

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\* The Speech was laid on the Table.

SHRI VIJAYENDRA PAL SINGH (BHILWARA): I stand to oppose this Bill only on the ground – not on the Authority because having an Authority is a good idea – that it has been diluted to this extent.

The Directorate of Project Tiger has been functioning from 1972; it was Madam Indira Gandhi, in those days when shooting used to be allowed, of tigers, who stopped it. She started this with nine Project Tigers and they went up to 28. I remember this – Madam Sonia Gandhi is sitting here – she and her husband used to really enjoy going to Ranthambore and see tigers. When it was started, the tiger population was 1972 or 1973 only [V18]. It went up to 4000. That was the peak. It has come down. What is the reason that all these years when the tiger population has gone up, now you need an Authority? It is a blame game. They want to blame the States because all the Projects Tiger are in the States. They want to blame the States because they do not want to take anything on themselves. I would like to ask them as to why did they not give money for the relocation and resettlement of the villages in Sariska. If they had done that, I am sure that the tigers would not have disappeared, poached in Sariska. In the core area and in the buffer area there are 28 villages. We had been saying that we need money. If they had given us the money, the same would have been relocated, resettled and this problem of Sariska would not have happened.

The other reason is, we had been asking for money for recruitment in the Project Tiger. They have not given us any money for the recruitment. If we do not have recruitment in the frontline of the forest, naturally we will not be able to protect them.

The Subhramaniam Committee Report of 1994, recommended that we must have a Crime Bureau. Has it taken all these years to have a Crime Bureau? If we have had that and if we have supplied guns to counter poaching, all these would not have happened. Let me also say that if there is a market there is going to be a demand. The markets are flourishing in Tibet and China. That is the reason why poaching is taking place. It is the *Sansarchands*, the *Walias* and the *Kalias*, all these people, who have been involved in hunting.

I would blame the Directorate of Project Tiger. If they had done something about the hunting tribes, the things might not have been the same. These tribes cannot do anything else. They are the

professional hunters. If they had been given education, for which the money had to be provided by the Directorate of Project Tiger, they would not have indulged in poaching. Something could really have been done and we would have been able to save all these tigers. It is really a blame game and they are trying to really shield and save their skin. That is why they have come out with this Authority.

I have put in some amendments, on which I will be speaking when they are taken up. Let me also say here that we have been waiting for the Tribal Bill. We support the Tribal Bill. But this is not a Tribal Bill. It is only concerned with the 28 projects. In a big country that we live in, 28 projects are not even half a per cent of the geographical area of India. Where is the need of saying that the rights of the people living in this project areas will also be looked after and we will only do voluntary resettlement of these people? If that is the attitude, then this Bill is going to be a death warrant for the tigers because it has been diluted.

There is a very-very valid article. I do not want to show it. It has been said in this article that in Rajya Sabha, one Member of Parliament has been able to hijack the whole Bill by putting in 12 of the amendments. This is just to dilute the Bill[R19].

What is the use of having this Bill if we cannot protect the tigers and if we cannot protect the mankind in this area? What are we trying to do? The Supreme Court had passed an order saying that all these Project Tigers will be inviolate which means that there is going to be no human activity in these 28 Project Tigers. Why are we not trying to look into what the directions of the Supreme Court are? I cannot understand that. It is very wrong.

MR. SPEAKER: Please conclude.

प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : पांच-सात मिनट का टाइम और दे दीजिए।

अध्यक्ष महोदय : आपकी पार्टी का जो टाइम है, वह पूरा देंगे, एक मिनट भी कम नहीं होगा।

श्री विजयेन्द्र पाल सिंह : मैं मंत्री जी से कहना चाहता हूँ कि यह आखिरी चांस है टाइगर को बचाने का। आप डाइल्यूट करके ऐसा नहीं करें कि टाइगर इस बिल से ही एक्सटिंक्ट हो जाएं। आज चीन ने एक नयी चीज की है। चीन ने सोचा कि जो टाइगर पोचिंग हमारे पास आते हैं, they cost about 50,000 dollars per tiger. That is a big market there. Even in Tibet, there is a big market. The Department of Customs have not been told that they should do something to see that the skins are not exported there. आपने कहा था कि टाइम देंगे।

अध्यक्ष महोदय : मैंने कब कहा कि नहीं देंगे। आपकी पार्टी का जो टाइम है, वह पूरा देंगे, लेकिन आपकी पार्टी के और भी सदस्य बोलने वाले हैं। आप उनको विद्वा कर लीजिए, हम आपको ही पूरा टाइम दे देंगे।

श्री विजयेन्द्र पाल सिंह : महोदय, सबसे बड़ी बात इस बिल में यह है कि ये एरियाज़ हर वक्त इनवायलेट रहे हैं। इसके अंदर ग्राम सभा को ले लिया गया है और उनसे राय लेंगे तब तो टाइगर बचने वाला नहीं है। यही मैं कहना चाहता हूँ। At the time of moving my amendments, I would speak a little more.

अध्यक्ष महोदय : उस टाइम पर देखा जाएगा।

श्री मुंशी राम (बिजनौर) : महोदय, वन्य जीव संरक्षण संशोधन विधेयक 2006 के बारे में मेरा कहना है कि वन्य जीव संरक्षण होना चाहिए। परन्तु जंगली जानवरों हाथी, नीलगाय, पहा आदि जानवरों द्वारा जो किसानों की खड़ी एवं तैयार फसल को नट कर दिया जाता है, उसके लिए भारत सरकार द्वारा वन्य जीव को अपनी परिधि में रहने के लिए जो तार की बाढ़ की गयी है उससे वन्य जीव रुक नहीं पाते हैं।

वन्य जीव किसानों की तैयार एवं खड़ी फसल को नट कर देते हैं जिसके कारण गरीब किसान बर्बाद हो जाता है। इसलिए वन्य जीवों को वन्य क्षेत्रों में रोकने का ठोस उपाय किया जाए एवं वन्य जीवों द्वारा किये जा रहे नुकसान का मुआवजा सरकार किसानों को दे।

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\* The speech was laid on the Table.

DR. KARAN SINGH YADAV (ALWAR): I support the Wild Life (Protection) Amendment Bill, 2005.

I represent the Alwar Parliamentary Constituency where SARISKA – tiger sanctuary is located. Couple of years ago we used to have more than two dozen tigers in the sanctuary but

unfortunately the world mafia cropped in and the end result today is that there is not even a single tiger available in this forest sanctuary. Repeated count by experts have confirmed that Alwar does not have a single tiger. It is sad. The continued poaching was brought to the notice of state govt., which has primarily responsibility of guarding the forest. It is example of collusion of poachers with the forest officials and higher ups in the Government.

SARISKA which was full of tourist (Eco-tourism) activity but the news now has spread that Alwar no more remains a tiger habitate has turned the tourist of Alwar to other tiger sanctuary. This has deprived the common man, Rickshaw owner, Taxi drivers, Auto drivers, hotel and restaurant owners of their livelihood which was dependent on Tourist

While supporting the bill, I would request Hon'ble Minister to fulfill the commitment given by Hon'ble Prime Minister in the House that Sariska would again be habitated by Tiger by introducing a couple of pairs of tigers in this sanctuary. The task force has suggested of shifting a few fillages from the forest to elsewhere and some financial allocation has also been done but State Government is very slow in implementing the decision of Central Government and task force.

I would like to submit that this Bill should not become a tool in the hand of forest officers to harass the tribal communities who are residing in small village situated in the tiger reserve. I am in the knowledge of the fact that tribal of sariska area are not only harassed but their living has become difficult.

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\*The speech was laid on the Table.

Through sariska passes state highway no 14. which has been the earlier route to Jaipur from Delhi. Forest Department insist on closure of the road which goes from Alwar to Jaipur via Thanagazi. This has resulted into the resentment amongst the villagers of that area.

I sincerely hope that the Bill would ensure the protection of Tigers. As well as the tribals of the forest. Animals and Human being have lived together for centuries and they should continue to do so.

With these few words I support the bill

SHRI DUSHYANT SINGH (JHALAWAR): Mr. Speaker, Sir, I rise to speak on a very important topic and I guess we are here to protect the well being of the tigers. So, we need to talk about it and

you need to give us time. I would begin with that.

I must say that the Project Tiger was started in 1973 by Mr. Sankha and by the then Prime Minister, late Shrimati Indira Gandhiji. But after three decades, from nine reserves, they moved to 20 tiger reserves only. I would just like to give some assessment from 2001-02 onwards. In Corbett Park, Uttaranchal, there were 137 tigers in 2001-02, but at the moment, there are less than 50 tigers. In Manas, Assam, from 65 tigers in 2001-02, there are now less than 10 tigers; in Sundarbans, West Bengal, from 245 tigers, it has come down to less than 100 tigers; in Periyar, Kerala, from 36 tigers in 2001-02, now the number is 15 tigers; in Dudwa, Uttar Pradesh, from 76 tigers now less than 40 tigers; and in Kishanpur, Uttar Pradesh, 25 tigers, about five tigers are left. Going further down, the tiger population have been diminishing. It is a serious problem and we need to take it very seriously. From 1947 to 1973 which Party held power, we all know. Since then, they have not made any law or rule or regulation till 1973 for the diminishing tigers. At this stage, this authority is being diluted. Now, it would be monitored by the hon. Minister for Environment at the Centre under the astute leadership of our hon. Prime Minister. He would be running it with a bunch of senior people in the Ministry, a couple of parliamentarians, eight experts of which two will be from the Department of Tribal Affairs, six will be experts on tiger and a bunch of bureaucrats[r20].

What have we done here? We have diluted it. We have made so many Authorities. This Authority should be a facilitator. This Authority should be away from Government holdings and it should be run as an independent body with the Ministry of Environment being the nodal agency to monitor its activities.

Sir, one of the provisions of the Bill categorically states in page IV, Section 11:

“The Tiger Conservation Authority may in the exercise of its powers and performance of its functions under this chapter issue directions in writing to any person, or officer or authority for the protection of tiger, tiger reserve and such persons, or officers or authorities shall be bound to comply with the direction. ”

Is the Government the Central Authority? Is the rule of the Government, the rule of the God? Now, the Government has to have a consensual method. As we all say, the beast and human being cannot exist with each other. It has further been said that one should not interfere with the rights of the local people, particularly the persons belonging to the Scheduled Tribes.

Sir, I represent a parliamentary constituency where there is tribal population. The Congress Chairperson, Smt. Sonia Gandhi has visited my parliamentary constituency on various occasions. We have tribal population there. We respect the tribes. This Bill cannot be diluted by one person in the Rajya Sabha to such an extent that the Bill is completely hijacked.

It has been said that the Steering Committee will be in-charge within the State and the State Government would run the Steering Committee. The solemn Report, as has been mentioned by my previous speakers, has not been considered. What has been lacking in the Bill? The Budget allocation for the year 2005-06 was Rs. 32.93 crore, out of which a sum of Rs. 12 crore was earmarked for the North-East. The State of Arunachal Pradesh is a part of the North-Eastern region. I have already mentioned that number of tigers is diminishing. So, where are you going to spend the money on?

Sir, the hon. Prime Minister, in his second meeting, had announced the creation of a Task Force. The Task Force had given its Report. But experts like Shri Balmiki Thapar questioned that Report. In the year 2002, the number of tigers was 3,642.

MR. SPEAKER: Please conclude now.

SHRI DUSHYANT SINGH : Sir, I am a new Member and you would have to give me time.

MR. SPEAKER: Very well, I would not call any other hon. Member from your Party. You may please carry on.

SHRI DUSHYANT SINGH : Sir, it is an important subject... (*Interruptions*)

MR. SPEAKER: He wants time and I have affection for him. I will give him time until the time of his Party is exhausted.

SHRI DUSHYANT SINGH : Sir, now only 1300 tigers are left. What are the problems? The Government must re-locate the local dwellers from the forest area to a buffer area. They cannot control the core area. How can one have dwellers dwelling in the core area, controlling the core area? The Government must have a system whereby the dwellers could be shifted to a buffer area. We need to make sure that the hunting tribes are better placed and settled and the community at large is helped.

Sir, we have a better intelligence system. But we also need to have political interest. We have an hon. Member from Alwar here. We need assistance across party lines whereby we can accommodate the political interest of 35 villages in order to help re-locate these villages[[snb21](#)].

### **17.00 hrs.**

We need to [[bru22](#)]look at the ways and different methods of identification of tigers such as camera traps and the special method called the DMA cat method. I would say that Gram Sabha should not be the authority to redraw the core areas. According to your law, under the Bill, the core areas should be well protected and should be redrawn by the Gram Sabhas. We need to think about that.

I would go further by saying that certain provisions should be given to the local area where you could have schools, teaching or education methods, so that you can improve education in those areas, and by education, we can improve the population of tigers. But we should also mention here that political hitting has been taking place for a long period of time. As I have mentioned, in the

various States run by the UPA and its partners, tigers are diminishing. It is not only in one State but in various other States also. So, we need to come together as a team to increase tiger population. I hope my points will be taken into consideration by the hon. Minister.

श्री रामदास आठवले (पंढरपुर) : महोदय, राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण का गठन एक अच्छा निर्णय है। व्याघ्र का संरक्षण करने के लिए इस प्राधिकरण का विशेष उपयोग होगा। मैं आरपीआई(ए) की ओर से इस विधेयक का समर्थन करता हूँ। व्याघ्र परियोजना से सम्बन्धित रिपोर्ट वार्षिक रूप से केन्द्रीय सरकार को संसद के समक्ष भेजने के प्रावधान का भी मैं समर्थन करता हूँ। व्याघ्र के संरक्षण के साथ ही उस इलाके में रहने वाले लोगों का भी संरक्षण होना चाहिए। टाइगर के साथ-साथ पैंथर का भी संरक्षण किया जाना चाहिए।

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\* The speech was laid on the Table.

SHRIMATI MANEKA GANDHI (PILIBHIT): Sir, there has been a fierce debate within the NDA as to whether we should allow this Bill to go through or not. The leaders of the NDA were of the firm belief that this should not be allowed to go through and I agree with them. This is the first time that I am standing against something which really goes against my conscience.

This is possibly the worst Bill brought in since 1947. It was a brilliant Bill. The officials and the Minister worked hard to make this an excellent Bill. It was brought in the Rajya Sabha and 13 amendments had been made. I cannot speak out of such anguish but I only say that they have made it such a bad Bill that whatever little is left of the tiger, and other animals, is gone.

Before I elaborate on my points, I would like to ask a few specific questions which I would like the hon. Minister to answer. The Task Force gave a list of recommendations that had to be followed through. Could the Minister please tell us point by point what has been done on the following since it has been almost two years since the Task Force appointed by the Prime Minister completed its work?

- (1) Setting up of the Wildlife Crime Bureau which is coming today in a very truncated form.
- (2) The amendments to the Wildlife Protection Act to strengthen criminal provisions, as asked by the Task Force.
- (3) The outcome of the tiger census and action to be taken based on its findings.
- (4) Independent audit report also to be presented to Parliament in six months which will rate the performance of different tiger reserves on different criteria.
- (5) The identification and planned relocation of villages from key tiger habitats which was to be finalised within one year with its financial and logistical implications and completed within two to three years.
- (6) The plan for co-existence to be prepared by each tiger reserve within one year so that benefits of conservation can be shared with local communities.

This Bill has been well spoken about by my colleagues, Shri V.P. Singh and Shri Dushyant Singh. With great anguish, I say that the hon. Minister is not going to accept any of our amendments. We do have amendments. Tiger does not belong to Opposition. We are not opposing because we are in the Opposition. We are opposing you because this Bill will kill the tigers faster than any other thing. What has happened? In the Tiger Project, as envisaged by Shrimati Indira Gandhi, the core areas were inviolate. You could not go into them. It is the tigers domain and, as Shri V.P. Singh said, it is less than .01 fraction of India. Now, in this Bill, it has been amended to say that even the core areas can be shifted here and there and they are dependent on what the local communities want [\[bru23\]](#).

I know what a "local community" is. In my constituency 200,000 Bangladeshis and Bengalis have come in and they are called the "local communities". They will sit in the middle of the forest and they decide where the "core area" would be from now on. Four tigers have been killed in the last three months in my own constituency only because they were harassed by the new residents of the forest. These "local communities" grow and grow. They are supplemented by the people who come from the cities; they are supplemented by poachers; they are supplemented by people who use local communities to cut wood; and they are supplemented by people who set up *aara* machines. All sorts of business takes place.

Are we going to ask these "local communities", under this Act, to decide what is a core area? Then, no relocation can be allowed unless we ask these "local communities", unless we ask "Gram Panchayats" to decide it. We are not going to decide what are "irreversible damages" unless 23 people sit together once a year and finalise what "local damage" is. What does this mean? What is this Bill going to do? All it is going to do is to destroy the Tiger Project, which though till today was just limping along.

The Elephant Project was set up with the same great desire to protect the elephants. The elephants are as endangered as the tigers are. What did it ultimately boil down to? It boiled down to one person sitting in the office doing nothing. The one Elephant Project Director who ever did anything was that he gave a contract to his wife to catch a baby elephant in Chhattisgarh and she went there and she caught it and killed it in the most agonising fashion. She got away because they said that she was a tribal. All this was recorded on a film which was shown to everybody on television. The Tiger Project Director escaped even though he gave the contract to his wife. After that no Elephant Project Director moved in any direction to do anything. Is this what this Bill going to do? It will destroy the Task Force with these amendments.

The term "Tiger Bearing Forest" has not even been defined. Suppose the "local communities" say, "We define this as a Non Tiger Bearing Forest", then they have the right of way. Then, they do not have to protect the tigers because they have the ability to decide what is "Tiger Bearing Forest" because you have not defined it in your Act.

What have you done in this Bill to interact with countries around us? It is well-known and documented that Tibet is the single main reason why the tiger is now severely endangered. Have you taken any action since the two years, when Tibet Study was made and put on a film?

By bringing in an amendment in 38 (2), in which the Tiger Conservation Authority had the power to issue directions to any person or authority across India, which you have now amended to say "as long as this direction does not interfere or affect the rights of local people, particularly the Scheduled Tribes", in one stroke you have destroyed the entire Bill. This is what has happened to the Elephant Project which was supposed to remove villages from the elephant corridors. It said: "No, no, we will ask the local people." It has been fifteen years, not one village has been removed because the "local people" are yet to be asked.

It is important that the Tiger Task Force and this Bill be given some teeth. We would be happy to back you. Otherwise, we will lose tigers. Now, it is only a matter of few years, two or

three years before the tiger disappears. After that you will say, "But we freed. We worked in Parliament and we made this wonderful Bill."

If one person gave us thirteen amendments, what is the point of the Bill? My Party Leaders, both of whom are present here, said: "Do not let this Bill pass because it is really a bad Bill." It is true. I am so frightened that I even had arguments with people I know to be true and sincere people of the forest. I fought with them only because I was so frightened that if we do not allow this Bill to be passed this time, you will bring an even worse Bill next time. This is not the Tiger Protection Authority or Tiger Conservation Bill. This is the Tribal Bill. This is the ghost of the Tribal Bill.

I am standing up to protest against these thirteen amendments. I hope that you will have the courage and the good sense, because your party has traditionally stood for protecting wild life from Pandit Jawaharlal Nehru's time, to roll back these amendments. For God's sake save these tigers by making a proper Tiger Conservation Authority. You cannot amend a bad Bill later. You have to do it now.

SHRI M. APPADURAI (TENKASI) : Sir, I welcome this Bill to ensure protection to the wild life, especially the tigers. Our national animal tiger is to be protected. Our tiger sanctuaries that were there in nine States is now found in 17 States and in 20 places. In the year 1972, the then Prime Minister of India Mrs. Indira Gandhi enacted Wild Life Protection Act. Now, we seek to make certain amendments to that law.

In the olden days, there were about lakhs of tigers in this sub-continent. Now, its population has reduced to about 4,000 that is why we are enacting this Wild Life Protection Act. Through this Amendment Bill, the Government intends to establish a Tiger Conservation Authority. I am talking about the tigers that live in the jungles. Tigers are wild and dangerous but still they need to be protected. This Bill has come before this House to ensure that tigers are not subjected cruelty and attacks.

In the traditional life of sub-continent, tigers have also had an important place and hence, they must be protected. They maintain the equilibrium of the echo system as they are at the apex of the food chain in the forest life. As far as wild life is concerned, tigers have the highest important place. That is one reason why this UPA Government is acting fast to make these necessary amendments to the Wild Life Protection Act.

At this point of time, we have to think in terms of the welfare of the tribal people living in the deep forests and core areas of the sanctuaries. The Tribal People Protection Forest Rights Bill is still being evolved and it has been put in a cold storage. I would like to ask of this Government as to why it is being delayed. It would have been appropriate to enact laws for both simultaneously.

In order to protect tigers, we need to protect every other animal and every forest available in this country. Trees must be protected, forest must be conserved and the environment should not be allowed to be polluted beyond measure. The

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\* English Translation of the speech originally delivered in Tamil.

hill tribes and the tribal people living in the remote areas of the forests are really helping to conserve them. They are living and carrying on their livelihood only in a mere two per cent of our forest covered area. It is only poachers and greedy merchants behind them who hunt down the animals of the forests for their hides and invaluable trees for illegal export. As sons of the soil and as locals living and dwelling there down the ages, tribals alone can effectively conserve forest and save wild life, especially the tigers. It is only the commercial exploiters and the poaching mafia that hunt down jungle animals, especially the tigers.

The Forest Department consider the hill tribes to be their enemies and those poor people are intimidated and harassed. Whenever forest lands are taken up for the construction of dams, open cast mines and industrial units, it is only these poor tribals who have to be forcibly shifted or evacuated from their birth place. What had happened in Orissa recently is still before our eyes. I urge upon the Union Government to ensure that the poor tribal people are not harmed. They are being chased out, hunted down and killed. Since both wild life protection and tribal people protection are inter related and inter connected, we ought to have thought of enacting laws together.

We must ensure that the intention behind this Bill to protect the tigers by way of setting up National Tiger Conservation Authority evolving tiger conservation plan and operating through the project tiger directorates is achieved. Many of them are sought to be implemented by the State Governments. In a way it is welcome. But when it comes to adequate funding and proper maintenance resolving border area problems, greater Central coordination is necessary. Hence, I urge upon the Union Government to evolve a viable monitoring mechanism in this regard and I reiterated on behalf of the Communist Party of India.

SHRI BIKRAM KESHARI DEO (KALAHANDI): Sir, I rise to debate on the Bill because, for the first time, it is a tiger-specific Bill. As the Bill is going to be piloted and is being discussed now, I would like to say, firstly, that it should not have any political considerations. The idea is to save the tiger which is on the brink of extinction. Today, it is at the apex of the ecological system and the environment system of our country. But if the tiger exists, with that the forests will exist, the prey animals will exist and the entire environment will be good. I would like to say that the idea to co-exist with animals has been there from time immemorial.

Sir, here I would like to say something about King Ashoka. In the 3<sup>rd</sup> Century B.C., he made laws for preservation of wild life and environment. Twenty-six years after his coronation, he declared that the following animals were not to be killed like parrots, mynas, the ruddy geese, nandi mukha, cranes, bats, queenends, terrapins, boneless fish and rhinoceros. So, it is there from a very long time. After that also, in 1887, the first Act was enacted for protection of wild life and wild birds and the environment under the Wild Bird Protection Act No. X of 1887. Then, in 1912 it was amended and eventually after a long time in 1960, the Government of India awakened and there was an awareness of saving of our wild life which we never did since our Independence. It is because from 1947 till 1975, there was no law to protect the animals. There were only laws which were to be enacted by the Provisional Government to close the shooting season, open the shooting season and to give permission etc.

Sir, here I would like to say that creating a new chapter in the Wild Life Conservation Act in Section 4 (b) is a welcome measure. But, at the same time, you have to see that if you do not satisfy human values, then you cannot protect the animals because the human beings are the voters, the electorates who elect your Government.

Sir, today, we are making law for mute animals. You have to protect them because the tiger is at the apex of our ecological cycle or environmental cycle. I was reading the book which we got from the Publications Counter yesterday on Tigers. I would like to say that out of the 28 tiger reserves in 17 States, eight tiger Reserves were categorised as very good, one in good category, seven as satisfactory and two in poor category. The main reason for this is that there were 45 parameters made to determine the tiger population and the management of the tiger reserves. In the meantime, it has been seen that there are a lot of inadequacies in the forest areas. You do not take care of the human population living in the core areas. They are not rehabilitated properly. Here, I would like to say that when you relocate tribal persons from a sanctuary area, because that also is a development activity, give them the same type of compensation which you give to rehabilitate people when you have dams or when you set up industries for multinationals. Here, I would like to say that when you relocate the forest area to make a particular project, there is a thing known as 'compensatory forest transplantation'. So, I would like to know from the hon. Minister, while replying. Will he create such a fund for wild life preservation also? When a mega project or a big project comes, will the Government commit that they will give adequate resources to protect the wild life on line like the compensatory forest transplant and which should be wild life specific.[\[R24\]](#)?

Here, I would like to say that the National Tiger Authority is not going to spend all the money. The matching share has to be made by the States which most of the States do not do on time. So, I would like to stress here that you should kindly give hundred per cent financial aid to those States where the Tiger Project areas are located. For example, I would like to tell you that the Simlipal Tiger Reserve in Orissa is there. It is a Tiger Reserve of 2151.73 sq. kms. in area. It is a forest area. It was declared so in 1973. In 1979, about 2220 kilometres were included out of which 65 villages are in the forest. In 1980, about 845.7 sq. kms. were declared as core area of the National Park. Mr. Minister, till now, you have not taken any steps to relocate them. You have to allure the people. You should make the tribals happy when they are relocated. You cannot just throw them out. If you throw them out, you will see that they will poach in retaliation.

Today, the saddest part is that in most of the tribal areas the BPL rate is the highest. There is no educational facility. There is no health facility. Once they are relocated, they are not given proper land. So, equivalent land should be given to them as they were using the land when they were in the reserved forest or in the core area. So, keeping all these things in view, the Government has to do some thing. You are hurrying through this Bill. It could have been dealt with in-depth. You should have given more teeth to it. We have given an amendment. You have given the National Tiger Authority full, over-riding powers thereby they can take any action to stop it. They can write against any top executive also, any Chief Minister also. So, the over-riding powers should be curtailed to a certain limit so that it can be managed properly and good report to the protect wild life should be there.

I would stress that due consideration should be there for the tribals. They should not just be thrown out. They should be assured.... (*Interruptions*) I am giving my views. The Party is opposing it. I am just debating it. Mr. Minister, why are you hurrying through this Bill? There should be a more in-depth discussion. Sir, there is no mandatory time for declaring the House adjourned *sine die*. We can sit up to Seven of the Clock. We have worked whole night to prepare this.

MR. SPEAKER: You have ably presented your case. Please conclude.

SHRI BIKRAM KESHARI DEO : Before ending my speech, I would request the Minister one thing. In my constituency, there is an area known as the Sunabeda area in Komna block which is contiguous to the Deobhog area of Chhattisgarh. There is the Udhanti Wildlife Sanctuary. It would be an ideal tiger

reserve. The State Government has also sent its proposal to the Centre, to the Ministry of Environment and Forests to declare it as a tiger reserve. This Sanctuary is in Navpara District of Orissa.

With these words, I conclude.

SHRI KIREN RIJIJU (ARUNACHAL WEST): Sir, at the outset, I would like to say that I will not make a general case or about my experience or my knowledge. I will just make some specific comments.

It is a very vital Bill. I come from an area which is almost hundred per cent a jungle area, forest area. अध्यक्ष महोदय, जब बचपन में मैं देखता था कि हमारे गांव में बड़े-बड़े टाइगर्स मारे जाते थे और कितने मारे जाते थे, इसका कोई हिसाब-किताब नहीं होता था, तो उसे देखकर मुझे बहुत दुख होता था। जब ऐसे खूबसूरत जानवर को मारकर 20-25 लोग उसे घसीटकर गांव में लाते थे, तो यह सब देखकर मुझे बहुत दुख होता था। जब हम टाइगर की बात करते हैं तो सिर्फ टाइगर ही नहीं, बल्कि मैं मानता हूँ कि वह जो पूरी कैट फैमिली है जिसमें टाइगर के साथ ही लियोपर्ड, जैसे केवल अरुणांचल में पाए जाने वाले क्लाउडेड लियोपर्ड हैं, उनको संरक्षण देना चाहिए। इस तरह की जो कैट फैमिली है उनके लिए भी इस तरह का प्रावधान किया जाएगा तो बहुत अच्छा होगा। यह जो टाइगर सैंसस है, मैं इसे नहीं मानता हूँ। हमारे राज्य में कोई सैंसस के लिए आता ही नहीं है। वहां इतना बड़ा जंगल है इसलिए अरुणांचल प्रदेश के मामले में जो फिगर्स सैंसस के आते हैं, तो मुझे हंसी आती है, क्योंकि मैं जानता हूँ कि वहां इतनी संख्या में टाइगर्स हैं कि उनका कोई हिसाब रखने वाला नहीं है।

आपने ग्राम सभा को अधिकार देने की बात कही है। यह ठीक है कि गांव के लोगों को पावर देनी चाहिए। लेकिन कभी-कभी समस्या तब आती है, जब उस ग्राम सभा में कुछ कमर्शियल ग्रीडी लोग या सैल्फ इंटेरेस्टेड लोग घुस जाते हैं। इससे ग्राम सभा या पंचायत समिति का मिसयूज होता है। इसलिए इस चीज को रोकने के लिए कोई स्पेसिफिक जिक्र बिल में नहीं किया गया है। अगर आप किसी को अनलिमिटेड पावर्स देंगे, तो उसका मिसयूज होने की सम्भावना रहेगी। इसलिए मंत्री जी को इस पर ध्यान रखना चाहिए।

मैं हमेशा हंटिंग का विरोध करता हूँ, क्योंकि मैं बौद्धिस्ट हूँ। मैंने कभी एक चिड़िया तक नहीं मारी, लेकिन मेरे प्रदेश के मेरे दूसरे साथी जो बैठे हैं, उनके समुदाय के लोग शिकार करते हैं और मैं उन्हें भी मना करता हूँ।

अध्यक्ष महोदय : आप अपना इंप्ल्यूएंस उन्हें दीजिए।

श्री कीरेन रिजीजू : हमारे यहां अधिकारी लोग भी जानवरों का शिकार करते हैं इसलिए उस पर भी प्रतिबंध लगाना चाहिए, क्योंकि यह काम राज्य सरकार नहीं कर पाएगी। मैं सोनिया गांधी जी को बताना चाहूंगा कि हमारे मुख्य मंत्री जी वाइल्ड एनिमल्स का मीट खाना पसंद करते हैं, तो वह कैसे इस पर कंट्रोल करेंगे।

अध्यक्ष महोदय : बड़े-बड़े जानवरों को नहीं, छोटे-छोटे जानवरों को मारते हैं।

श्री कीरेन रिजीजू : वह चिड़िया को भी मारकर खा जाते हैं। वहां के अधिकारी भी ऐसा करते हैं इसलिए मैं इसका विरोध करता हूं। मेरा केन्द्र सरकार से निवेदन है कि इस सम्बन्ध में मजबूत कानून बनाया जाए। अरुणाचल प्रदेश को रिच बायोडाइवर्सिटी स्पॉट घोषित किया गया है। यह दुनिया का सबसे अच्छा रिच बायोडाइवर्सिटी स्पॉट है, जबकि हमें बंदरों को देखने के लिए दिल्ली आना पड़ता है।

MR. SPEAKER: You are such a good speaker. I am very sad to interrupt you. Please conclude.

श्री कीरेन रिजीजू : टाइगर को तो बचाना ही है, लेकिन उसके साथ-साथ कैट फैमिली को भी बचाना है। हॉर्न बिल नाम की जो चिड़िया है, वह जानवर नहीं है, लेकिन उसके संरक्षण के लिए भी वन मंत्री जी को कानून बनाना चाहिए। वन मंत्री जी कभी अरुणाचल प्रदेश नहीं गए हैं। मैं चाहूंगा कि वह जल्द से जल्द वहां का दौरा करें।

I request the hon. Minister to visit Arunachal Pradesh and assess by himself the rich biodiversity of Arunachal Pradesh. I have given some specific suggestions. I request him to include them in this Bill.

श्री लक्ष्मण सिंह (राजगढ़) : अध्यक्ष महोदय, मैं भाग नहीं दूंगा, केवल एक सुझाव देना चाहूंगा। मेरे से पूर्व दुयंत सिंह जी, विजेन्द्र पाल सिंह जी जो वक्ता बोले हैं। मैं कहना चाहता हूं कि अगर सबसे ज्यादा किसी ने शेर मारे हैं, तो हमारे पूर्वजों ने मारे हैं। अगर आज हम उनके संरक्षण की बात कर रहे हैं, तो यह अच्छी बात है। राजाजी जो बिल यहां लाए हैं, हम उसका स्वागत करते हैं।...  
(व्यवधान)

प्रो. राम गोपाल यादव (सम्भल) : यह भी एक संयोग है।

श्री लक्ष्मण सिंह : मैं मंत्री जी को यह सुझाव देना चाहूंगा कि जिन माननीय सदस्यों ने अपने सुझाव यहां रखे हैं, उन्हें गम्भीरता से लेकर इस बिल में समावेश करें, जिससे शेरों का संरक्षण हो सके। मध्य प्रदेश में सबसे ज्यादा शेरों की संख्या है। अगर इसका मुख्यालय मध्य प्रदेश में रखें, तो बहुत अच्छा होगा।

MR. SPEAKER: Shri Varkala Radhakrishnan – Not present.

Now, the hon. Minister.

There is a tussle between Chennai and your place.

SHRI A. RAJA: Mr. Speaker, Sir, I do express my thanks to the hon. Members who have participated in the debate on this very important Bill. As I have already said, the "Project Tiger" was started in the year 1973 by Mrs. Indira Gandhi.

In the other House, I heard Dr. Karan Singh who was the instrument behind Mrs. Gandhi to promote this "Project Tiger" in the year 1973.

SHRI TATHAGATA SATPATHY : She did it because she liked it herself... (*Interruptions*)

SHRI A. RAJA: May be.

MR. SPEAKER: Mr. Minister, do not get diverted.

SHRI A. RAJA: Sir, I was impressed by the statement given by the hon. Member Mr. Satpathy. The same statement was given to this House when this "Project Tiger" was started by Mrs. Indira Gandhi, in which, she had stated:

"Do not think that this world or this universe or this earth is being inherited from our forefathers, but it is in your hands to repay the debt to the future generation so that the co-existence with the flora and fauna for the mankind is very essential."

Sir, with this concept, this Bill had been brought, I believe. Of course, Mrs. Maneka Gandhi told that since Independence, this is the worst Bill'. But I hope after my argument, or after my reply and I sincerely believe that Mrs. Maneka Gandhi would accept that this is one of the noblest Bills introduced in this Parliament.

Sir, I would now come to points raised by various hon. Members... (*Interruptions*)

SHRIMATI MANEKA GANDHI : Sir, the argument is going to change here.... (*Interruptions*)

SHRI A. RAJA: Please wait. Madam, I respect you a lot. I heard your speech with rapt attention. Let me cover all the points.

Sir, by bring this Bill, we introduced two important chapters. The first chapter is that this is the first that that we are going to create a National Tiger Authority concerning tiger and the second chapter is that this is the first time that we are going to have an investigating agency on par with the Narcotic Bureau or something like that, to control the wildlife crime.

SHRI DUSHYANT SINGH: Sir, may I make a submission?

SHRI A. RAJA: I am not yielding.

MR. SPEAKER: Mr. Dushyant Singh, he is not yielding.

SHRI DUSHYANT SINGH : Sir, I come from a narcotic area. The Narcotic Bureau is making cases, which are not in the correct data. NDPS cases in the narcotic areas are not correct. The Narcotic Bureau is also not working properly... (*Interruptions*)

MR. SPEAKER: Mr. Minister, why did you mention the Narcotic Board?

... (*Interruptions*)

SHRI A. RAJA: Sir, this is the first time that a sincere attempt has been made by the Central Government... (*Interruptions*)

MR. SPEAKER: All right. You may withdraw the Narcotic Board.

SHRI A. RAJA: It is an investigative agency, that is all.

Of course, before this Amendment Bill was introduced, of course, we were having Section 5 in the Wildlife Protection Act itself, which can delegate powers to any officer. In turn, The Chief Wildlife Warden of the concerned State can also delegate his powers to the District Forest Officer or other who are looking after the wildlife.

I would state as to why is necessary. The National Wildlife Board, which was chaired by the hon. Prime Minister in which the noted experts throughout the country participated, made important suggestions after the incident of Sariska. It said that the tiger population of this country is being dwindled down, or there may be some apprehensions in the minds of the people. Maybe incident of Sariska is unique, but it is also true that the position of Sariska or the facts available with Sariska cannot be equated with other tiger reserves.

Of course, my learned friend Shrimati Maneka Gandhi has disclosed that out of 28 tiger reserves, many tiger reserves are good and satisfactory; it is only the two reserves of Sariska and Indravati, which are being declared as under bad conditions... (*Interruptions*)

MR. SPEAKER: Please address the Chair.

SHRI BIKRAM KESHARI DEO : Mr. Speaker, Sir, out of 45 parameters....

SHRI A. RAJA: Sir, I am not yielding.

MR. SPEAKER: Mr. Deo, he has not yielded. What can I do? You know the rules of the game.

SHRI A. RAJA: Sir, after Sariska, the National Wildlife Board recommended to form a Taskforce to know what the action plans are and what measures can be taken by the Centre and the State Government. Accordingly, under the Chairmanship of Mrs. Sunita Naryan, a Taskforce was appointed, which gave a report. Of course, Mrs. Gandhi enumerated about what are all the suggestions.

... (*Interruptions*)

MR. SPEAKER: Nothing will go on record except the reply of the hon. Minister.

*(Interruptions)\**

SHRI A. RAJA: The Tiger Task Force Report contemplates two types of recommendations. The first recommendation is short-term and the second recommendation is long-term recommendation. In the short-term recommendation, it has suggested to immediately create a statutory body to control the crime exclusively for the tiger and other endangered species. For the past 50 years, the estimation of tigers, the counting of tigers, has been done by states and exclusively by the Central Government or an agency. The methodology being used by the State Governments and the number that has been disclosed by the State Governments, have been taken into account, and we just sum up

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\*Not Recorded.

arithmetically, and I am telling Parliament or any other forum that this is the figure available with the Government of India. So, this Government, according to the suggestion made by the Tiger Task Force, announced the new whose process has been peer reviewed internationally by the International Agency IUCN, that is, International Union for Conservation of Nature and Natural Resources.

Sir, much has been stated in this House about the bad condition of the other Tiger Reserves and as such a motive has been attributed on the part of the Central Government that we are not taking stringent action or we are not paying due attention for tiger conservation. The position is otherwise. I can quote from the Report where the IUCN showered encomium upon the Government of India which runs as follows: "For those seeking to save the wild tigers, tiger conservation in India has been a touchstone. Both the Project Tiger and the Government of India should be commended for the encouraging independent evaluations and subsequent pre-reviews of the current management of the Tiger Reserves in the country that now holds the key to the future of tigers in the wild." This is the encomium showered upon the Government of India. ... *(Interruptions)*

MR. SPEAKER: Please do not get diverted. Professor, nobody disturbed you.

... *(Interruptions)*

MR. SPEAKER: Please do not reply to it.

SHRI A. RAJA: After the assessment, this is the Report. ... *(Interruptions)*

MR. SPEAKER: Do not answer. I am sorry.

SHRI A. RAJA: Sir, I am not yielding. I am sorry, I am unable to yield. ... *(Interruptions)*

MR. SPEAKER: What is happening? Nobody disturbed you at all.

SHRI A. RAJA: In this background, I tried to meet out the argument that has been advanced by the hon. Members. ... *(Interruptions)*

MR. SPEAKER: Nobody disturbed you.

Mr. Minister, you carry on.

SHRI A. RAJA: Some points were mooted here by respected Member, Mrs. Maneka Gandhi stating that by introducing this Bill, the entire Wild Life Protection Act is being diluted, and much has been stated here also.

Sir, one hon. Member in the other House gave amendments. By accepting these amendments, is the entire law being diluted? With all my sincerity I can say that you go through the amendments which were given by Mrs. Brinda Karat in the other House. After an extensive consultation with all the political parties, not Mrs. Karat alone, the amendments were received. You go through the amendments. ... (*Interruptions*)

MR. SPEAKER: This is not right.

Mr. Minister, you carry on. Why are you getting diverted?

... (*Interruptions*)

MR. SPEAKER: Mr. Singh, this is very unfair. You have it your say.

... (*Interruptions*)

MR. SPEAKER: You carry on. Only the hon. Minister's observations should be recorded.

(*Interruptions*)\*

MR. SPEAKER: I do not know. I cannot answer.

SHRI A. RAJA: Sir, I can disclose it. I wanted to speak briefly. I had consultation with Sushma ji. I had consultation with Mr. Ahluwalia. Mr. Ahluwalia made some points in the House itself. I discussed informally also. Some of the points were mooted in the Rajya Sabha by the BJP Members. So, I am telling this House with all my sincerity that I had an extensive discussion[\[m25\]](#).

I can put it in a nutshell. All the proposed amendments which were admitted in the Rajya Sabha evolve around only with regard to the tribal people, those who are living in 'Project Tiger' area. ... (*Interruptions*)

MR. SPEAKER : Very good.

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\*Not Recorded.

SHRI A. RAJA : I have said of two types of arguments. Shrimati Maneka Gandhi is saying that the tiger reserves are going to be diluted because rights or certain definitions that have been contemplated in the Act for the core area or the buffer area wherein the tribal people may spoil the tiger reserves. That is one type of argument. The other type of argument from the same Opposition

Benches came here. ... (*Interruptions*) That is, do not infringe the rights of the tribal people, they should not be relocated.

So, this Ministry is always facing two types of activities. One is development and the other side is regulatory. ... (*Interruptions*)

MR. SPEAKER : Please sit down. There should be some things which should come to an end.

SHRI A. RAJA : Sir, however, I can submit that what has been contemplated in the proposed amendment is this. I can read it. The opening sentence itself says.

“38V. (1) The State Government shall, on the recommendations of the Tiger Conservation Authority, notify an area as a tiger reserve.”

Earlier, all the State Governments have been empowered to declare a national park or a sanctuary and send it to the Central Government. By virtue of this Bill, the Central Government can recommend to the State Governments. What the law says as explanation for core and buffer areas is as follows :

“(i) core or critical tiger habitat areas of national Parks and Sanctuaries, where it has been established.... ”

... (*Interruptions*)

MR. SPEAKER : What is going on here? This is very unfair.

... (*Interruptions*)

SHRI A. RAJA : Please be patient. I heard you. ... (*Interruptions*)

MR. SPEAKER : Mr. Minister, you please address the Chair even if you do not like to look at me.

... (*Interruptions*)

SHRI A. RAJA : Sir, within a short time I would conclude. It says :

“(i) core or critical tiger habitat areas of National Parks and Sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose;”

MR. SPEAKER : It is in the law.

... (*Interruptions*)

MR. SPEAKER : Do not make such comments. Please behave as a Member of this House. You think you are very intelligent.

... (*Interruptions*)

SHRI A. RAJA : Sir, the words core area and buffer area have so far been used as a custom or in the Act; but nowhere it has been defined. What has been proposed in the Act is that – core area and buffer area must be defined with the scientific objectives in consultation with the State Government and with the Expert Committee. What type of Expert Committee should be there can be denoted in the rules themselves. If Shrimati Maneka Gandhi is having her own apprehensions in the mind that this will be diluted, at the time of the Expert Committee the State Government, in consultation with the Central Government, can have some experts, those who can uphold the rights of the tribal people as well as the tigers. ... (*Interruptions*) I think that apprehension is not having any bearing. ... (*Interruptions*)

Some other hon. Members expressed the apprehension that by providing the ‘Project Tiger’ those persons who are living there, whether tribal or non-tribal, would be affected. Some people may be non-tribals – those who were transported there during the British period. By birth, they may not be tribals, but to protect the forests, when the Forest Act, 1927 came into existence by British people, some non-tribal families were transported to the forest areas. They will also be protected.

Sir, with these words I request the hon. Members that the Bill, as passed by the Rajya Sabha,  
be passed.

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

Clause 2 **Insertion of New Chapter IV B**

MR. SPEAKER : Shri Vijendra Pal Singh, are you moving the amendment no. 1?

SHRI VIJAYENDRA PAL SINGH (BHILWARA): Sir, I beg to move :

“Page 4, lines 24 and 25, -

*omit* “and such person, officer or authority shall be bound to comply with the directions”.

Sir, I would like to submit to you here that this would be an infringement on the rights of the State [krr26].

I am saying this because this subject figures in the Concurrent List and not the Union List in the Constitution. If you look at the Seventh Schedule, ‘Forest’ is mentioned in the Concurrent List. What is this being done? If the Prime Minister was heading this Authority and giving directions to the Chief Minister, it would have been in the fitness of things, but today this Authority is being headed by the Minister, and if he gives orders, it is going to be infringement of the rights of the State. It says ‘and such person, officer or authority ...’. Now, there is no Authority in the State because they are not creating an Authority. They have said that it is going to be a Steering Committee. Now, that is going to be an authority which is headed by the Chief Minister. If that is headed by the Chief Minister and if the Minister gives orders and want them to be binding and complied with, then I think, this should be taken away. It should be removed immediately.

MR. SPEAKER: I shall put amendment no. 1 moved by Shri Vijayendra Pal Singh to clause 2, to the vote of the House.

*The amendment was put and negatived.*

SHRI VIJAYENDRA PAL SINGH : Sir, you have to protect this amendment because it is infringement of the rights of the State.

MR. SPEAKER: It is a number game. I cannot help it.

*... (Interruptions)*

MR. SPEAKER: You take charge of the nation and do it!

Shri Vijayendra Pal Singh, are you moving amendment no. 2?

SHRI BIKRAM KESHARI DEO : Sir, my name is also mentioned there.

MR. SPEAKER: Your name is there in amendment no. 1 and not amendment no. 2. We have already disposed of amendment no. 1. Anyway, I will allow you to speak in third reading stage.

SHRI VIJAYENDRA PAL SINGH: Sir, I beg to move:

Page 4, lines 26 and 27,--

*omit* “local people particularly”.

MR. SPEAKER: I shall put amendment no. 2 moved by Shri Vijayendra Pal Singh to clause 2, to the vote of the House.

*The amendment was put and negatived.*

MR. SPEAKER: The question is:

“That clause 2 stand part of the Bill.”

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clauses 3 to 7 were added to the Bill.*

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

SHRI A. RAJA: Sir, I beg to move:

“That the Bill be passed.”

MR. SPEAKER: Motion moved:

“That the Bill be passed.”

SHRI BIKRAM KESHARI DEO : Mr. Speaker, Sir, as the hon. Prime Minister is here and the entire UPA's chief is here, I would like to make a suggestion. It is for the consideration of the Government that forest being such an important subject, which control ecology and eco-system of our country, why do they not transfer it to the Union List by bring an amendment to the Constitution so that they have full control over the forests of the country?

MR. SPEAKER: Would you go to all State Capitals and advocate this? Please do not do this.

SHRI BIKRAM KESHARI DEO : Sir, I am saying that in future, it would be better if they transfer it to the Union List.

MR. SPEAKER: You are getting into a dangerous territory.

Hon. Minister, since the hon. Member has not got any more chance, she has requested me to ask you a question and I will do it. She says : “Could you please ask the Minister if there is any time-bound plan to declare core and buffer areas as till they are decided, anyone can now move into the core areas under this Bill?” Hon. Minister, have you any response to that[\[S27\]](#)?

SHRI A. RAJA : Sir, the Act itself contemplates to draw a comprehensive Tiger Conservation Management Plan, and all these issues will be addressed when the plan is going to be drawn.

MR. SPEAKER : The question is:

“That the Bill be passed.”

*The motion was adopted.*

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