

Pandeya to the vote of the House.

*The amendments were put and negatived.*

MR. SPEAKER: Now, the question is:

"That clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

*Clause 6 to 28 were added to the Bill.*

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

13 hrs.

PROF. D. P. CHATTOPADHYAYA: Sir, I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

13.01 hrs-

#### WILD LIFE (PROTECTION) BILL

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH): Mr. Speaker, Sir, I beg to move\*:

"That the Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary or incidental thereto, be taken into consideration."

Sir, this Bill seeks to safeguard one of the grandest heritages of our country. Wild-life also forms an integral part of our cultural inheritance. It is mentioned in the earliest scriptures and manifests itself in the art forms of India throughout the centuries, from the Indus Valley Civilization to Barhut and Sanchi, Mahabaitpuram and Amravati, Mughal and Rajput paintings. Emperor Asokha's edicts speak of sanctuary given to animate creatures.

From the heights of the Himalayas and the Swamps of the Sunderbans to the deserts of Kutch and the highlands of Kerala, variations in climate and in topography have nurtured a multitude of animal forms, many of which are found nowhere else in the world.

The rapid decimation of our once-teeming wild-life has been a matter of grave concern to the world at large and to India in particular.

Grand animals like the tiger and the Kashmir stag are treasures; these natural assets once destroyed can never be re-created.

As early as in 1952, the National Forest Policy of India emphasised the need for affording protection to the wild-life and particularly to the rarer species. It recommended the setting up of sanctuaries and national parks and the enactment of special laws. The Indian Board for Wild Life constituted by the Government of India in the same year, has also opined that adequate legislation should be enacted by the Central Government and the States, and that there should be a uniform set of rules and regulations in contiguous States for the effective protection of wild-life.

Sir, the Expert Committee appointed by the Indian Board for Wild-life has also stressed the same aspects and has emphasised the need for protection of the various threatened species.

As you are aware, Mr. Speaker, Sir, the protection of animals and birds features in the State List of the Seventh Schedule of our Constitution. As such, powers in this regard vest with the State Governments alone.

During the formative and tumultuous years which followed our independence, State Governments have naturally been pre-occupied with the problems of providing the basic needs for the masses. Large number of crop protection weapons were given in the interest of agriculture, and wild-life could not be given the priority that it deserved. The stage, however, has now been reached when, if the States and the Central Govern-

\*Moved with the recommendation of the President.

[Prof. Sher Singh]

ments, in close harmony, do not take up the case of wild-life preservation, many a species of birds and animals would go the same way of extinction as have the Cheetah and the Pink-headed Duck. So, Sir, if this country is not to be denuded of its wild-life and if the future generations are to enjoy the aesthetic pleasures of seeing some of nature's noblest creatures in their wild environment, action needs to be taken here and now.

The Union Government have already taken action in regard to the banning or controlling the export of a number of species of animals and birds and the products derived from them. However, this alone is not sufficient to preserve wild-life unless this is supported by adequate controls on exploitation of wild life throughout the country. A decision was, therefore, taken by the Union Cabinet that the Central Government should enact a uniform legislation for the preservation of wild life. Being a state subject, however, such legislation could only be undertaken under the provisions of article 252 of the Constitution, whereby the legislatures of at least two States should pass resolutions empowering Parliament to pass necessary legislation on the subject. I am happy to say that the State Governments realising the importance and the urgency of the matter have been very prompt in adopting such resolutions in their respective State Assemblies. Eleven States have so far adopted resolutions and it is hoped that others will follow suit.

Wild life is a renewable natural resource. Apart from its aesthetic value, the economic and scientific aspects of wild life cannot be lost sight of. Its potential as a tourist attraction have not yet been exploited to the full, and as a source of protein and as an object of commerce it has a considerable role to play in the economy of the country. But like all resources, wild life has to be husband and scientifically managed if it is to yield sustained and progressive returns. In India, however, a very large number of species of animals have reached a stage of depiction and their exploitation cannot be considered for the present. There are certain other species whose exploitation for sport or trade can be permitted in a strictly restricted manner. Keeping in view these circumstances, animals and

birds have been included in different Schedules and different punishments are prescribed for violations of rules in respect of these different categories. The status of wild life cannot be static. Therefore, if at a future date, it is felt that any particular animal or bird has become rarer than before, or conversely, has increased sufficiently in number whereby controlled exploitation of it could be permissible, they can be moved from one Schedule to another. If, however, it is felt that any particular animal has reached a critical stage of survival, the Central Government will be empowered to include any such animal in Schedule I and thereby give it complete protection throughout the country. State Government also would be empowered to add any animal to Schedule I in respect of their own area of jurisdiction. The violation pertaining to any such animal or bird will be treated as a very serious offence and deterrent punishment has been provided.

In short, this Bill greatly strengthens the scope and powers of the State Governments in regard to wild life preservation. The Central Government will appoint officers who will render them all possible assistance.

I am sure this House will welcome this Bill and the joint efforts being made by the Government of India and the various State Governments to save the wild life of India. I would like to conclude with the remark that the Prime Minister has made while addressing the National Committee on Environmental Planning, namely :—

"Man's wild spirit has been creator and destroyer. Now, with the possibility of destruction so starkly real, we must concentrate on the arts of preservation."

With these words, I move this Bill for consideration.

MR. SPEAKER : Motion moved :

"That the Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary or incidental thereto, be taken into consideration."

Is the hon. Minister intending to refer this Bill to a Select Committee ?

**PROF. SHER SINGH :** No, Sir.

**MR. SPEAKER :** A Member from their own party has tabled a motion to that effect.

**THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS AND SHIPPING AND  
TRANSPORT (SHRI RAJ BAHADUR) :**  
We are not accepting it.

**MR. SPEAKER :** Is Shri Shivnath moving his motion ?

**SHRI SHIVNATH SINGH (Jhun-  
Jhunu) :** I am not moving it.

**SHRI DASARATHA DEB (Tripura  
East) :** I hope that the down-trodden men and women of our country who are leading their lives on almost empty bellies and who for demanding food and work for their subsistence have been subjected to police atrocities or have been sought to be silenced by lathis, bullets and tear-gas during these 25 years of Congress rule will not envy the wild animals and birds which are going to be provided with safe and undisturbed life which is being denied to the overwhelming majority of human beings living in this country. Though the love and affections towards wild animals and birds and a sense of urgency on the part of the Congress rulers in protecting wild life are well expressed in the Bill.....

**MR. SPEAKER :** Is the hon. Member reading out his speech ? He is an old Member. Let him not read out his speech.

**SHRI DASARATHA DEB :** I shall be speaking extempore also. Similar love and affection towards the ill-fed, ill-clad masses and a sense of urgency to protect them from hunger and starvation and from exploitation by the monopolists and landlords, speculators and blackmarketeers, usurers and contractors are yet to be seen.

I can understand the Government being interested in protecting wild life, but in the Bill they have shown a different attitude. In this Bill, they provide that if an animal is killed by a person in his defence, even the meat derived from that should become government property. If two animals quarrel and one is killed in the fight, and if the dead is found in the jungle, why should the meat become the property of Government ? Is it in the interest of protecting wild life or are Government doing something more ? This is objectionable. If this clause is retained in the Bill, it will become oppressive for the people living in forest areas, because if an animal or bird is killed and if it is not deposited with Government, immediately the forest officers start exacting money or creating trouble for these poor people. That should not be.

Then the Bill says in one clause that the right of any person in or over the land comprised within the limit of a sanctuary shall not include the right of jhoom cultivation over land which has been traditionally used for the purpose of jhoom cultivation. The clause says that if any area is to be declared a sanctuary, then the properties in that particular area should be assessed and some sort of compensation should be given to these people. But you know in forest areas, particularly in our State, no title was given to the people over the land which has been utilised by them for jhoom cultivation the tribal people gave an annual lump-sum on the basis of the family, say, .5 or .01 per family and so on. Thus they are enjoying that particular area for jhoom cultivation. When you declare that particular area a sanctuary, the officer will be going there and making an assessment on the basis of the title to the land. Since these people possess no title, they will not be entitled to get any compensation. That means, at one stroke, you are depriving these people of the right of jhoom cultivation in that area which they have been traditionally enjoying; at the same time, you will not provide any compensation for them or any alternative profession either. This is a serious defect in the Bill. So these people should be given compensation irrespective of whether they have got title over the land or not because they have been enjoying this land traditionally and have been playing a lump sum annually which in our term is called gharchukti.

Then there is another provision which says that in any sanctuary or forest area they shall be responsible to prevent other people from killing the wild animals and birds. If they cannot prevent other people, then they will be liable to punishment. There is one clause here at page 11; it is clause 27(2). There, you will see some responsibility is being given to the people who are residing in the sanctuary area. I think this obligatory clause should not be there. It is the duty of the officers of the staff who are working in those areas to prevent others from killing these wild animals and birds. You can take the assistance of the people. You can make them conscious of these things, and ask them to prevent such killings, but, at the same time, you cannot make it obligatory on them to prevent others from killing these animals. If you keep this provision, then, if somewhere an animal is killed, the ordinary innocent villagers residing in that forest or sanctuary area will be subject to so much of oppression and all those officers who visit the tribal villages would say, "You did not report this thing is lying there." And he would say, "I would go and institute a case against you." In that way, they will be trying to get money; bribery will take place. Therefore, this obligatory clause must not be there. You can make the people animal-conscious, but you cannot punish them for other's faults. Therefore, this clause 27 (2) must be omitted from the Bill.

Secondly, I want to suggest another thing. I had no time and I could not send amendments earlier. Only this morning I have sent these amendments. If you allow me, I can read out.

MR. SPEAKER: If it is time, then it is all right but otherwise, it may be referred to in your speech.

SHRI DASARATHA DEB: Yes, Sir. In clause 30, at page 12 of the Bill, there should be a proviso at the end of the clause, giving protection to the jhoom cultivators. I suggest that the following proviso may be added:

"Provided that nothing contained in

clause 30 shall render such a person liable to any punishment if he sets fire for the purpose of jhooming for the neighbouring area and if such fire causes the burning of a sanctuary due to the spreading of the fire of the burning jhoom."

The clause says if anybody sets fire in the sanctuary, he will be liable to punishment. But the sanctuary may be such that in the neighbouring forest the tribal people may be residing and they are practising jhoom cultivation there and without burning that jungle they cannot cultivate jhooming. In jhoom cultivation, the fire may spread out.

MR. SPEAKER: The time is short. So, we should confine ourselves to the main features of the Bill.

SHRI DASARATHA DEB: Yes, Sir. I am only making certain important points. If these people are liable to be punished, then it is very dangerous. You may ask those people setting fire for jhoom cultivation to make some report to the office concerned to that effect, but it may happen in the jungle and it may cause some fire. For that those people should not be punished. They are not setting fire in that particular area, but outside, in the area where they are taking up jhoom cultivation.

Another point I want to make is with regard to clause 55, at page 23. Here, the Bill says that if any person is considered to have committed a certain offence against the provisions of this Bill, he will be liable to be punished, punished by whom? Either by the Chief Warden or by the Chief Secretary. That is the provision. That is the provision in this Bill and the judgment of these persons is final. The Courts cannot entertain any appeal from these persons who had been punished. It is dangerous. You are taking away the rights of a citizen to go to the court. The chief warden or chief secretary could not be considered to be the best judge; they are part and parcel of the executive. If their judgment is to be made final and the citizen is to be deprived of his right to approach the court, it is dangerous and therefore this clause must be omitted.

In clause 35 you are providing for companies. A company is given licence to operate in a sanctuary area to collect skins or other articles from the animals. If they commit some offences against this Bill, the company will not be liable for punishment because they will say that it is not within the knowledge of the company and there is a provision that if any offence is committed without the knowledge of the company will not be liable for punishment. There is a repressive measure against the ordinary people who live in the forests but you are giving ample scope to big people, big companies to collect these articles from the wild animals, and also allowing them to escape from punishment on some pretext. In the case of ordinary people, if an animal is killed you do not allow them to take even the meat from the animal; but big people can do anything under the cover of this clause. So, this section must go.

The punishment provided is a fine ranging from 2,000 to Rs. 5,000 or imprisonment. There is a provision in the Bill that people who possess articles mentioned therein should deposit them or return them to the Government immediately after the commencement of the Act. People might be possessing such articles for 10 years or 20 years or even 100 years. They should not be asked to deposit those old things. The provision should be that if any article is possessed after the commencement of this Act that should be deposited.

I shall finish in two minutes by referring to my amendments. On page 2, line 40, I want to insert six months for two years. On page 2, line 50, I want to insert Rs. 100 for Rs. 2,000. Rs. 2,000 is too much of a punishment. Again on page 2, line 6, I want to insert one year for six years. Six years' imprisonment is too much; you should make it one year. Page 22, line 7, insert "100" for "500".

MR. SPEAKER: These amendments have not been circulated, but you can refer to them in your speech.

SHRI DASARATHA DEB: Then, in page 22, line 10, insert "six months" for

"one year". Then, in page 22, line 11, insert "100" for "1000".

With these words, I conclude.

अध्यक्ष महोदय : डा० कर्णसिंह अपनी बात तब हाउस को सुनाएँ जब हाउस भरा हुआ हो ।

श्री भार. वी. बड़ (खरगोन) : इस पर समय बढ़ाया जाना चाहिए ।

अध्यक्ष महोदय : समय नहीं बढ़ाया जा सकता है । इसके लिए समय फिक्स कर दिया गया है ।

SHRI H. N. MUKERJEE (Calcutta-North East) : The House is superior to the Business Advisory Committee. It can extend the time.

MR. SPEAKER : But we have decided that the business as set out on the agenda will be finished on that day. If you are prepared to sit for a longer time, it is a different matter.

SHRI H. N. MUKERJEE : This is very peculiar. It is a very long Bill; it is not being sent to a Select Committee. There is no circulation being accepted by Government. The House must have some authority somewhere.

श्री शिवनाथ सिंह (मुंजु) : अध्यक्ष महोदय, इस बिल को स्टेट्स की मांग पर केन्द्रीय सरकार यहाँ लाई है। वास्तव में इस प्रकार के बिल की आवश्यकता भी थी। हमारा देश वाइल्ड लाइफ के मामले में बहुत रिच था। इसमें डिस्टिरियोरेशन आया है। ऐसे जानवर बहुत कम पाए जाते हैं दुनिया में जो हमारे देश में थे। उनकी संख्या दिन प्रतिदिन घटती रही है। उनकी प्रोटेक्शन के लिए इस

[श्री शिवनाथ सिंह]

प्रकार का बिल होना जरूरी है। अगर हम उनका प्रोटेक्शन कर पाएँ तो राष्ट्र का यह सम्मान होगा, और हम राष्ट्रीय सम्पत्ति को सुरक्षित रख सकें।

इस बिल का मैं समर्थन करता हूँ। जो मैं कहने जा रहा हूँ उसके लिए यह स्टेज तो नहीं है क्योंकि सिलेक्ट कमेटी को अगर इसको भेज दिया जाता तब वहाँ यह हो सकता था लेकिन अब तो मैं अपने विचार क्लोज़िंग पर संक्षेप में आपके सामने रख देता हूँ और प्रार्थना करता हूँ कि आप उन पर विचार कर लें।

पहली बात तो बोर्ड के कम्पोजिशन से सम्बन्ध रखती है। वह सही रूप में नहीं रखा गया। जो पन्द्रह आदमी होंगे वे स्टेट गवर्नमेंट्स की मर्जी पर रखे जायेंगे। कुछ नहीं बताया गया है कि किस कैटेगरी के वे हों और किस प्रकार के वे आदमी होंगे। इसके लिए गाइड लाइज होनी चाहियें ताकि बोर्ड का कम्पोजिशन ठीक हो सके।

13.37 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

हंटिंग के लिए लाइसेंस देने की व्यवस्था भी इसमें की गई है। वह काफी आबजैकशनेबल है। क्लॉज 9 के अन्दर सब क्लॉज 5 में आपने लिखा है :

“On receipt of an application under sub-section (3), the Chief Wild Life Warden or the authorised officer may, after making such inquiry as he may think fit with regard to the fitness or otherwise of the applicant .....”

आपने कहा है कि लाइसेंस देने के पहले यह देखा जाएगा कि मारने वाली में कपेसेटी कितनी है, उसकी फिटनेस कितनी है। मैं कहूँगा

कि लाइसेंस देना चाहिये जानवरों की संख्या आदि को देखकर। अगर किसी पर्टिकुलर स्टेज पर या पर्टिकुलर प्लेस में यह देखा जाए कि उनकी संख्या कम हो गई है तो वह नहीं मिलना चाहिए और अगर संख्या कम नहीं है और उनमें से कुछ को मार भी दिया जाए तब भी संख्या कम नहीं होगी और वह जानवर चलता रहेगा, तब लाइसेंस दिया जा सकता है। इस बास्ते फिटनेस की बात जो रखी गई है यह ठीक नहीं है।

यह बहुत आबजैकशनेबल बात है। क्लॉज 9(5) में एप्लिकेंट की फिटनेस की जो बात कही गई है, मंत्री महोदय को उममें सुधार करने की चेष्टा करनी चाहिए।

क्लॉज 27(2) में सैक्चुररी एरिया में रहने वाले लोगों की कुछ इयूटीज निश्चित कर दी गई है। उसमें कहा गया है :

“Every person shall, so long as he resides in the sanctuary, be bound—

(a) to prevent the commission, in the sanctuary, of an offence against this Act ;

.....to help in discovering and arresting the offender.....to extinguish any fire.”

किसी आफेंस के कमीशन को रोकने में मदद करने की बात तो हम मान सकते हैं, लेकिन इस क्लॉज में उन लोगों को तीन चार कन्डीशन्स से बाउंड कर दिया गया है कि आफेंस के कमीशन को रोकना, आफेंडर को ऐरेस्ट करने में मदद करना और किसी जानवर की डैथ रिपोर्ट करना हर एक आदमी की बाउंडन इयूटी होगी और ऐसा न करने पर सजा दी जा सकती है। इस प्रावधान से सैक्चुररी एरिया में रहने वाले लोगों के लिए बड़ी हार्डशिप होगी। इस बिल की संघा वाइल्ड लाइफ को प्रिजर्व करना है, लेकिन इस

प्रावधान के द्वारा ह्युमैन लाइफ को पनिष किया जा रहा है। मेरा निवेदन है कि इस प्रकार का प्रावधान नहीं रखा जाना चाहिए।

क्लाज 27(1) में कहा गया है कि निम्न-लिखित लोगों के प्रतिरिक्त कोई भी व्यक्ति सेंचुअरी में जा या रह नहीं सकेगा :

"No person other than,—

- (a) a public servant on duty,
- (b) a person who ordinarily resides within the limits of the sanctuary,
- (c) a person who has any right over immovable property within the limits of the sanctuary,
- (d) a person passing through the sanctuary along a public highway,"

जो लोग वहां रहते हैं, उनके रिलेशनज और फ्रेंडज उनको मिलने के लिए जायेंगे, विवाह शादी के लिए उनके पास जायेंगे। लेकिन इस क्लोज के द्वारा उनके आने-जाने को रिस्ट्रिक्ट कर दिया गया है। इससे उन लोगों को बहुत हार्डशिप होगी। मंत्री महोदय को इस ओर ध्यान देना चाहिए।

सेंचुअरी एरिया में जो जमीन आयेगी, उसके राइट्स को करटेल करने की चेष्टा की गई है और करनी चाहिए। लेकिन यह स्पष्ट नहीं किया गया है कि जिन लोगों की वहां पर काबल की जमीन है, क्या वे वहां काबल कर कर सकेंगे या नहीं। क्लोज 20 में कहा गया है कि सेंचुअरी एरिया में किसी जमीन के राइट को केवल सक्सेशन से प्राप्त किया जा सकेगा। यह नहीं बताया गया है कि क्या वह राइट ट्रांसफर या सेल से प्राप्त किया जा सकेगा या नहीं। मेरा निवेदन है कि जो लोग वहां पर परमैन्टली रहते हैं और काबल करते हैं, उनकी रिक्ति को स्पष्ट किया जाना चाहिए कि क्या

खेती कर सकेंगे या नहीं, वरना उनके लिए बड़ी हार्डशिप होगी।

क्लाज 2(11) में "डीलर" की यह डेफिनीशन रखी गई है :

"dealer" means any person who carries on the business of buying and selling any captive animal, animal article, trophy, uncured trophy or meat,"

इसके अनुसार केवल बाइंग और सेलिंग करने वाले को डीलर की श्रेणी में रखा गया है। लेकिन जो लोग जानवर को मार कर उसकी खाल बेचते हैं, चोरी से या किसी और तरह खाल को बेचते या स्वयंवर करते हैं, उनको इसमें शामिल नहीं किया गया है। ऐसी व्यवस्था करनी चाहिए कि वे लोग भी इस कानून की पकड़ में आ सकें, क्योंकि बहुत से लोग शीते, शेर या दूसरे जानवरों को मारकर उनकी खाल को बेच देते हैं।

इस बिल में यह प्रावधान किया गया है कि हर व्यक्ति को लाइसेंस पीरियड के पन्द्रह दिन के अन्दर यह रिपोर्ट करनी चाहिए कि उसने कौन से जानवर मारे हैं। मैं समझता हूँ कि पन्द्रह दिन में बहुत मैनिपुलेशन हो सकते हैं। इसलिए यह प्रावधान किया जाना चाहिए कि लाइसेंस पीरियड के खतम होने के बाद इम्मीडिएटली रिपोर्ट की जानी चाहिए।

वाइल्ड लाइफ को जो डेंजर अनएथाराइज्ड लोगों से है, उसकी रोक-थाम की जानी चाहिए और इस बारे में किए गए जुर्मों के लिए सख्त से सख्त पनिशमेंट रखी जाये। किसी जानवर को नियम के विरुद्ध मारने को मान-कामिजेशन ऑफेंस रखा गया है। अब वाउन्ड या कनजर-वेटर किसी जुर्म के बारे में पुलिस को रिपोर्ट करेगा, सभी पुलिस कामिजेशन लेगी। यह नहीं होना चाहिये इसको उसकी कामिजेशन ऑफेंस बनाया जाना चाहिए और इसके लिए सख्त दंडा रखनी चाहिए।

[श्री शिवनाथ सिंह]

एक्सपर्ट्स का कहना है कि हमारे देश में फारेस्ट्स के टोटल एरिया का केवल 3 से 4 परसेंट एरिया और टोटल लैंड का सिर्फ 0.6 परसेंट एरिया वाइल्ड लाइफ के लिए रिजर्व रखा गया है। एक्सपर्ट्स का कहना है कि वाइल्ड लाइफ के लिए सैंक्चुअरी या नैशनल पार्क आदि के रूप में होटल-लैंड का 3 से 4 परसेंट एरिया रिजर्व रखा जाना चाहिए। हालांकि यह एक स्टेट सबजेक्ट है, लेकिन केन्द्रीय सरकार को राज्य सरकारों को डाय-रेक्शन दे कर और उन के को-ऑपरेशन से इस एरिया को बढ़ाने की ओर ध्यान देना चाहिए।

SHRI H. N. MUKERJEE (Calcutta-North-East): Mr. Deputy Speaker, Sir, it is a pity that even when Government tries to do a good thing—and this Bill, by and large, is not bad—it does it gracelessly, ineffectively and provocatively and, that is why, unfortunately, I am unhappy that Government proceeds with this legislation in the manner that we have witnessed today.

Even the Minister, when he made a speech, hardly made an effort to explain the provisions of the Bill which runs to nearly 40 pages. He gave us no information worthwhile in regard to the present day conditions of wild life in our country. He made a reference to Ashoka's edicts. I do not know whether he made a reference also to Kautilya's *Arthashastra*, *Abhayaranya* and that sort of thing. But he did not take the House into confidence in regard to what is exactly happening to our wild life and what is being sought to be done by this piece of legislation. He took it for granted that this Bill would be passed by the House. Even the Speaker said that there is very little time to discuss it.

This Bill does not go to a Select Committee. I do not see why a measure which obviously, affects the living conditions of hundreds of thousands of our people who are in the lowest rung of the economic ladder is not discussed in a Select Committee. We are as good as a House converted itself into a Committee at the

moment because very few Members are present. It could have gone to a Select Committee in some other room where these clauses could have been gone into a great deal more carefully and the House, through its representatives, would have been in possession of facts in regard to what is the position of wild life.

The Minister of Tourism is there. Sometimes, panicky statements appear in the press in regard to our wild life having nearly vanished. But we are not taken into confidence officially even when a Bill of this sort is placed before us. I feel, by and large, the bias of this Bill is correct. The Government is going to take charge at least by regulatory measures in regard to the damage that is being done to wild life in our country. To that extent, it is a good thing. But Government could very well have proceeded in a very different manner in order to take the House into confidence about what ought to be done.

My hon. friend, Mr. Deb supported the Bill substantially. He raised a very important point in regard to the position of tribals. What is our conception of wild life? I should think that wild life includes not only the denizens of forest who belong to the animal species or the bird species but also the human species. Wild life protection must mean, at the same time, protection of the tribal population who live inside those forest regions and contiguous areas. Wild life protection should also mean, in my estimation, protection of Ranthambore.....

MR. DEPUTY-SPEAKER: What about denizens of the city? (*Interruption*)

SHRI H. N. MUKHERJEE: Actually the wild animals, if they could speak up, would speak of denizens of city in a manner which would not be relished by many of us. Let us take the words as they are conventionally used. Wild life protection, surely, should imply protection of the tribal population, surely should imply protection of such historic relics as Ranthambore fort which is very near Sawai Madhopur sanctuary. They are doing nothing of that sort but on the contrary, the human denizens of the

forest are being treated in a very shabby manner. Of course, we are interested, as far as this legislation is concerned, in the protection of what is conventionally called wild life, and from that angle I would like to know, particularly, some details about what exactly is happening.

We talk so much about the necessity of protecting wild life. But actually what is the position? In regard to lions which have been described as our national animal, if between 1880 and 1900 there was only a dozen lions in Gir, and there are 300 now, why can we not make sure that our lion population increases to an optimum point? I would like to know if the Minister can tell us what happened to the lions which were let loose in the Uttar Pradesh forest near Chandra Prabha river. I think, in Uttar Pradesh, there were seven lions in 1964. The number was expected to rise to eleven. They may have vanished; for all I hear from the paper reports, they have vanished. But Government should tell us what exactly has happened. Even in regard to Gir-at one time there were very few but now we have got at least 300 or so—we should know a good deal more.

I find also, before he died Jim Corbett made a complaint that the National Park or whatever it is named after him, was allotted originally 180 sq. miles but 55 sq. miles were taken out of the allocation; and Jim felt it very badly. I would like to know if the Minister happens to know anything about it, if the original allocation of land to this Corbett National Park was 180 sq. miles and if 55 sq. miles were taken out of that and if something is now going to be done in regard to it.

I would like to know, for instance, also about white tigers of Rewa. I have seen in this book, which is generally accepted as authoritative—E.P. Gee's. *The Wild Life of India* a description of Rewa; there is a palace-cum-fort called Govindgarh in Rewa where white tigers were kept and it is a very marvellous place. I would like to know, now that the princes are de-recognised and denuded of their ill-gotten privileges—if I can put it that way that is happening, if Government is going to take charge of a place like Govindgarh Palace because, according to the description given by Mr. Gee in

this book, it is a wonderful place which should be kept, the place where white tigers could be reared, and later on we could send them out to the different parts of the country.

I would like to know what are the schemes, if any, in regard to Sunderban areas of West Bengal, the original home of the so-called Royal Bengal tiger and what has happened to schemes we hear from time to time about national parks and sanctuaries near about that place, in Frasergay or some such other township in that area.

Sometime ago, I think, it was my impression that Dr. Karan Singh's Ministry did some publicity about a bird sanctuary in the Salt Lakes near Calcutta, but it seems now the salt Lakes are going to be utilised for other purposes, for the construction of some ramshackle houses, and the result is that the whole idea of a bird sanctuary in that kind of place near the heart of the big city, is dropped. Something has been done to it. But we hear nothing at all about that sort of thing. We find in this legislation a number of steps in regard to dealing with the malpractices of the trade as well as of poachers and other people. Now, I do not know if the Government is taking any steps to have possession, almost immediately, of every head, skin, horn, etc. that may be in show-rooms or sales-rooms or emporia all over the country, so that you can strike the evil at the root—now you are giving a long notice to people who are carrying on nefarious activities in regard to our wild life so long—but I do not see any indication of that. On the contrary, as Mr. Deb has pointed out, the Government is rather soft to companies which deal in this business but are rather harsh on the denizens of the jungle.

I would like also to find whether the Government has any schemes about better provisioning in our forests so that the rangers and others are equipped with transmitters so that whenever they get any information and that has to be sent quick, they can send the information in as quick time as possible.

[Shri H. N. Mukerjee]

I do not know what steps the Government are taking in order to take charge of the entire trade of taxi-dermy and that sort of thing. There are places in Calcutta, near the New Market in Calcutta, there is a miniature zoo sort of place where animals and birds are kept in impossible conditions and they are sold out to foreigners. You can get anything. Even a tiger cub is available at a few hours' notice if you want to have it. What is the Government going to do about that sort of thing? Are we making an appeal, for example, to many of those old houses belonging to the aristocracy where there are valuable trophies, antelopes, skins and that sort of thing? Are the Government thinking of getting hold of those things and keeping them at a place where the public can have access? Otherwise, what is the point of our talking about wild life and that sort of thing?

Are we going to associate with governmental activity on the regulation of wild life many of these people who are sometimes described as—I do not like the very word 'gentlemen Shikaries'? Many of them have a genuine love for wild life. Many of them who come forward, many of them who have done a great deal of shooting in their life and who prefer now to do photography—are we going to utilise the services of these people? Mr. Gee, who is now unfortunately dead was a foreigner. There are many people in our own country, many people in Rajasthan and other areas who have been very good Shikaris, very good shots and they can come forward with the camera rather than with the rifle in order to help the wild life.

**MR. DEPUTY-SPEAKER :** We would like to hear more from the hon. Member, but, unfortunately, the time is very short.

**SHRI H. N. MUKERJEE :** My grouse has been that if this Bill had been truly and carefully considered and if this Bill had gone through a committee, the committee could have asked for information in regard to the present-day conditions of wild life. The committee could have found out ways and means of improving wild life in our country. The committee could also at the same time have brought about a fool proof legislation in regard to the preservation of

wild life. But what the Government does is to merely send us a 42-page Bill for discussion and the Government goes to the Business Advisory Committee and says, 'We would like to have it passed in this session.' The Government prevents a member of its own Party from even moving a motion for reference to a Select Committee so that some sort of discussion can take place. The Government says, 'Take it or leave it'. This is very wrong. It is a good objective. No doubt about it. It is an objective which even Ashoka sought 2500 years ago, but a good objective can never be achieved by this kind of a wrong thing. The Government has not taken Parliament into confidence. In regard to this kind of legislation, there is no harm if there was a little delay by a fortnight or so and this matter referred to a Select Committee. Even now, if the Government wishes, this matter can be referred to a Select Committee. We can waive the Rules. The Minister can move a motion for reference to the Select Committee. The Committee may report within a week's time and we can have the legislation. It would be a great deal better and after having heard Mr. Deb who lives in Tripura, I know how very close he is to the jungles and he belongs to the people who are part of the soil in that region of our country, after having heard him, I am more than ever convinced that this Bill has been hastily drafted, provocatively presented to Parliament, carelessly sought to be passed into legislation and defective in its substance. Therefore, I plead with whatever strength I have at my command, that this Bill should be referred to a Select Committee with special instructions to report before the end of the session. It would otherwise be merely playing ducks and drakes with the problem which is very serious. It is extremely serious to those of us here who want our wild life to be preserved in the best manner possible and we are not getting the kind of satisfaction which we want by this Bill. I therefore appeal to you and through you to the House that this Bill should be referred to a Select Committee even at this late stage.

**MR. DEPUTY-SPEAKER :** I agree that there should be more informed speeches on the subject; and it is for the benefit of the Government also. But, I am bound by the decision of the House. The time

allotted is 2 hours. There is a long list of speakers who want to participate. I would request them to be as brief as possible.

Dr. Karan Singh

**THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH):**

Sir, it is not so much as Minister of Tourism that I rise to support this Bill, although Wild Life Tourism is indeed potentially a very important source of tourist promotion and of tourism income in our country, but it is rather, in my capacity as Chairman of the Indian Board for Wild Life that I participate in this discussion. If you give me about ten minutes, I will try to throw some light on some of the points which have been raised by my esteemed friend Professor Hiren Mukherjee.

Before I come to the problem of India, I would like to place the whole wild life situation in its broader world perspective. Man is only one of the many millions of species that inhabit this planet. But, as a result of his ruthless domination of the natural resources of the earth, a situation today has arisen in which many hundreds of species have been extinguished and many hundreds more are on the verge of extinction. With the tremendous increase in the power given to men by science and technology his intervention in the natural processes that have been continuing on this planet for millions and millions of years is beginning to become more and more decisive, and as a result of this the ecological balance of nature is beginning to be upset and upset in many ways which are irreversible. There have been urbanisation, industrialisation, population growth and increasing deforestation and pressure upon forests. As a result of this we find drought, erosion, change in the climatic condition, floods and so on. These are only some of the more evident and dramatic aspects of the tremendous pressure upon natural resources that man is now beginning to bring about. Ecology is therefore becoming increasingly important for the welfare of mankind itself. Nuclear weapons pose a threat to mankind, and possession of nuclear weapons may well mean destruction of all life on earth. But a situation has developed today where the possibility of ecological disaster also cannot be ruled out. In fact in many of the so-called advanced and developed countries the ecological problem has become very

acute. Ecology does not know any frontiers. If the oceans are polluted in the U.S.A. sooner or later that pollution will adversely affect other oceans and other countries. Ultimately this is one earth, one unit, single and indivisible.

There are a number of interesting books on the subject. I am sure Prof. Mukerjee has seen some of them. There is one book *Silent Spring* by Rachel Carson. These insecticides and pesticides which are used have also a tremendous effect in destroying much of the natural life that exists. Then there is the *Closing Circle* by Barry Common—I do not know whether you had read it; I would strongly suggest it—then *Planet in Peril*, *Blueprint for Survival* and so on. There are a number of studies for the layman which if read, bring out dramatically the tremendous danger that mankind is facing today.

I had the privilege this year of bring in the Indian delegation to the Stockholm Conference on the Human Environment. It was a needed a very remarkable gathering the first of its kind in the entire history of the human race. It was remarkable in the unanimity it was able to bring about among the nations of the world with different, political, social and economic systems on the necessity of doing something to prevent ecological disaster. In that Conference, the Indian delegation had the privilege of introducing a new principle on wild life. The House will be interested to know that when I introduced it—it was our draft—it was accepted with acclaim because every nation represented there—there over a hundred—realised the importance of wild life. The final declaration did contain our principle, which reads as follows :

“Man has a special responsibility to safeguard and wisely manage the heritage of wild life and its habitat which are now imperilled by a combination of adverse factors. Nature conservation including wild life must, therefore, receive importance in planning for economic development”.

I think it is very important for us to realise that the ecological compulsion concerning wild life is not simply a luxury or

[ Dr. Karan Singh ]

is a fact of the more developed nations; it is something to which every responsible government, particularly a nation like ours which is now on the threshold of a new leap forwards in economic development, must give due weight. The constitution by the Prime Minister of a Committee on Environmental Planning and Co-ordination is a major step in this direction. In our own land—I will not go into the historical background because that would take too long—Prof. Mukerjee and my colleague, Prof. Sher Singh, mentioned Asoka and the great traditions we have in this country with regard to animals, the Hindu tradition, the Buddhist tradition, the Jain tradition and so on. Today I can say with authority as Chairman of the Indian Board for Wild Life that the position with regard to wild life in India is needed desperate. My hon. friend, Prof. Mukerjee spoke of panicky reports in the papers. I can assure him that whatever reports have appeared in the papers are in the nature of gross under-estimates. The situation today is that a large number of species has already disappeared and many others are on the verge of extinction. Forests are being denuded in a most dangerous manner as a result of which even in my own lifetime—and that has not been too long—the difference is easily visible. I think I can say that in 25 or 30 years in places like Kashmir, for example, the whole climate has changed because forest after forest has been destroyed and the entire beauty and the natural vigour of the place has disappeared.

14 hrs.

I took over as Chairman of the Indian Board for Wild Life in 1969 and very soon thereafter, in October of that year, we set up an expert committee. The report of the committee which we received in August 1970 has certainly been placed in Parliament Library. I am not sure if it has been laid on the Table. It is a report of experts from our own country—not foreigners—people who have lived in this country all their lives and who know the problem. It is a short report and I would strongly commend it to members for, it tries to give in a short compass the situation as it is and brings out the urgency that exists. One of the reasons why I think

we are so reluctant to have any further delay on this is that with the greatest of difficulty we have succeeded, for example, in banning the shooting of the tiger completely. It took me two years, and the Prime Minister had personally to intervene with the Chief Ministers before they agreed that the shooting of tigers should be banned. Otherwise,—the tiger census is in progress now—it is estimated that there are less than 2000 tigers in the whole country, whereas at the turn of the century it is estimated that there were about 40,000 to 50,000 tigers. So the tiger has reached the point of ecological minimum. As you know Sir, if the number of animals falls below the ecological minimum, there is no longer a natural regeneration, and the animal becomes extinct. The danger is that even these 2000 tigers are not in one area, but they are separated in different areas and in very much the sort of way in which you mop up puddles of water, one by one, these little units of tigers are becoming extinct. I think that we must realise that it is not only a tiger qua tiger which is important; the tiger is a beautiful animal, of course, and it has been a symbol of power and of beauty and of majesty in this country, and naturally we want it to survive. But it is not so much the tiger as tiger, but the tiger as a symbol of the natural environment with which man must live.

There is an increasing alienation between man and his natural environment, and this alienation has produced in many of the so-called advanced countries of the world a state of what can only be termed mass neurosis. It is important, therefore, that when we in India are at the beginning of a new process of economic development, we must take this very very actively into cognizance. Otherwise, even though we may have no ill-will against wild life and we may generally wish that wild life is maintained, it will not remain, because the very compulsions of economic development are such that it is simply not possible for the wild animals to subsist unless very special measures are taken. In fact, it was as a result of one of the recommendations of the expert committee that the Ministry of Food and Agriculture took up this matter with the States and with our Law Ministry, and ultimately drafted this very substantial and comprehensive piece of legislation.

Certainly, it is true that simply by passing this legislation, the problem will not be solved. Three things are essential. Firstly, the State Governments must fully cooperate. Most of the powers under the Constitution belong to the State Governments. Certainly, the Government of India are now seeking to enter the arena; otherwise it would simply not be possible for it to ensure success. But whatever powers the Government of India may take, unless the State Governments are fully involved, unless they fully cooperate, it will not be possible for this to succeed. Very often, although in the ultimate analysis, there is no conflict, very often there is some measure of conflict between people who may be living in the forest and between the necessity and compulsions of wild life. The same is true, for example, of our architectural heritage. After all, we have a city like Fatehpur Sikri. It is possible to argue that with so many people houseless, why don't you move ten thousand people to live in Fatehpur Sikri? But these are great artistic treasures, and great aspects of our national heritage. In very much the same way as we look upon the Taj Mahal or the great temples of South India or the great monuments that have come down to us through the ages, and we look at our great artistic heritage of painting, music and dance, we must also look at the wild life heritage. No longer as the preserve simply for those who, for what I am sorry I can only describe as sadistic activity, went around shooting, and who were very proud of the fact that they had shot a hundred tigers or a thousand tigers which to my mind at least is an unspeakable thing to have done—but that is a different matter;—it cannot be so now for a privileged few who may fancy themselves to be great sports and who, therefore, instead of going and shooting at targets go round and try to shoot these defenceless animals. I have no sympathy for this sort of people. But I want this wild life to be kept for the people of India. That is why in wild life tourism we are building lodges in our sanctuaries, and we are giving mini-buses. We want the young people and the students to go and see our wild life. Sir, you yourself are coming from an area where there are mountains all around and there are beautiful forests. We want the young people in India to grow up with a love for this aspect of our heritage. We want the young people to be able to realise that the world in which

they live is not only a world of cement and concrete and mortar and roads and noisy planes and buses. It is also a world of natural beauty. It is a world where beautiful creatures can only live, and they should also be seen. Therefore it is in order to safeguard this great national heritage of ours for generations yet unborn that I would very strongly commend this Bill to the hon. House.

MR. DEPUTY-SPEAKER : In view of what you have said, would you support that the Bill be referred to the Select Committee, even if it were to consider more carefully your weight observations? (*Interruptions*)

DR. KARAN SINGH : The problem really is this it is already later than we think; it is very late and, although it is my colleague who has to deal with it—and I do not want to say anything at length—I genuinely, honestly feel that this is the first time that the Government of India has come forward with this comprehensive legislation. This should now go through. If there are any problems which arise in its implementation, we can certainly go into it. I am sure my colleague will assure the House that they will be looked into. Let us work it for six months. If there is anything wanting, we will be the first to come forward with amendments. Please let us not hold it up.

SHRI MOHANRAJ KALINGARAYAR (Pollachi) : Mr. Deputy-Speaker, Sir, while speaking on this Bill—Wild Life (Protection) Bill, 1972—I would like to make some remarks. We have been very busy since our Independence; so busy that most of our time was utilised in politics, population, defence, industrial and economic problems. So, due to these major problems, our wild life did not get proper care and protection.

Since the last 20 years, there was an Indian Board for Wild Life functioning as a central advisory body. I would like to know whether they have submitted any report about its working and so on. The Wild Life Board has done some timely work by saving the rhinoceros in Assam and West Bengal and the Asiatic lions in Gujarat. But at the same time we cannot just depend on two of our wonderful animals. We have got to look out for the cat family,

[ Shri Mohanraj Kalinganayar ]

that is, the tiger and the panther, which are slowly vanishing. They have become so extinct in some parts of the South where we have very thick forests such as those in Mysore and Tamil Nadu. I fully agree with Prof. Mukerjee that this Bill should be given a legal and powerful effect and it should go to Select Committee.

Another very important matter which I want to tell the Minister in this speech is this. Those people living in villages have found out a cheap way of killing the cat family, that is, killing the animals with the poison called folidol. It is very easy to kill the animals with folidol; and then they sell the skin at a high rate. There are the unofficial hide dealers waiting to buy these skins. This thing should be strictly dealt with.

Another very important factor is this. It is no use just talking about protecting wild life when most of the forests are being cut down. When all the big trees are cut down, where will the wild animals go? We are indiscriminately cutting and clearing the forests and planting eucalyptus trees there. I want to ask the Minister, by planting eucalyptus trees in the forests for thousands of acres, in which way are they going to protect wild life. They keep on cutting the forests, and finally a stage will come when there would not be any place in the forests for the animals to live.

Another important point is this. The time is very short and I do not want to dwell at length. But the main thing which I want to tell the Minister is this. About a year back, in Tamil Nadu, at the Mudumalai game sanctuary, there was an attack of foot-and-mouth disease and thousands of bisons were dying every day. And that was an area where there was the largest concentration of bisons. There was no medicine and by the time the Forest Department took action, there was only a couple of them which survived, and they are living now. When we asked the Forest Department, they said they were taking action. What I feel is the domestic animals living in that area, before they are sent for grazing in the sanctuary area or the national park, whatever it is, should be checked up

by the veterinary doctors, so that they do not infect the foot-and-mouth disease to the wild animals. What I recommend to the hon. Minister is that every sanctuary, every national park, should have a veterinary hospital on the site and we should have young veterinary doctors well-trained in protecting and curing wild life.

Now that our Government has brought the Wild life (Protection) Bill, we should give serious thought to it. Even with all the safeguards that the Central Government and the State Governments take, still, there is poaching and unauthorised hunting going on. Not only does it happen in parts of the forests, but also in the sanctuaries and national parks.

Government should check the taxidermists who cure and stuff animals. They should be asked to produce up-to-date lists of all the animals they have stuffed and the number of orders that are pending with them. With this, we find out if anyone wants to stuff the animals illegally, and then he could be arrested and action taken.

Another important thing is this. In Chapter III, in clause 17, I would like to add one more provision with your kind permission; that is, a hunter should not use a telescopic sight on his weapon to kill the animals. If he is not able to sight and kill and aim with his own naked eye, he does not deserve to hold a gun. I suggest this provision, and I hope the Government will take it up seriously.

Now that most of the animals are becoming extinct, what I feel is that there should be a complete ban on hunting for two to three years, and all the forest licence-holders and licence-holders of guns should submit their weapons to the nearest armoury, in order to give wild life a chance to multiply. We should insist on this.

Coming to my own State, we have very good forests on all sides of our State. We have a wonderful bird sanctuary, 50 to 60 miles away from Madras, at Vedanthangai. The Central Government has got a small rest-house, but there is no improvement. That sanctuary gets during the season most

of the birds from all parts of the world. It is a sanctuary worth expanding for foreign tourists. The Central Government should come to the State Government's help to develop this bird sanctuary.

In conclusion, I would request the minister to take firm action. It is not too late. Even now we can protect some of the extinct animals by having very good advisory boards. Otherwise, our children will see only stuffed animals in the museum. Please do not bring it to that stage. Please take some firm action to save wild life.

**MR DEPUTY-SPEAKER :** Apart from the six names given officially by the Congress Party, 3 names have come privately. Besides there are speakers from the opposition members and the minister. Even if I give 5 minutes to each, I would not be able to manage it within 2 hours. And, I think it is unfair to give anybody less than 5 minutes.

**SHRI BIRENDER SINGH RAO (MAHENDRAGARH) :** I have demanded that it should go to the Select Committee. Why not do that ?

**MR. DEPUTY-SPEAKER :** I cannot do that or my own. Mr Nimbalkar.

**SHRI NIMBALKAR (Kolhapur) :** Sir, I would like to tell the gentlemen here that within the time that this Bill was mooted and was known to the public that it was going to be put before the House, 17 rhinoceroses have already been killed and their horns removed for trading. The longer we go on delaying this Bill, the more such incidents are going to happen. Even if we are not completely agreeable to this Bill— I myself am not—still it is necessary in the interests of wild animals that we should pass this Bill now without going through the select committee stage. We can always bring amendments. Since there are a few ministers here, I want to say something about the kind of Bills we should bring. Then they are will understand the flaws in this Bill. I am myself on the committee that is creating the Bill for water pollution. In our country, we have been facing certain difficulties in bringing these Bills. Other countries have formulated their Bills and amended them over 300 or 400 years. Our

country is being forced to make Bills in 25 years' time we have had uptill now. So, we have to take a revolutionary attitude towards them. In these Bills must be incorporated certain clauses which force us to see that this Bill is implemented. Many of the laws we enact here become redundant because they are not implemented. They are formulated in such a manner that one can avoid them. This is one such Bill. It would be good if the minister looks into it again and removes the lacunae when it comes to that stage.

**MR. DEPUTY-SPEAKER :** How and when ?

**SHRI NIMBALKAR :** When you frame the rules, you can get rid of most of the lacunae.

**SHRI DESARATHA DEB :** Then he should agree to referring it to Select Committee.

**SHRI NIMBALKAR :** The rules are not made by the Select Committee. The rules have to be framed by different States because the conditions vary from State to State.

As my hon. friend, the Minister of Tourism, has pointed out this Bill alone will not solve the problem. What is worse, it does not contain one provision which will help us to solve this problem. The Minister has no respect for a person who goes out and shoots 100 tigers. I also have no respect for that person. These people are called shikaris. There is a great difference between shikaris and hunters. A shikari goes out with the intention of killing and bringing it home. When a hunter goes out, he may see many he may not shoot any of them, because he knows that it is not the right time to shoot that type of animals in the interests of wild life. That is why I say that there should have been a provision in this Bill to the effect that people who are given licence to hold arms should know something about animals, their breeding habits etc. Then they will have really a love of animals and out of that love of animals preservation of those animals are ensured. In the Alps of Europe, particularly in Bavaria, I have myself seen a lot of hunting. It is the hunters who ensure the

preservation of animals because the hunters know the habits of animals and when to shoot or not shoot them. Many people must have heard of Munich. If you go to Munich, in spite of the fact that animals are preserved in such a fine manner in that area, still venison is available in the market almost every day. You have to preserve animals; but sometimes you have to destroy animals in the interests of preservation of animals in the area.

In this Bill nothing has been included which concerns fish. A separate Bill should be brought forward as early as possible for the protection of fish.

There are three clauses of this Bill on which I would like to say something. Clause 11(3) says :

"Any wild animal killed or wounded in defence of any person shall be Government property."

Really speaking, this is capable of implementation. Because, once the animal is killed who is to bear the cost of removing it? So, this part cannot be implemented. Some other means must be found.

Then, clause 14(4) says that no appeal shall be entertained unless it is preferred within fifteen days from the date of the communication to the applicant of the order appealed against. I feel that it should be at least one month.

MR. DEPUTY-SPEAKER : How can the rules correct this? The rules cannot override the provisions of the Bill.

SHRI NIMBALKAR : Then, clause 17(i) reads :

"No person shall—

(1) hunt any wild animal, on any land not owned by Government, without the consent of the owner or his agent of the lawful occupier of such land;"

This is a ridiculous clause. It gives the individuals the chance to have their own

sanctuaries. But with the celling that you are going to bring on land, I cannot imagine very many people having their own sanctuaries. There will be only a handful of people who will be having their own sanctuaries and the rest of the people will not have the benefit of that. I have no more comments to offer on this Bill.

SHRI BIRENDER SINGH RAO (Mahendragarh) : Mr. Deputy-Speaker, Sir, I welcome this long overdue measure. Almost everybody in this House has said that this is a very important legislation that Government wants to enact and that it should be made very effective. I cannot understand why Government should feel shy of sending this Bill to a Select Committee to make it more effective at least.

India which was once so rich in its fauna and attracted tourists from all over the world has now come to a stage when our wild animals are depleting and disappearing very fast. It has caused everybody's concern.

This is not the first measure of its type in the country. I remember, 15 years ago, the State of Punjab set the pace. A very comprehensive legislation was introduced, that is, the Punjab Wild Life Preservation Act. I happened to be the Minister in-charge, in 1957, and our Speaker, Mr. Dhillon, was the Speaker of the Punjab Assembly. We hoped that would serve as a model for the whole country to preserve wild life. That Act was extended to Delhi State and it is still in force in Delhi territory.

What I ask the hon. Minister is : Does he not know that in contravention of that Act, even now, in Delhi, you can purchase any number of partridges in season and out of season from Jama Masjid ; that you can purchase any number of cartridges from the deep-freeze apparatus of some shop in Connaught Place or in another shop in Chankayapuri ? Any number of quail and partridges in season and out of season are sold in Delhi from year to year. U. P. and Haryana and almost without any partridges, quail are black buck today. The hon. Minister belongs to Haryana. He knows very well that his State abounded in black buck a few years back. But in spite of the

Act to preserve wild animals and, particularly, black buck, the State Government and the Central Government has not been able to do anything either in Haryana or in Delhi.

Haryana has suffered because of the *shikaris* going out every week from Delhi, most of them diplomats having some immunity. Nobody has the courage to check them. They bring any number of birds. If the wild life, particularly, birds have disappeared in India, it is not because they were boiled in the pots of common man, but, I maintain, it is because they have found their way in the pot bellies of Government officials, particularly, policemen forest officers, judges and magistrates who were charged with the responsibility of enforcing this Act. You can go to any marriage of Magistrate's daughter anywhere in India and, I say, there will be partridges' parties. Thousands of partridges will be caught. These poor people cannot have the courage to commit an offence unless instigated and paid by a police officer or a forest officer. We are again charging these people with the responsibility of preserving wild life. That is why, I say, to make this Act effective, we must think more about it.

I have been intimately connected with this thing. That is why we request the hon. Minister and we request you, Sir, also to use your influence. There are many lacunae in this Bill. We would like panchayats to be given the powers to check these offences in their respective areas. No Director or Preservation Officer can find his way into the villages and they cannot detect the offences. We might think of certain other things. Many things have been left out of this Bill.

I was looking at Schedule I. Our Government does not seem to know that even black partridges are fast disappearing like black buck. I would suggest that this should be included in Schedule I. Painted sandgrouse which was abundantly found in India some years ago and imperial sandgrouse which was abundantly found in Bikaner and other places in India are extinct now.

You cannot find them. They should be included in Schedule I. Even elephants

have been included in Schedule II. Elephants would very soon be extinct in India like tigers. They should also be included in Schedule I. It is a different matter if Government has the right to trap them and to use them, but it should not be left to hunters or game wardens to issue licences to hunt elephants.

That is why I oppose the introduction of this measure in such a hasty manner. They have already taken 25 years; only now they have woken up. Can they not wait for one week or ten days more? This Bill is nothing but an exact copy of the Punjab Wild Life Preservation Act. What credit do they want to appropriate to themselves by this? I have seen every word of this Bill; it is based on the Punjab Act. Why can they not make it more effective for the whole country? They can also find time to get the Resolutions of the other States in India where the Assemblies have not yet passed legislations to the effect that the Centre should legislate for them. They can force them; they can get their Resolutions by the next Session and then it could be an Act for the whole country. It does not look nice if only a few States are mentioned where this Act would be effective, would be imposed. Many State Assemblies have not yet passed Resolutions, States like Mysore and Assam are very rich in games. It is most important that these States also should be made to follow suit. If they can call the Chief Ministers for land legislation measures and force them to do things against the wishes of the Assemblies, why can they not force them on such a measure which is a beneficial thing to do? Their policies are contradictory. The best Shelter that wild animals and birds find is in common lands of villages, in pasture lands. They are not taking any steps to see that these common lands and pastures in villages particularly in the plains, are exempted from the application of ceiling laws and preserved. If that is not done, the wild life will completely disappear from the plains at least. Forests are being denuded, as you know, Sir, coming from hill areas. On the one hand they are denuding forests and on the other hand they are thinking of acquiring lands to put up forests? Why should they not protect the existing forests if they really love wild life?

With these words, I would say that they could take a little more time and refer this Bill to a Select Committee, even if the report is to be made within a week.

MR. DEPUTY-SPEAKER : I am told that there are a number of amendments that have been sent just today. Normally a day's notice is necessary, but I am told that there is one amendment by Government also. Due weight is to be given to the Government's amendment to its own Bill. If I accept the Government amendment, I cannot discriminate against the amendments by private members (*Interruption*) Therefore, I will accept these amendments. Efforts are being made to circulate them. If they are not circulated, then we shall adopt the novel procedure, as we did the other day, of accepting amendments at the last minute and asking the members to read out their amendments.

Mr. D. P. Jadeja.

SHRI D. P. JADEJA (Jamnagar) : I rise to congratulate the Government and the Minister, in particular, for bringing forward a Bill which is something different from all those Bills on wild life, game sanctuaries and forests that have been introduced in this country since over a hundred years. This Bill, in particular, is different from others because here we concentrate more not only on the preservation of wild life but also for its protection from the hunter and the trader. I am sure that this clause is indicative of the interest which the Government and the Minister have shown in introducing this Bill.

This Bill, I am sure, will be a very effective measure and the vanishing wild life of this country will be safe hereafter. I would like to join my friend, Mr. Nimbalkar who has asked for a similar Bill for the preservation of fish and as it concerns the same Ministry, I would request the hon. Minister to bring forward a Wild Life Conservation Bill, so as to control the exploitation of fresh-water and sea fish.

I would like to make a few suggestions. I will not speak on the amendments now, that I have given.

Crop protection—Many members have spoken about it and they have suggested to

the Government to take away the weapon during the off-season. I would go a stage further and say that crop protection should be a State subject and the Centre should see to it that crop protection is taken by the State and enforced properly. The arms licences which are there should be controlled and the Act that covers them should also be amended and in that, I would like the Minister to consider a very serious point and that is that whenever an arms licence is given, the game warden should also be consulted.

As you have noticed, a number of Members have asked for time to speak and that shows their interests in wild life. I would request the hon. Minister that as there is interest in wild life from Members, from all sides of the House, he should have a permanent Committee at the Central level of MPs and the Prime Minister should be consulted about this—that is, to have a separate Minister who should be in control of wild life.

A system of rewards for informers—this is a very very serious matter. Even in the coastal areas where smuggling is going on, the Central Excise give 10% of whatever is caught.

MR. DEPUTY SPEAKER : All this is done by wild life—smuggling ?

SHRI D. P. JADEJA : The informer who gives genuine information about wild life should be rewarded. The local people also should be involved whereby they also become part and parcel of the programme. When you take the public into confidence, then I feel even the staff would do exceptionally good work and those who do good work in controlling the wild life should be given promotion and should be given increments and should be suitably rewarded for whatever work they are doing in regard to preservation of wild life.

A suggestion I would like to make to the Minister—let it go from the Ministry also that every Government office and every school in this country should have an illustrative chart showing those species of wild life which are getting extinct.

I would like to ask the hon. Minister a few questions. As the time is running short,

I will not speak more on it. But, I come from Gujarat where we have the famous Gir forest and the Gir sanctuary is there and I have learnt that to protect the lions, there is a scheme to have a 4' wall allround the sanctuary at a cost of Rs 37 lakhs. Pumping in money alone is not going to save the wild life. I would like to know whether a 4' wall is going to stop any animal from jumping over it. What animal except the hare or the porcupine is going to be saved? Why not have some scheme by which less money can be used and this money, the surplus, can be given to those shepherds and cowherds who are being asked to move out of that area. When I take the name of cowherds, to-day there are over 20,000 cattle in that area, the Gir forests, whereby no grass is left for the domestic animals there namely the deer and other animals on which the lion is going to prey. To-day, 40,000 animals over and above the 20,000 which are already there are allowed to come and graze I would like to know from the Government what steps they are going to take to see that these extra cattle do not come in.

Another thing, Gujarat is a place, so well-known for the black buck. Only 20 years ago there were over two lakhs of black bucks. To day there are not more than 2000 Black buck are sold by truck-loads in the Ahmedabad bazaar. What measures the Government are going to take to control this slaughter of black bucks from the Bhal area?

A word about a bird which is almost getting extinct the great Indian bustard. The female lays only one egg a year. That is almost getting extinct and as some of our friends said, the Panchayati Raj institutions should be involved in this and it is only if the Panchayati Raj and the local village panchayats take interest in this, this bird can be saved; otherwise I am sure in the next five years, you will not have a single bird of this species to be seen.

One more point, in the north of Gujarat we have got the famous breeding ground of flamingoes. May I know from the Government what steps they are taking to preserve this bird and in making it a tourist attraction and also to see that this area of flamingoes does become a national project and not only a local project?

श्री आर. बी. बड़ (सरगोन) : उपाध्यक्ष महोदय, यह वाइल्ड बीस्ट प्रोटेक्शन बिल जो शासन लाया है उसका स्वागत करना चाहिए क्योंकि बहुत अच्छा बिल है। लेकिन इतना क्लमजी और इतना डिफेक्टिव है कि मैं कहता हूँ कि इसमें हर एक क्लॉज में हमने अमेन्डमेंट दिए हैं। लैट होने से वह संकुलित नहीं हुए हैं। मैं कहना चाहता हूँ कि यदि यह बिल मध्य प्रदेश में पास होकर लागू हो गया तो सब जितने 56 जाल आदिवासी हैं वह इसके खिलाफ आयेंगे और बगावत हो जायगी। सब आदिवासी लोग शासन के खिलाफ उठेंगे और कहेंगे कि यह बिल हमको मारने के वास्ते लाया गया है। वाइल्ड बीस्ट प्रोटेक्शन के वास्ते तो यह बिल है लेकिन हमको यह मारने के वास्ते लाया गया है। ट्राइबल एरिया की बात मैं बताता हूँ, बस्तर में और मेरे एरिया में जहाँ आदिवासी लोग रहते हैं वहाँ जब वाइल्ड बीस्ट्स आते हैं पेन्थर या चीता या कभी शेर आता है या दूसरे वाइल्ड एनीमल्स आते हैं तो वह उनके कैंटिल को ले जाते हैं, या उनकी क्राप्स के ऊपर हल्ला होता है, हिरण जाकर क्राप चर जाते हैं और उनको अगर वह मारने हैं तो वह आफेंस हो जाता है। कम्पनी ला बिल को तो आप सेलेक्ट कमेटी में भेजते हैं और इस प्रकार के मत्वपूर्ण बिल को जो आदिवासियों से सम्बन्धित है उसको सेलेक्ट कमेटी में भेजने के लिए तैयार नहीं हैं। बँलो की जो जोड़ी चलती है उसमें जो बँल ऊँचा होता है उस पर वजन नहीं आता है। जो छोटा बँल होता है उस पर वजन आता है। तो यह हमारे आदिवासी लोग छोटे हैं, इनके ऊपर वजन आया है इस ऐक्ट का, इसलिए इसको आप सेलेक्ट कमेटी में भेजने के लिए तैयार नहीं हैं।

इसमें एक सेक्शन में आपने लिखा है :

"The killing or wounding in good faith of any wild animal in defence of oneself or of any other person shall not be an offence :

Provided that nothing in this sub-section shall exonerate any person who,

[श्री धार. बी. बड़े]

when such defence becomes necessary, was committing any act in contravention of any provision of this Act or any rule or order made thereunder."

I want to put a question to the Minister .

Will the killing or wounding in good faith of any wild animal in defence of one's life or in defence of one's cattle and of crops become an offence? If it becomes an offence.

तो मैं आपको बताना चाहता हूँ कि आदिवासी लोग सब आपके खिलाफ जाएँगे। आपके खिलाफ ही नहीं जाएँगे बल्कि बगावत करेंगे और यह कहेंगे कि वे बड़े-बड़े क्लोन व्हाईट एसीफेंड्स जो हैं इनके बास्ते तो आपने हंटिंग के लाइसेंस दिए हैं, इनको तो आप जंगल में हंटिंग के लिए भेजते हैं और हमारे बास्ते यह मुसीबत है कि अगर हब बाइल्ड एनीमल जो हैं उनका मीट खाएँ या मीट लें तो उसकी भी रिपोर्ट करनी पड़ेगी सरकार को। मैं पूछता हूँ कि उस मीट में कोई सिक्का रहता है कि यह बकरे का मीट हूँ, यह बफैलो का है, और यह घर के बफैलो का है, यह जंगली बफैलो का है? बस्तर में तो यह है कि वहाँ जंगली बफैलो भी हैं और घर के बफैलो भी है तो कौन बताएगा कि यह मीट किसका है? कैसे इसको डिस्टाइड किया जायगा?

अब मैं बताऊँ, हमारे महाराजा सब चले गए, महाराजा ग्वालियर चले गए, महाराजा होल्कर चले गए। होल्कर महाराजा के वक्त में जो उनकी सैक्चुररी थी उसको रमणा कहते थे जो महाराज के शिकार के बास्ते रखी हुई थी। तो उसके जितने बाइल्ड एनीमल्स थे वह आसपास के आदिवासी क्षेत्रों में जाते थे उनके बाड़े में घुसते थे और उनके कंटिल उठा ले जाते थे। उनको वह मार नहीं सकते थे। इस प्रकार का महाराजा साहब का रमणा था। तो मैं कहता हूँ कि वह प्राविजन होना चाहिए कि

कम से कम 5 मील के आसपास आदिवासी लैंड या इरीगेटेड लैंड के पास कोई इस तरह की सैक्चुररी नहीं होनी चाहिए। होल्कर स्टेट ने यह प्राविजन बाद में किया जब आदिवासी क्रोग उठे वहाँ के महाराजा के खिलाफ कि यह क्या बात है? आपके शिकार के बास्ते इनको छोड़ा हुआ है। हमारे बकरे और बैल और दूसरे जानवर ये क्षेत्र और चीता आकर उठा ले जाएँ और हम उनको मार भी न सकें यह बात है? महाराजा साहब की मोटर के सामने वह भाए। अब जो मिनिस्टर साहब हैं, जो अब के महाराजा हैं उनकी मोटर के सामने भाएँ तो वह तो इस बिल को सेलेक्ट कमेटी में भी भेजने के लिए तैयार नहीं हैं। उस वक्त महाराजा साहब ने आर्डर दिया था कि इरी-गेटेड लैंड के आसपास में यह रमणा नहीं होना चाहिए।

दूसरा एक प्राविजन यह है कि जो फारेस्ट आफिसर होते हैं उनको इन्हे हैल्प करनी चाहिए आग बुझाने में। हमारे यहाँ पहले बेगार होती थी और उसके बास्ते जबदस्ती लोगों को दूँद-दूँद कर ले जाते थे। वहाँ के जिनने आदिवासी गांव हैं उनमें रहने वाले आदिवासी सब जंगलों में चले गए। अब उनसे गए पूछने के लिए तो कहा। हमसे बेगार लेने के लिए भाये हैं, हमको जबदस्ती ले जाते हैं और खाने को भी नहीं देते हैं। तो यह फारेस्ट डिपार्टमेंट वाले इन पर इतना अत्याचार करते हैं और इतना करप्शन इससे होगा कि मैं कहता हूँ कि यह ऐक्ट बनाना हमारे आदिवासियों को लूटने और खसोटने के खिलाफ और कुछ नहीं है। इसी बास्ते मैंने अमेंडमेंट्स दिए हैं और मैं यह कहूँगा कि यदि आपने इन अमेंडमेंट्स को मंजूर नहीं किया और इसको सेलेक्ट कमेटी में भी नहीं भेजा, जैसा ऐक्ट है सैसा ही पास किया तो पूरे मध्य प्रदेश में बगावत हो जायगी। आदिवासियों पर होने वाले अत्याचार]

से उनको नहीं बचाएंगे तो वह घापके खिलाफ उठ जायेंगे। गायकवाड़ के महाराजा ने कहा—कि हम महाराजा तो चले गये हैं लेकिन जो अब नये महाराजा आवे हैं वह पुम्हारी बात भी सुनने के लिए तैयार नहीं होंगे। इसलिए मैं कहता हूँ कि आदिवासियों के वास्ते, उनके कौटिल के वास्ते घाप इस बिल को अमेंड करें। बाइलड बीस्ट प्रोटेक्शन तो होना चाहिए। लेकिन ऐट दि सेम टाइम उनके जो राइट्स हैं उनको भी प्रोटेक्स करना चाहिए। इसलिए मैं इसको अपोज करता हूँ, नाट आन प्रिसिपल, लेकिन यह जो क्लम्पी बिल है इसका मैं विरोध करता हूँ।

श्री नाथूराम मिर्जा (नागौर) : माननीय उपाध्यक्ष जी, हमारे देश की आजादी के 25वें साल मे यह कानून आया, मेरी राय में यह बहुत देर से आया, लेकिन फिर भी अब यह आया है तो मैं इसका स्वागत करता हूँ। सिलिकेट कमेटी मे भेजने के बारे में बहुत से माननीय सदस्यों ने सुझाव दिया, बहुत से उस स्प्रिट से सहमत हैं, एक सदस्य ने कहा कि मध्य प्रदेश में बगावत हो जायगी, बहुत से मूम कल्टीवेशन का नाम लेकर...

श्री अर. बी. बड़ : मैंने आदिवासियों के बारे मे कहा है।

श्री नाथूराम मिर्जा : आपने आदिवासियों के बारे में कहा है, मैं जानता हूँ, लेकिन कुछ काम है जिनको करना होगा, आदिवासियों को भी करना पड़ेगा। देश और दुनिया को ठीक ढंग के आगे बढ़ाना है, इनका समुचित विकास करना है तो इन कामों को करना पड़ेगा।

श्री श्री डा० कर्णसिंह जी ने बहुत सुन्दर ढंग से व्याख्या की थी—कुदरत का एक बेल्लस होता है, उसके बारे में जैनरल सायंस दुनिवा

में बदल रही है, हिन्दुस्तान उसमें लीड दे रहा है, मुझे इस बात की खुशी है। मैं उन सब बातों को दोहराना नहीं चाहता, जो उन्होंने कही हैं। इस सदन के माननीय सदस्य समझते हैं कि उन पर इस देश की आज की पीढ़ी की ही नहीं, बल्कि आने वाली पीढ़ी की भी जिम्मेदारी है। चाहे हमारे देश के रहने वाले हों, अमीर हों, गरीब हों या किसी भी वर्ग के लोग हों, हम सबको दुनिया में और हमारे देश हिन्दुस्तान में वर्षों तक रहना है और एक अच्छे सुखमय जीवन को बिताने को रहना है। अगर हम ऐसा करना चाहते हैं तो हमें कुदरत और जैनरल सायंस की उन तमाम बातों को, उन तमाम हकीकतों को समझना पड़ेगा और अगर हम उनको समझकर चलेंगे, तब ही हम अपना समुचित विकास कर सकते हैं।

दुनिया या किसी भी देश के इन्सान यदि अपना विकास करना चाहते हैं तो वे किन किन परिस्थितियों में रहते हैं, उन परिस्थितियों के चारों तरफ क्या बनस्पति है, क्या जीव हैं, वे बहुत ऊँचे दर्जे के सीसी हैं, इन्सान को उनको मार कर जिन्दा रहने का अधिकार है, उसके पास ऐसे साधन हैं, उनके पास ऐसा बिज्ञान है। बड़े साहस आदिवासियों की बात करते हैं, उन से वोट लेकर आये हैं, इसलिए बस्तर की बात कह गये, लेकिन मैं भी गांव का रहने वाला हूँ, जंगलों में रहा हूँ, जानवरों के बीच रहा हूँ, उनके बीच जन्मा हूँ, मुझे भी कुदरत से प्रेम है, वहां बड़े सुन्दर सुन्दर फूल और बनस्पति हैं, उनके साथ इन्सात का जीवन जुड़ा हुआ है, अगर हम सब लोग एक बेल्लस ब्यू लेकर नहीं चलेंगे और विकास नहीं करेंगे तो इससे तो इसमें देश का बड़ा भारी नुकसान होगा, दुनिया का बड़ा भारी नुकसान होगा। आज जो इकालोजी के डिस्टर्ब होने की बात कही जाती है, वह तो बहुत डिस्टर्ब हो चुकी है, अगर हम इस बात को नहीं समझेंगे तो कहां

[श्री नाथू राम मिर्चा]

जायेंगे। इस से देश का कितना नुकसान होगा। इसलिये यह बिल जूँकि देर से आया है, इस बात की मुझे शिकायत है।

कई राज्यों ने इस बिललिये में काम किया है। यहाँ पंजाब का बिलक कर रहे थे। राजस्थान में 1952-53 में जब मैं बन मंत्री था, मैंने भी इस कानून को लागू किया था और राजस्थान के अन्दर जो थोड़े बहुत जानवर बचे हैं, वह इसी कानून की बदौलत बचे हैं। लेकिन मैं बहुत नम्रतापूर्वक निवेदन करना चाहता हूँ कि कानून आप ने बनाया है, उस में जंगलों में आरक्षी और सुरक्षित जगहें होंगी, इसके लिये आप ने लोगों के सहयोग की अपेक्षा की है, उन पर पाबन्दी लगाई है, यह सब होना चाहिए, लेकिन इसके साथ ही जो सबसे बड़ा सत्यानाश आज हमारे इन जानवरों का हो रहा है, उसके लिये बहुत से हमारे सरकारी कर्मचारी जिम्मेदार हैं, चाहे वे जंगलात के हों या दूसरे महकमों के हों, उनके लिए शिकार करने की बिल्कुल मनाही होनी चाहिए। आप ने इसमें लाइसेंस देने का जो प्रावधान रखा है, वह अमर न रखा जाय तो ज्यादा अच्छा है। लाइसेंस नहीं देना चाहिये और दस साल तक तो बिल्कुल नहीं देना चाहिए, दस साल तक कोई शिकार नहीं होना चाहिए। आज जिस तरह से हमारे रेयर स्पीसीज खत्म हो रहे हैं, हिरण और तिलोर के बारे में यहाँ पर कहा गया, मैं सबके नाम नहीं लेना चाहता हूँ, लेकिन कई ऐसे स्पीसीज हैं जो बिल्कुल समाप्त होने जा रहे हैं, अगर आप उनको बचाना चाहते हैं तो न उनके फर को बिकने देंगे, न उनकी हड्डियों को बिकने देंगे और न उनके सींगों को बिकने देंगे। उनको हम बिल्कुल मारने नहीं देंगे। आज इस से भी ज्यादा सख्त कानून बनाने का वक़्त आ गया है। आज हमारे गाँवों के आसपास जो छोटे-छोटे जंगलात हैं, उनमें जो जानवर रहते हैं, उनकी जो लाइफ है, उसको हम ख़त्म करना

चाहते हैं, उनके लिए ह्यूमन प्रेसर से बचाने या रहे हैं, इन सारी चीजों का बैलेंस ब्यू रख कर हल निकालना होगा। अगर हम चाहते हैं कि हमारे जंगलात का नुकसान न हो तो हमें सक्ती से अमल करना होगा। आज कबूतर, तीतर का बहुत बिक्र होता है, आप ने कानून से उनका मारना बन्द कर दिया, बन्दूक से मारना बन्द कर दिया, लेकिन अब वह काम नेटिंग से, जाल बिछा कर शुरू कर दिया गया है। यह हर्कत है जिसको छिपाया नहीं जा सकता। आप होटलों में जाकर देख लीजिए—वहाँ बहुत बड़ी संख्या में तीतर फ्रीज में लटके मिलेंगे। इसलिए आप का यह कानून सिर्फ कागज पर ही रह जाय, इसके पीछे जो भावना है, उसके लिए आपको राज्यों का सहयोग लेना होगा। इस सदन को अपना मन बनाना होगा और मन बनाकर जनता के घरों तक अपनी आवाज को पहुंचाना होगा। यह काम बहुत बड़ा है, बड़ा बिकट है, इसलिए निवेदन करना चाहता हूँ कि इस कानून के पीछे जो भावना है, जो बड़ी भारी अहमियत और इम्पोर्टेन्स हम ले चुके हैं, उसको कायम रखने के लिए, जो इकालाजी का बैलेंस डिस्टर्ब हो चुका है, उसको फिर से रेस्टोर करने के लिए, हमें ज्यादा सख्त होना पड़ेगा।

इसके इम्प्लीमेंटेशन के लिए जो सुझाव दिए गए हैं—जैसे सिलिकेट कमेटी के बारे में जोर दिया गया—लेकिन मैं समझता हूँ कि इसके पीछे कोई ज्यादा बजन या तथ्य नहीं है। क्योंकि इसके बारे में आज तक जो अध्ययन हो चुका है, उनके अलावा कोई नये आम्बुमेन्ट हमारे सामने नहीं आये। इसके पीछे काफी अध्ययन हो चुका है, काफी रिपोर्ट हमारे सामने हैं, फिर भी अगर कोई कमी है, कोई सुधार हो सकता है तो हमें ख़तर करना चाहिए। लाइसेंस देने की बात मैं फिर कह रहा हूँ—10 साल तक कोई लाइसेंस न दिया जाय,

शिकार बिल्कुल बन्द किया जाय। न मरे हुए जानवरों की खालें बिकें, भ्रमर कोई बेचता है तो उसको सजा दी जाये, न उनका मोस बेचा जाय, भ्रमर कोई बेचे तो उसको भी सजा दी जाय, भ्रमर इस तरह से कानून बना कर सकती है भ्रमल करेगें तो हमारा बिगड़ा हुआ कुदरत का बॉलेंस रेस्टोर हो सकता है, जिससे न केवल हमारी अिन्दगी, बल्कि भ्रानेवाली पीढ़ियों की अिन्दगी सुखी हो सकती है।

इन शब्दों के साथ मैं इस बिल का समर्पण करता हूँ।

MR. DEPUTY-SPEAKER : We began the debate at 12 55 and we are just four minutes short of two hours. The Minister is yet to reply to the debate. We have also to take up clause-by-clause consideration. There are still a large number of names here. Fortunately they are all from the Government side. I should like to know what the Government wants to do with it.

SHRI RAJ BAHADUR : Members feel rather emotionally about it and I would plead that you may kindly consider extending the time by about half an hour so that four or five speakers could be accommodated.

MR. DEPUTY-SPEAKER : Even if it is extended by half an hour so that four Members could participate, it will mean one hour because the Minister has yet to reply and there is clause-by-clause consideration. If that is the wish of the House we shall do so.

SHRI J. B. PATNAIK (Cuttack) : This is a Bill which should be welcomed by all sections of the House. This is a much desired Bill although a much delayed Bill. Now we should not do anything which would cause further delay in enacting this measure for which the country has been awaiting so long. The damage done to wild life not only in this country but in the world is great and civilized men all over the world are aware of the situation.

Figures show that about 358 kinds of known mammals and birds became extinct by the year 1600 A.D. Out of 4226 species of mammals living 40 species are extinct and out of 8648 living species of birds 93 have extinct since then.

India has fared no better. Our country was known for the variety and richness of its wild life, particularly bird life. Out of 8600 or so species of birds known to science today, India has 2016 species but many of these birds and mammals are now on their way out. The famous cheetah known for its speed and beauty has become extinct since the fifties. The black buck, the four horned antelope and the great Indian bustard are on the wane, as previous speakers pointed out.

Wanton killing of birds and beasts has to be stopped and an enactment of this kind should be there. But it is not on humanitarian grounds or beauty grounds alone that this measure should be enacted. It is a question of benefit to the human species itself. Some of the African countries derive their major revenue from wild life tourism as in Kenya, Uganda and Tanzania. They earned as much as about Rs. 20 crores worth of foreign exchange from wild life tourists. There is no reason why India having doubled their wild life reserves cannot develop its wild life. Then again wanton killing of birds and animals shows an utter ignorance of the balance that nature has built. If snake population diminishes the rate population increases and a great havoc is done to crops in the process. So also if frog population diminishes, the increase of insects harmful to man has to be taken into account. So, protection of wild life has become an essential part of our life and our environment.

Coming to the Bill, I am of the opinion that a more comprehensive Bill which should have taken into account the entire gamut of conservation of wild life, not only protection of wild life should have been brought forward before this House. This Bill does not take into account the destruction caused by building new dams and new cities and before station on a very large scale. I do not mean that developmental activities should stop, but what about the wild life that is

[ Shri J. B. Patnaik ]

destroyed in the process and what alternative are we providing for them ?

15 hrs.

Constitution of wild life boards is all right to stop wanton killing and control trade in wild life products. But more mammals and birds die because of rapid change in their environment because of pollution of air, water and the seas. So it is necessary that the ecological aspect of the whole thing should have been taken into account.

While speaking about wild life board I should like to suggest that ecological boards should be formed in different states and there should be a commissioner of ecology in every State. He should be assisted by this board. Departmental heads, such as forest department secretary, and also secretary of the irrigation and power department of agriculture and other developmental departments should also be associated with these boards.

Regarding Schedule I of the Bill I have a doubt and I request the hon. Minister to clarify it. Cheetah has been included in schedule I but it is already extinct. Are you going to keep it on that schedule which is completely meaningless ? There is also no reference to voluntary associations in this Bill. Voluntary associations have to play a big part and there should be some provision in them.

I should conclude by referring to Similipal national park in Orissa. It is already there on the wild life map of India but this will not do; I should like the Central Government to come in a big way and take up this national park and develop it as their own.

Secondly, Chilka lake is one of the biggest lakes on the eastern coast. Chilka has suffered because of ecological reasons. Earlier it was proposed that there would be a naval training school for boys in Chilka lake but that had been postponed because ecologists objected that bird life there would be destroyed. I request the Government of India to compensate it by developing Chilka lake as the biggest bird sanctuary of our country.

श्री वसुधाप्रसाद मंडल (समस्तीपुर) : जप-उपक्ष महोदय, बीसवीं माताकदी के चारम्भ से ही वन्य जीवन का ह्रास हो रहा है। पश्चिम के देशों ने तथा यूनाइटेड नेशन्स ने इसको रोकने के लिए काफी काम किया और हमने भी अपने यहां इस सम्बन्ध में काफी काम किया है। सन् 1955 से लेकर आज तक करीब 27 कानून बनाए हैं जैसे वाईल्ड लाइफ मैनेजमेंट इन इंडिया इत्यादि। हमारी एथीकल्चर मिनिस्ट्री ने ये कानून पास करवाए। इसके अतिरिक्त राज्यों में भी जैसे आसाम में धीर मध्य प्रदेश में तथा दूसरे राज्यों में भी काफी काम हुआ है। अब इस रजत जयन्ती के अवसर पर कृषि मंत्रालय द्वारा जो बिल पेश किया गया है वह बड़ा समीचीन है। अपने देश में करीब 30 हजार प्रकार के पक्षी हैं तथा तीन हजार प्रकार के स्तनपाई जानवर हैं। इतने बड़े देश में खास कर सबसे हम ग्रीन रेवोल्यूशन की ओर चले हैं और उसके साथ साथ सबसे पापुलेशन का मल्टिप्लीकेशन हुआ है तब से यह खाम निश्चय हो गया है कि जब तक हम वन्य प्राणियों की रक्षा नहीं करेंगे तब तक हमारा कार्य नहीं चलेगा, हमारे देश में एक बड़ी विचित्रता आ जायेगी। इसलिए इस अवसर पर यह बिल बड़ा समीचीन है। जैसा कि कांस्टीट्यूशन में है उसके मुताबिक इन्होंने करीब करीब 11 राज्यों से राय ली है जैसे कि आंध्र प्रदेश, बिहार, गुजरात, हरियाणा, हिमाचल प्रदेश, मध्य प्रदेश... (अवधान)... मध्य प्रदेश ने भी रेजोल्यूशन पास किया है जिसके मुताबिक यहां पर यह बिल पेश किया गया है। इतना ही नहीं, यदि प्राय प्राक्वैक्ट्स एंड रीजन्स को देखें तो पता चलेगा पश्चिम बंगाल, उत्तर प्रदेश, राजस्थान इत्यादि 11 राज्यों से राय लेने के बाद ही इस मंत्रालय ने रजत जयन्ती के अवसर पर यह समीचीन कार्य किया है। हमारे साथी-सौ बराबर पार्टिसिपेटिंग की बात करते हैं, बड़े जी नहीं बर नहीं है...

भी आर भी बढ़ें : मैं यहाँ हूँ ।

श्री यमुना प्रसाद बंडल : भाप बस्तर के आदिवासियों के नाम पर क्या राजा महाराजाओं के लिए यहाँ पर बकायत करेंगे कि शोध भी नहीं सकता । अब वह समय नहीं है ।

यदि भाप आब्जेक्ट्स एंड रीजन्स को देखेंगे तो पता चलेगा कि प्रत्येक राज्य के लिए बन्ध प्राणी सलाहकार बोर्ड गठित किया जायेगा । मैं समझता हूँ कि यह बिल लाना बहुत जरूरी था । हाँ, यदि इसमें कोई लंकुना है क्योंकि कितना ही ध्यानपूर्वक अच्छी तरह से कोई काम करें फिर भी उसमें कोई न कोई लंकुना रह ही जाते हैं तो उनको दूर करने की चेष्टा की जाए । जैसे कि सेक्शन 15 में इसमें लिखा है, शेड्यूल 5 में भी लिखा है, इसके संबंध में मैं मंत्री महोदय से कहूँगा कि यदि इसमें वे कुछ सुधार कर सकें तो बहुत अच्छा हो । मेरी अपनी राय में तो इसको एरुदम बिल्कुल हटा देना चाहिए । इसमें है :

15. No person shall, unless specially authorised by a licence, hunt the young of any wild animal, other than vermin, or any female of such animal, or any deer with antlers in velvet.

इसमें मैं आपका ध्यान शेड्यूल 5 की ओर ले जाना चाहता हूँ और शेड्यूल 5 के साथ लाभ जो लीसेन्स निकाले हैं उनका और बिस्तार होना चाहिए ।

इसके अलावा जो सेक्शन 64 है उसमें आपने काफी लोगों को छूट दी है । खासकर बंडमान लीकोबार के द्वीपों में आदिवासियों को आपने जो छूट दी है वह उचित है लेकिन देश के और कई हिस्सों में भी अर्ध बन्ध प्राणी जैसे आदिवासी रहते हैं, जो अब करीब करीब खत्म हो रहे हैं, उनको भी कुछ न कुछ सुविधा दी जानी चाहिए ।

इसके साथ साथ जैसा कि अमरीका ने 11 प्रतिशत एक्साइज ड्यूटी लगाई है उसी प्रकार इस देश में भी लगनी चाहिए । इसमें जो व्यय होगा वह भी कुछ अधिक नहीं है—अनावर्ती व्यय दो लाख का और अनावर्ती—1.60 लाख का प्रतिवर्ष होगा । मैं इस बिल का इस रजत जयन्ती के अवसर पर स्वागत करता हूँ और आशा करता हूँ कि यह बिल एक स्वर से पास होगा ।

श्रीमती सहोबरा बाई राव (सागर) : उपाध्यक्ष महोदय, मैं इस बिल का स्वागत करती हूँ । मुझे मालूम है कि बीस साल पहले मध्य प्रदेश में बहुत अच्छे जानवर हिरन चीते बगीरह पाये जाते थे । बहुत अधिक तादाद में वे थे । हमारे देश में जो छोटी जातियाँ हैं जैसे कुछ बंधिया, सिंधी, भोगिए, सपेरे वे जंगलों में बसते हैं । वे लोग 15-15 रोज के पड़ाव जगह जगह पर डालते हैं । वे लोग दो घंटे करते हैं । जैसे सपेरे लोग है वह एक तो साप दिखाकर रोजी कमाते हैं, कुछ बघिए रस्सी बगीरह बनाते हैं और दूसरे वे लोग जाल लगाकर जानवर पकड़ते हैं । ये लोग हिन्दुस्तान में हर जगह जाते हैं । मैं समझती हूँ इनको लाइसेंस नहीं मिलना चाहिए । इनके ऊपर निगाह रखनी चाहिए और लाइसेंस नहीं मिलना चाहिए । इन्हीं लोगों की वजह से सारे भारत के जानवर मारे जाते हैं । शिकार के लिए लोगों को लाइसेंस नहीं दिया जाना चाहिए । इस प्रकार के लोग जो रोज पशु पक्षियों को पकड़कर या मारकर बाजारों में लाते हैं इस पर पाबन्दी लगनी चाहिए और ऐसे लोगों से जंगली जानवरों और पक्षियों की रक्षा की जानी चाहिए ।

मैं इस बिल का स्वागत करती हूँ, और चाहती हूँ कि लोगों को शिकार का लाइसेंस नहीं मिलना चाहिए, साथ ही 12 साल से नीचे

[श्रीभती सहोदय बाई राय]

का कोई जानवर नहीं मारा जाय। हां, सूअर एक ऐसी जंतु है, जंगल में जो किसानों को बहुत परेशान करता है। जूआर, गेहूँ आदि को खाता है। उसको तो मारना ही अच्छा है। लेकिन शेर जो दूसरे जानवर हैं उनकी रक्षा होनी चाहिए। इस प्रकार यदि शेर कभी बिगड़ जाय या पागल हो जाए तो उसको जरूर मारना चाहिए, अन्यथा नहीं मारना चाहिए। शिकारी लोग शेर को उसकी खाल बेचने की सालख में मारते हैं जो कि अत्यन्त अप्रतिजनक है। इसको तुरन्त रोकना जाना चाहिए।

इसी तरह से राजा लोग घानी रानियों को लेकर जंगलों में शिकार के लिये जाते हैं और वहाँ से हिरन आदि को मार कर अपने घरों को सजाने के लिए काम में लाते हैं। इनको भी 12 साल से पहले के जानवर नहीं मारने चाहिए। मेरा निवेदन है कि जीव-जन्तुओं की रक्षा होनी चाहिए। धन्यवाद।

श्री मूलबन्ध डागा (पाली) : अध्यक्ष महोदय, टट्टी की आड़ में शिकार खेलना तो पाप है ही, लेकिन यह खुले आम शिकार खेलना और बिना हथियार के लोग जाते हैं यह बहापाप लोगों ने शिकार की शुरुवात क्यों की। राजा महाराजाओं ने अपने मनोविनोद के लिए इस प्रथा को शुरू किया और यह प्रथा चलती रही मतीजा यह हुआ कि सारे जंगल खत्म हो गए। जंगलों का नाम नहीं रहा। हमारे राजस्थान में किस तरीके से जंगल कटे हैं इसके बारे में कहना कठिन है। (अवधान) माननीय सदस्य की वता नहीं कि राजस्थान में भी जंगल हैं। उदयपुर के जिले में बहुत घने जंगल हैं, असबर में भी हैं। परसों अखबार में आप ने पढ़ा होगा कि भरतपुर की सेंचुमरी में सैं कई जानवर चले गए। बाढ़ के कारण भरतपुर सेंचुमरी की मटियामेट हो गया।

1912 में एक कानून बना था और प्राय 60 साल के बाद यह कानून था रहा है। तो इसकी क्या मंशा थी? पहले पत्र 1912 में कानून बना था और 1950 में स्वर्गीय पंडित जवाहरलाल नेहरू के समय में यह बात तय हुई कि हमको अपनी एक नेशनल फोरेस्ट पीलिसी तय करनी चाहिये। 1950 के बाद इस दिशा में कोई कार्यवाही नहीं की गई जिमका मतीजा यह हुआ कि इस 22 साल में सारे जंगल कट गये और जानवर समाप्त हो गए या चले गए और मनोविनोद के लिए कोई साधन नहीं रहे। तो हम लोग समय निकल जाने पर जागते हैं। लेकिन खर भब भी जाग गए तो अच्छा है। मंत्री महोदय का जो नाम है माननीय शेरसिंह, तो शेर भी बचे और सिंह भी बचे, यह ठीक बात है। लेकिन जो कानून प्राप लाए हैं इसमें बहुत कमियां हैं। इस कानून में एक खामी है जिमकी बजह से आदिवासियों की हत्या हो जायगी। सर्वाई भाषीपुर में एक वाइल्ड बोर को कंजरवेटर ने मार दिया, भरतपुर में डी. एफ. मो. ने टाइगर को खत्म कर दिया। तो जो सरकारी कर्मचारी होते हैं उनके मनोविनोद का यह साधन है। इस एक्ट में यह होगा कि आदिवासियों को पुलिस परेशान कर सकती है। प्राप कहते हैं कि कलेक्टर नोटिफिकेशन जारी कर के जंगल को ले लेगा बजिज परपत्र में। It will be acquired for a public purpose. तो जो आदिवासी वहाँ रहते हैं उनको कुछ कंसीडरेशन नहीं मिलेगा। जिस आदिवासी की 50 बीघा जमीन है उसको प्राप क्या कंसीडरेशन देंगे? We have acquired it for a public purpose and, therefore, we want to give you only a little amount. और रिक्वरी के बारे में प्राप ने देखा होगा कि उसका मेन्वे-टरी प्रोवीजन है कि वह हैल्प करे। मैं क्यों हैल्प करूँ कि आपकी बताऊँ कि कैसे जानवर मारा गया। जो बावनी प्राय जंगल में रह रहा है उसकी यह जिम्मेदारी होगी कि वहाँ ऊपर किसी जानवर की हत्या हो गई है तो वह उस

सरकारी कर्मचारी के साथ इन्वेस्टीनेशन के लिए घूमेगा। मैंने अपने संशोधन दिए हैं, अब पर जब बोलूंगा तो विस्तार से बताऊंगा, जैसे यह बिल तो ठीक है लेकिन इसको थोड़ा बहुत डिटेल्स में स्टडी करें तो इससे पूरा लाभ मिल सकता है।

श्री पी० गंगा रेड्डी (भादिलाबाद) :  
जनाब नायब कमीश, राजा कर्ण सिंह की जादू-बयां तकरीर के बाद बहुत कम रह जाता है कि मैं कुछ कहूं। मैंने कई बार इस ऐबान में और मुनाविद कमेटियो में तहफूजों जंगली जानवरों के बारे में बिल लाने की मांग की है। मुझे खुशी है कि आज यह बिल इस सदन में ज़रे बहस है। हमारे यहा कहावत है "देर आयद, दुरुस्त आयद।"

मैं जिस मुकाम से आता हूँ वह एक जंगली इलाका है। मेरे घर के पीछे कुछ पहाड़ है जहां पर हमारे बघपन में बोर बच्चे हुआ करते थे, लेकिन अब वहा सिर्फ मंगुरु और मांप रह गये हैं। हैनराबाद से 12 मील दूरी पर सरूनगर शिकारगाह थी जहा हजारों जानवर थे। लेकिन अब तो शायद वहां खरगोश भी न होंगे। इस की बन्द बज्हात बयां करने से पहले यही कहूंगा कि अगर यही हाल रहा तो इन जानवरों को तस्वीर में ही देखना होगा। सरकार पर जंगली जानवरों की हिफाज़त की उत्तनी ही जिम्मेदारी है जितनी इन्सानो की हिफाज़त की। हज़रते इन्सान असफूल मखलूक कहलाता है।

जानवरों के कम होने की खास वजह यह है कि जंगल कम हो गये और मुताविद तरीकों पर शिकार, जो कि खासकर जसाकी तरीके पर किये जाते हैं, यही अहम वजह इसकी है। इसके अलावा भुक्तलिक जानवरों की, परिन्दों को बहुत पर्यादा तादाद में जाकों और फंदों से पकड़कर मारा जाता है। हमारे जहां काबू के

गोलें बनाये जाते हैं जिसको खाकर जानवर मर जाते हैं। यह बन्द होना चाहिये। इसके अलावा एक नया तरीका हो गया है, खासकर दरिन्दों को मारने के लिये। और वह यह है कि जहरी दवायें उन जानवरों पर डाली जाती हैं जिनको दरिन्दे मारते हैं। इस जहरीली दवा के छिड़कने से यह होता है कि अगर 10 मिनट के बाद उस मरे हुए जानवर को खाने के लिए दरिन्दा आए तो जो भी उसे खायेगा वह फौरन 10, 12 कदम के अन्दर मर जायेगा। मैं आप से कहूँ कि एक दफा चार, पांच घेर एक ही जगह पांच, दस कदम के अन्दर मरे हुये पाये गए। आज कोई भी कानून बनाये लेकिन उस पर अमल कैसे करेंगे, असल चीज़ वही है।

जंगल में प्राग लगने से जानवरों के छोटे-छोटे बच्चे और परिन्दों के अंडे जल जाते हैं। इससे भी बहुत भारी नुकसान होता है। इन तरह के नुकसानात से जहा तक मुमकिन हो जानवरों को बचाना चाहिये। बगैर जंगल बढ़ाये जंगली जानवरों का तसब्बुर नहीं कर सकते। इसके अलावा जो सैक्युअरीज़ बना रहे हैं, जंगलों में छोटी-छोटी आबादियां बसी हुई हैं और वहां पर बहुत पर्यादा जानवर मारे जाते हैं। लिहाजा उन आबादियों के जंगलों के हटा कर दूसरी जगह बसाना पड़ेगा। जैसा एक माननीय सदस्य ने कहा कि बकर जैल्ट होनी चाहिये, दो, तीन बीज की जिसमें प्राणा जाना बन्द किया जाय लोगों का और रेस्ट्रिक्टेड तौर पर जानवरों को पाबन्दी के साथ भेजे। शिकार को कम से कम पांच साल के लिये बन्द कर दिया जाय और इस कानून को सख्ती से अमल में लाकर लोगों को सख्त और इबरतनाक सजायें दी जायें।

हमारे यहां दो गेम सैक्युअरीज़ है—खबाज और पाखाल—उनको डेवलप किया जाय। इन फलफूल के साथ मैं अपनी तकरीर खत्म करता हूँ।

श्री चन्द्र भाल मनी तिवारी (बलरामपुर):  
उपाध्यक्ष महोदय, आपके माध्यम से मुझे जो बोलने का अवसर प्राप्त हुआ है, इसके लिए मैं आपको धन्यवाद देता हूँ। मैं इस विधेयक का समर्थन करने के लिए खड़ा हुआ हूँ। हमारे माननीय मित्रों ने इस विषय पर बहुत प्रकाश डाला है। डा० कर्ण सिंह ने भी इस पर काफी प्रकाश डाला है। इस वास्ते मैं अधिक न कहते हुए जो पाँच मिनट का समय आपने मुझे दिया है उसी में समाप्त कर दूँगा।

वन विभाग में कर्मचारियों की संख्या पहले से ही काफी है। उसी संख्या से यह सारा काम चल सकता है। आपने इस बिल में एक अलग डायरेक्टर बनाने की बात कही है। यह उचित प्रतीत नहीं होता। वन विभाग का आई. जी. हमारे देश का सर्वोपरि अधिकारी है, इस विभाग में। उसके अंदर रहते हुए यह सारा काम चलाया जा सकता है।

सैन्चुमरी बनाने के लिए बहुत से क्षेत्र रिजर्व किए गए हैं। इनके अतिरिक्त कुछ दूसरे जंगल भी निश्चित किये जाने चाहिये। अगर ऐसा नहीं होगा तो उस इलाके के पड़ोस में रहने वाले लोग बहुत परेशान हो जाएंगे। छोटे छोटे जानवर खेती का बहुत नुकसान करते हैं।

मैंने इसमें पढ़ा है कि अंदमान और निकोबार में जो जन जातियाँ आदि बसती हैं उनके लिए पहले वाले नियम ही बने रहेंगे। देश के दूसरे हिस्सों में जन जातियों के लिए यह व्यवस्था नहीं रखी गई है। समान रूप से सबके लिए अगर इसको बनाया जाता और लागू किया जाता तो अच्छा था। यह जो भेदभाव है यह नहीं रहना चाहिये।

मैं टूरिस्ट विभाग के मंत्री महोदय से प्रार्थना करूँगा कि जंगलों की शोभा बढ़ाने के लिए और इस बिल में जो उद्देश्य बताये गए हैं

उनकी पूर्ति के लिए वह कुछ अतिरिक्त सब केन्द्र से मांगा करें ताकि विदेशी लोग हमारे देश की ओर आकर्षित हों और देश को उससे लाभ मिले। अगर ऐसा नहीं होता तो न केवल हमारे देश की शोभा घटती है बल्कि हमारे देश की जो परम्परा रही है, वह भी समाप्त होती है।

हमारे हैदराबाद के मित्र ने अपने भाषण में फारसी और उर्दू के शब्दों का प्रयोग किया है। यह चीज भी हमारे सदन की शोभा बढ़ाने के लिए बड़ी उपयोगी है। उनको तथा दूसरों को भी ऐसी भाषा बोलकर सदन की शोभा को बढ़ाना चाहिये। उनको इस काम के लिए प्रोत्साहन मिलता रहना चाहिये।

श्री सूर प्रताप सिंह (बाराबंकी) : मान्यवर, दो मिनट में क्या कहूँ फिर भी वन्य जीव संरक्षण का यह विधेयक हमारे देश की गौरवमयी परम्परा के अनुकूल है। अपने दल के नेता प्रधान मंत्री श्रीमती इंदिरा गांधी को तथा उनकी सरकार को मैं इस बात के लिए बधाई देना चाहता हूँ कि जहाँ वह एक ओर देश में सामाजिक न्याय दिलाना चाहती हैं, देश में आर्थिक विषमताओं को समाप्त करना चाहती है वहाँ वह यह भी चाहती है कि हमारे देश की जो सांस्कृतिक धरोहर है, उसकी भी रक्षा की जाए। हमें गर्व है कि हमारा देश, भारत, विश्व के समुदाय में अपनी संस्कृति के मूल्यों के लिए, उनके प्रादुर्भाव के लिए, उनकी परम्पराओं के लिए विश्व का गुरु रहा है। मैं समझता हूँ कि आज का दिन हमारी संस्कृति के लिए बहुत ही गौरव का दिन है जबकि हम इस विषय पर विचार कर रहे हैं जिसका देश की संस्कृति से बड़ा महत्त्व सम्बन्ध है। किसी भी देश की संस्कृति उस देश के प्राकृतिक दृश्यों उस देश के ऐतिहासिक स्थलों, उस देश के साहित्य और

संमति, उस देश के वनों के पशु पक्षियों पर निर्भर करती है। इस विधेयक का सीधा संबंध देश के उन पशु पक्षियों के साथ है जो तेजी के साथ समाप्त होते जा रहे हैं। दुब की बात है हम इस पर ऐसे समय पर विचार कर रहे हैं जबकि पशु पक्षियों की संख्या में तीव्रता के साथ ह्रास आता जा रहा है और ऐसा लगता है कि अगर कोई समुचित व्यवस्था इस सम्बन्ध में न की गई तो एक वर्ष के अन्दर अन्दर वे समाप्त हो सकते हैं। ऐसी स्थिति में मैं समझता हूँ कि मन्त्रीय सदस्यों द्वारा जो प्रवर समिति की बात कही गई है वह समय के अनुकूल नहीं है।

पशु पक्षियों की क्या स्थिति है, इसके बारे में मैं एक दो पंक्तियाँ कहकर अपनी बात समाप्त कर दूँगा।

पक्षी यह समझते हैं चमन बदला है  
तारे यह समझते हैं गगन बदला है  
धमशान की खामोशी मगर यह कहती है  
है लाश वही सिर्फ कफन बदला है।

इसमें दो लाइनें अगरे और जोड़ दी जाए कि—

शिकार नही बदला है शिकारी नही बदला है  
देश में केवल पाषाण युग बदला है

तो मैं समझता हूँ कि बात पूरी हो जाएगी। प्रादि युग में जब मनुष्य शिकार करता था तो अपना पेट भरणे के लिए करता था। आज भी मनुष्य की मनोवृत्ति में अन्तर नहीं आया है। आज का मानव मानो यह कहना चाहता है कि वह बीसवीं शताब्दी का एक सभ्य मानव बन चुका है, एक संस्कृति उसकी बन चुकी है आज, लेकिन फिर भी वह पाषाण युग को नहीं भूल सका है और उसी तरह से शिकार की परम्परा में जीवन व्यतीत करना चाहता है। मैं आशा करता हूँ कि माननीय सदस्य जिन्होंने इस बिल को प्रवर समिति के पास भेजने की बात कही

है वे इस पर जोर नहीं देंगे और अपनी इस मांग को वापिस ले लेंगे। अगर वक्त निकल गया और पशु पक्षी समाप्त हो गए तब इस विधेयक का कोई अर्थ नहीं रह जाएगा। जैसे

का वर्षा जब कृषि सुलाने  
समय चूक पनि का पछताने।

जब पशु पक्षी मर चुकेंगे तो इस तरह के विधेयक को पास करवा कर क्या करेंगे जब जैसे कोई आशिक मर जाए तो माशूक आकर उस की कन्न पर दो कतरे घांसू बहाए तो उससे क्या फर्क पड़ेगा।

श्री मंगल उइके (मंडला) : उपाध्यक्ष महोदय, मैं आध मिनट में अपनी बात कह लूँगा। इस बिल को सिलेक्ट कमेटी के सुपुर्द कर दिया जाना चाहिये। अगर आप ऐसा नहीं करते हैं तो आदिवासियों को बहुत ज्यादा कठिनाइयों का सामना करना पड़ेगा। उनको बुरी तरह से फंसाया जाएगा। हिंसा की बात मैं नहीं कहता हूँ। लेकिन इस कानून के अन्दर उनको इस बुरी तरह से फंसाया जाएगा कि अनुमान नहीं लगाया जा सकता है और जितना एक्सप्लायटेशन उनको आज तक हुआ है उस से कहीं ज्यादा एक्सप्लायटेशन उनका इससे होगा। इस वास्ते इसको सिलेक्ट कमेटी के पास भेज दिया जाना चाहिये और मैं सिलेक्ट कमेटी के सामने काकर अपने विचार आदिवासियों के सम्बन्ध में रखूँगा।

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH) : I am extremely grateful to hon. Members who have participated in the debate and who generally welcomed this Bill. I am especially grateful to Dr. Karan Singh who intervened in the Debate and who lightened us by his speech which was full of emotion and which was rational also. One point raised by hon. Members was regarding the protection of the interests of the tribals. Mr. Deb and others mentioned this. We tried to collect

[Prof. Sher Singh]

information from all the States regarding the hunting rights of the tribals and the information that we received was from only one State, the Union Territory of Andamans. There are some hunting rights of tribals. We have protected those rights. We have provided this in Section 65 of this Bill. Therein we have provided that the hunting rights conferred on the Scheduled Tribes of the Nicobar islands in the Union Territory of Andaman and Nicobar islands will be protected. There are forest laws which even now cover hunting, and there, hunting is prohibited for tribals as well as for others.

One question was raised about the difficulty which they may have to face for protecting the crop. The fear was, they may not be able to kill the animals for saving the crops. This point was raised by some hon. Members. I request them to read Section 11 (1) (b) wherein it is provided that the Chief Wild Life Warden or the authorised officer may, if he is satisfied that any wild animal specified in Schedule II, Schedule III or Schedule IV, has become dangerous to human life or to property (including standing crops on any land) or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefor, permit and person to hunt such animal or cause such animal to be hunted. Property includes cattle also. If the animal becomes dangerous for cattle and for persons or for crops, that animal included in Schedules II to IV can be killed. The only exemption is in respect of Schedule I, because, these are rarest of animals which we do not want to become extinct.

**SHRI R. V. BADE :** The animal can be killed with the permission of the Government if it becomes dangerous. That can be done with the permission of the Government. But, if it attacks cattle, can you *sup motu* kill it or not ?

**PROF. SHER SINGH :** Here it says— "Chief Wild Life Warden or the authorised officer". There are so many officers in the forest itself. The cultivator can obtain permission from him and then kill. That provision is already there.

**SHRI DASARATHA DEB :** I know of one case where so many crops were destroyed

because a tiger was killing the cattle; I had to wait for one full month, before I got permission from the State Government to kill that particular tiger. After waiting for a long time when the permission came, I killed it.

**PROF. SHER SINGH :** Professor Hiren Mukerjee raised several points. He mentioned about Rewa White Tigers. He wanted to know whether they are being maintained or not. I want to mention for his information that they are being maintained, in the Delhi Zoological Park. He raised the question of the bird sanctuary in the Salt Lake area. We are in correspondence with the West Bengal Government. But the Civil Aviation Department has raised some objection, regarding the formation of a bird sanctuary there because of its nearness to the airport. We are considering all these points. As for the provision of better telecommunication facilities, this is also under active consideration of the Government for certain selected sanctuaries and national parks. Grant of permission for photographic use of sanctuaries is also provided for. Some points were raised about taxidermy. Control of commerce in wild animals and taxidermy is provided for in Chapter V.

One point was raised by Shri Daga. This is about the term 'public purpose'. He said this term need not be there, so that compensation may not be heavy. It is not possible for us to acquire any land unless it is acquired for a public purpose. Therefore we have to make this particular provision for it.

References were made about black buck, portridges and elephants. We have authorised the State Government and the State Governments have powers to include any animal, not being those of Schedule I or the second part of Schedule II. It is difficult for them to take out once they are included in Schedule I, but they can always add animals in the first part of Schedule II. That power rests with the State Government.

Mr. Mohanraj Kalingarayar of Tamilnadu spoke about the raising of eucalyptus plantations. I may inform him, this is not

done in wild life reserve areas. This is only done in protective forests. He also raised the question of locating veterinary dispensaries in sanctuaries and national parks. We have made provision for inoculation and prophylactic measures against diseases in sanctuaries. It has been provided for. But I do not think that it is necessary for every sanctuary or every national park to have a veterinary dispensary of its own, because it is not possible for us to bring those animals every now and then, because those animals are not there to be caught. So, there is no need to locate any dispensary there.

A question has been raised about fish, whether fish is also included in wild life and whether something is being done in regard to fish also. There is a provision in the Bill under which fishing also could be regulated.

SHRI D. P. JADEJA : That is only for inland fisheries.

SHRI ZULFIQUAR ALI KHAN (Rampur) : There are two types of fish actually.

PROF. SHER SINGH : I agree with the hon. Member that we should have some organisation at the all-India level to protect wild life.

SHRI D. P. JADEJA : One for fish also.

PROF. SHER SINGH . We have one headed by Dr. Karan Singh, and under his dynamic leadership, the Indian Board for Wild Life is doing very well; I suppose everyone will agree with me on this, and we should congratulate him for the various steps that he has been taking for protecting wild life.

As for the ecological aspect also, because due to water pollution or air pollution etc. wild life is destroyed, recently Government have constituted a National Committee on Environmental Planning.

As for referring this Bill to a Select Committee, I do not agree because if it is

referred, it will take some more time, and as one hon. Member has said, within two or three days of the introduction of this Bill, seven rhinoceroses have been killed, and, therefore, I think that in the interests of wild life protection, it is necessary that once this Bill is moved, we should not waste any time but should pass it immediately.

I thank all hon. Members who have taken part in the this debate and welcomed this Bill.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary or incidental thereto, be taken into consideration."

*The motion was adopted*

MR. DEPUTY-SPEAKER : We shall now take up clause-by-clause consideration. Since there are no amendments to clauses 2 to 4 I shall put them together to vote.

The question is :

"That clauses 2 to 4 stand part of the Bill".

*The motion was adopted*

*Clause 2 to 4 were added to the Bill.*

*Clause 5—(Power to delegate)*

MR. DEPUTY-SPEAKER : I now come to clause 5.

SARI D P. JADEJA : I have an amendment to the Title.

MR. DEPUTY-SPEAKER : Normally we take up clause 2 first and go on till we come to the end of the clauses and the Schedules, if any, and then we take up clause 1, the Enacting Formula and the Title. That is the procedure.

SHRI M. C. DAGA : I beg to move :

Page 5, lines 1 and 2, omit 'with the previous approval of the Central Government.' (12)

[Shri M.C. Daga]

Page 5, lines 5 and 6, *omit* 'with the previous approval of the State Government'. (13)

MR. DEPUTY-SPEAKER : I shall now put these two amendments to vote.

*Amendments Nos. 12 and 13 were put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 5 stand part of the Bill".

*The motion was adapted.*

*Clause 5 was added to the Bill.*

*Clause 6 (Constitution of wild Life Advisory Board)*

MR. DEPUTY-SPEAKER : There are a number of amendments to clause 6, some of which have been given notice of only today. If they are moved, I shall read out those amendments to the House. Others which were circulated before need not be read out.

Is Shri D. P. Jadeja moving his amendments?

SHRI D. P. JADEJA : No, I am not moving them. But I would like to explain. . . .

MR. DEPUTY-SPEAKER : Is he moving the amendments or not ?

SHRI D. P. JADEJA : No.

SHRI M. C. DAGA : I beg to move :

Page 5, line 21, *for* 'Chief Secretary' *substitute* 'Revenue Secretary' (14)

Page 5, line 32, *after* 'and' *insert* 'not exceeding three'. (15)

Page 5, line 32, *after* 'non-officials,' *insert* 'the rest'. (16)

Page 5, (i) lines 35 and 36,—

5 *for* 'one of the members of the Board' *substitute* 'Chief Conservator of Forests or Chief Wild Life Warden'

(ii) line 36,—*for* 'thereof' *substitute* 'of the Board'. (17)

SHRI R. V. BADE : I beg to move :

Page 5, *after* line 34, *insert* :

'Provided in those Districts where there are tribal blocks, four members out of fifteen should be from the Scheduled Tribe'. (50)

MR. DEPUTY-SPEAKER : There is an amendment standing in the name of Prof. Sher Singh. Is he moving it ?

PROF. SHER SINGH : No, I am not moving it.

MR. DEPUTY-SPEAKER : I shall put all amendments together.

SHRI R. V. BADE : Mine may be put separately.

PROF. SHER SINGH: I accept amendment No. 17 moved by Shri M. C. Daga.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 14 by Shri Daga to vote.

*Amendment No. 14 was put and negatived.*

MR. DEPUTY-SPEAKER: The question is :

Page 5,—

(i) lines 35 and 36.—

*For* "one of the members of the ~~the~~ Board" *substitute* "Chief Conservator of Forests or Chief Wild Life Officer"

(ii) line 36,—*for* "thereof" *substitute* "of the Board". (17)

*The motion was adapted.*

MR. DEPUTY-SPEAKER : I shall now put amendments Nos. 15 and 16 to vote,

*Amendments Nos. 15 and 16 were put and negatived.*

MR. DEPUTY-SPEAKER : I shall now put amendment No. 50 by Shri Bade to vote.

*Amendment No. 50 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 6, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 6, as amended, was added to the Bill.*

*Clause 7—(Procedure to be followed by the Board)*

SHRI DASARATHA DEB : I beg to move :

Page 5,—

*after line 44, insert—*

"Provided that no such meeting shall be held outside territory of the respective State." (31)

MR. DEPUTY-SPEAKER : I shall put amendmen No. 31 to vote.

*Amendment No. 31 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 7 stand part of the Bill".

*The motion was adopted.*

*Clause 7 was added to the Bill.*

*Clause 8 was added to the Bill.*

*Clause 9—(Hunting of wild animals)*

PROF. SHER SINGH ; I move :

Page 6, line 21,—

*for "under" substitute "referred to in" (60)*

MR. DEPUTY-SPEAKER: The question is :

Page 6, line 21,—

*for "under" substitute "referred to in" (60)*

*The Motion was adopted*

MR. DEPUTY-SPEAKER : The question is :

"That clause 9, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 9, as amended, was added to the Bill.*

*Clause 10 was added to the Bill.*

*Clause 11 (Hunting of wild animals to be permitted in certain cases*

SHRI DASARATHA DEB : I move :

Page 7, line 31,—

*after "person" insert—*

"or in defence of one's standing crops" (32)

Page 7,—

*after line 37, insert—*

"Provided that meat of the killed wild animal or animals shall not be used as traditionally eaten category of food by the killer." (33)

SHRI R. V. BADE : I move :

Page 7, line 31,—

*after "person" insert—*

"or for protection of his cattle or crops" (51)

MR. DEPUTY-SPEAKER: I shall put these amendments to the vote.

*Amendments Nos. 32, 33 and 51 were put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 11 stand part of the Bill."

*The motion was adopted.*

*Clause 11 was added to the Bill.*

*Clause 12 was added to the Bill.*

*Clause 13—(Suspension or cancellation of Licence)*

MR. DEPUTY-SPEAKER : There is an amendment by Mr. Rana. Are you moving? —No. The question is :

"That clause 13 stand part of the Bill."

*The motion was adopted,*

*Clause 13 was added to the Bill.*

*Clause 14 (Appeals)*

SHRI DASARATHA DEB : I move :

Page 8, line 21,—

after "communication" insert—  
"reached" (34)

MR. DEPUTY-SPEAKER : I shall put the amendment to the vote.

*Amendment No. 34 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 14 stand part of the Bill."

*The motion was adopted.*

*Clause 14 was added to the Bill.*

*Clauses 15 and 16 were added to the Bill.*

MR. DEPUTY-SPEAKER: Amendment No. 21. Mr. Daga — not moving. The question is :

"That clause 17 stand part of the Bill."

*The motion was adopted.*

*Clause 17 was added to the Bill.*

*Clause 18 was added to the Bill.*

*Clause 19—(Collector to determine rights)*

SHRI DASARATHA DEB : I move :

Page 9, line 35,—

*add at the end—*

"Right of any person in or over the land comprised within the limits of the sanctuary shall include the rights of tribal thumias over the land which has been traditionally used for the purpose of jhum cultivation by tribal people." (35)

SHRI R. V. BADE : I move :

Page 9, line 35,—

*add at the end—*

"The Collector should see that such area is not near the vicinity of irrigated land or land used for growing crops." (52)

MR. DEPUTY-SPEAKER : I shall put these amendments to the vote.

*Amendments Nos. 35 and 52 were put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 19 stand part of the Bill."

*The motion was adopted.*

*Clause 19 was added to the Bill.*

*Clauses 20 to 26 were added to the Bill.*

*Clause 27—(Restriction on entry in sanctuary)*

SHRI DASARATHA DEB : Sir, I have an amendment, No. 36 to clause 27. I beg to move :

Page 11,—

*omit lines 26 to 43. (36)*

PROF. SHER SINGH : I beg to move my amendment No. 61 to clause 27. I beg to move :

Page 11, line 16,—

*for "who ordinarily resides"*

*substitute—*

"who has been permitted by the Chief Wild Life Warden or the authorised officer to reside" (61)

MR. DEPUTY-SPEAKER : I put amended No. 36 to the vote of the House.

*Amendment No. 36 was put and negatived.*

MR. DEPUTY-SPEAKER : I put amendment No. 61 to the vote of the House. The question is :

Page 11, line 16—

*for "who ordinarily resides"*

*substitute—*

"who has been permitted by the Chief Wild Life Warden or the authorised officer to reside" (61)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 27, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 27, as amended, was added to the Bill.*

*Clauses 28 and 29 were added to the Bill.*

*Clause 30—(Causing fire prohibited)*

SHRI DASARATHA DEB : Sir, I have an amendment to clause 30. I beg to move :

Page 12,—

*after line 42 insert.—*

"Provided that nothing contained in clause 30 shall render any such person liable to any punishment if he sets fire for the purpose of jhuming in the near-by area and if such fire caused the burning of a sanctuary due to the spread of fire of the burning of jhum." (37)

MR. DEPUTY-SPEAKER : I put amendment No. 37 to the vote of the House

*Amendment No. 37 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 30 stand part of the Bill."

*The motion was adopted.*

*Clause 30 was added to the Bill.*

*Clauses 31 to 34 were added to the Bill.*

*Clause 35—(Declaration of National Parks)*

SHRI R. V. BADE : Sir, I have an amendment to clause 35.

I beg to move :

Page 13,—

*after line 42, insert—*

"provided that the area declared to be a national park or sanctuary should be five miles away from the land used for growing crops." (53)

MR. DEPUTY-SPEAKER : I shall put amendment No. 53 to the vote of the House.

[Mr. Deputy-Speaker]

*Amendment No. 53 was put and negatived*

MR. DEPUTY-SPEAKER : The question is :

"That clause 35 stand part of the Bill "

*The motion was adopted.*

*Clause 35 was added to the Bill*

*Clauses 36 to 38 were added to the Bill.*

*Clause 39—(Wild animals, etc , to be Government property)*

SHRI DASARATHA DFB : Sir I have an amendment to clause 39.

I beg to move :

Page 15,—lines 17 and 18,—

*omit "or meat derived from any wild animal" (38)*

MR DEPUTY-SPEAKER : I shall put amendment No. 38 to the vote of the House.

*Amendment No. 38 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 39 stand part of the Bill."

*The motion was adopted.*

*Clause 39 was added to the Bill.*

*Clause 40—(Declarations)*

MR. DEPUTY-SPEAKER : There are two amendments—Nos. 39 and 40 by Mr. Deb and No. 62 by Prof. Sher Singh,

SHRI DASARATHA DEB : I beg to move :

Page 16, line 2,—

*omit "or meat derived from such animal," (39)*

Page 16,—

*after line 5, insert—*

"Provided that nothing contained in this sub-clause shall apply to the wild animals' articles that were acquired and have been possessed by any person before the commencement of this Act." (40)

MR. DEPUTY-SPEAKER : I will put Amendments Nos. 39 and 40 to the House.

*Amendments No. 39 and 40 were put and negatived.*

*Amendment made :*

Page 15, line 49,—

*after "for sale" insert—*

"or otherwise transfer" (62)  
(*Prof Sher Singh*)

MR. DEPUTY-SPEAKER : The question is :

"That clause 40 as amended stand part of the Bill."

*The motion was adopted.*

*Clause 40, as amended, was added to the Bill.*

*Clause 41 was added to the Bill.*

*Clause 42(C—ertificate of ownership)*

MR. DEPUTY-SPEAKER : There are two amendments. Amendment No. 7 is by Prof. Sher Singh. That has been circulated. No. 41 is by Mr. Deb.

*Amendment made :*

Page 16,—

*omit line 33 (7)*

(*Prof. Sher Singh*)

SHRI DASARATHA DEB : I beg to move :

Page 16,—

after line 93, insert—

“(3) Nothing in sub-section (1) shall apply in relation to wild animals and wild animals' articles possessed by any person before the commencement of this Act.” (41)

MR. DEPUTY-SPEAKER : I will now put Mr. Deb's amendment No. 41.

*Amendment No. 41 was put and negatived*

MR. DEPUTY-SPEAKER : The question is :

“That clause 42, as amended, stand part of the Bill.”

*The motion was adapted.*

Clause 42, as amended, was added to the Bill.

Clause 43—  
(*Regulation of transfer of animal, etc.*)

MR. DEPUTY-SPEAKER : There is an amendment by Shri Jadeja. He is not moving it. The question is :

“That clause 43 stand part of the Bill.”

*The motion was adapted.*

Clause 44—  
(*Dealings in trophy and animal articles with out licence prohibited*)

MR. DEPUTY-SPEAKER : There are three amendments by Mr Bade—Nos. 54, 55 and 56.

SHRI R. V. BADE : I beg to move :

Page 18, line 17,—

for “fifteen” substitute “thirty” (54)

Page 18, line 39,—

for “one year” substitute “three years” (55)

Page 18, line 41,—

for “one year” substitute “three years” (56)

MR. DEPUTY-SPEAKER : I will now put these amendments of Mr. Bade to the House.

*Amendments Nos. 54 to 56 were put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

“That clause 44 stand part of the Bill.”

*The motion was adopted.*

*Clause 44 was added to the Bill.*

*Clauses 45 to 48 were added to the Bill.*

Clause 49—  
*Purchase of captive animal, etc. by a person other than a licensee*

16 hrs.

SHRI D. P. JADEJA : I beg to move:

Page 20, line 25,—

after “purchase” insert “receive” (29)

PROF. SHER SINGH : I am accepting it.

MR. DEPUTY-SPEAKER : The question is :

Page 20, line 25,—

after “purchase” insert, “receive” (29)

*The motion was adapted.*

MR. DEPUTY-SPEAKER : The question is :

“That clause 49, as amended, stand part of the Bill”.

[Mr. Deputy-Speaker]

*The motion was adopted.*

*Clause 49, as amended, was added to the Bill.*

*Clause 50 was added to the Bill.*

**Clause 51—(Penalties)**

SHRI DASARATHA DEB : I beg to move :

Page 21, line 49,—

for "two years" substitute "six mon.hs"  
(42)

Page 21, line 50,

for "two thousand" substitute "one  
hundred" (43)

Page 22, line 6 and 7,

for "six years" substitute "one year"  
(44)

Page 22, line 7,

for "five" substitute "one" (45)

Page 22, line 10,

for "one year" substitute "six months"  
(46)

Page 22, line 11,

for "one thousand" substitute  
"one hundred". (47)

SHRI R. V. BADE : I beg to move :  
Page 22,

*and* lines 22 to 27. (57)

MR. DEPUTY SPEAKER : Amendment No. 48 is not admissible because an amendment cannot have a negative effect. I will now put Amendment Nos. 42 to 47 and 57 to the vote of the House.

*Amendments Nos. 42 to 47 and 57 were put and negatived.*

MR. DEPUTY SPEAKER : The question is :

"That clause 51 stand part of the Bill"

*The motion was adopted.*

*Clause 51 was added to the Bill.*

*Clauses 52 to 54 were added to the Bill.*

**Clause 55—(Cognizance of offences)**

PROF. SHER SINGH : I beg to move :

Page 23, lines 16 and 17,—

for "the authorised officer"

substitute—

"such other officer as the State Government may authorise in this behalf" (11)

MR. DEPUTY SPEAKER : The question is :

Page 23, lines 16 and 17,—

for ' the authorised officer"

substitute—

"such other officer as the State Government may authorise in this behalf" (11)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 55, as amended, stand part of the Bill"

*The motion was adopted.*

*Clause 55, as amended, was added to the Bill.*

*Clauses 56 and 57 were added to the Bill.*

*Clause 58—(Offences by companies.*

SHRI DASARATHA DEB : I beg to move :

Page 23,—

*omit lines 37 to 40. (39)*

MR. DEPUTY SPEAKER : I will now put amendment No. 49 to the vote of the House.

*Amendment No. 49 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 58 stand part of the Bill"

*The motion was adopted.*

*Clause 58 was added to the Bill.*

MR. DEPUTY SPEAKER : There is no amendment to clauses 59 to 61. I put them to the vote of the House.

The question is :

"That clauses 59 to 61 stand part of the Bill"

*The motion was adopted.*

*Clauses 59 to 61 were added to the Bill*

*Clause 62 (Declaration of certain wild animals to be vermin.*

PROF. SHER SINGH : I beg to move :

Page 25, line 1,—

*for "Notwithstanding anything contained in sub-section (2)"*

*substitute "Subject to the provisions" (8)*

MR. DEPUTY-SPEAKER : The question is :

Page 25, line 1,—

*for "Notwithstanding anything contained in sub-section (2)"*

*substitute "Subject to the provision (8)*

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The ques-

"Clauses 62 as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 62, as amended, was added to the Bill*

MR. DEPUTY SPEAKER : There is no amendments to clauses 63 to 66. The question is :

"That clauses 63 to 66 stand part of the Bill."

*The motion was adopted*

*Clause 63 to 66 were added to the Bill  
First Schedule*

PROF. SHER SINGH : I beg to move :

Page 28,—

in item 17,—

*for "harmani" substitute "crossoptilon" (9)*

SHRI R. V. BADE : I beg to move :

Page 28,—

*after line 31, insert—*

"19. Peacock (*Mayur*). (58)

MR. DEPUTY-SPEAKER : Now, I put amendment No. 9 moved by Prof. Sher Singh to the vote of the House.

The question is :

Page 28,—

in item 17,—

*for "harmani" substitute "crossoptilon" (9)*

*The motion was adopted-*

SHRI R. V. BADE : I am withdrawing my amendment.

*Amendment No. 58 was, by leave, withdrawn.*

MR. DEPUTY-SPEAKER : The question is :

"First Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*First Schedule, as amended, was added to the Bill*

*Second Schedule, Third Schedule and Fourth Schedule were added to the Bill,*

**Fifth Schedule**

MR. DEPUTY-SPEAKER : There are two amendments Nos. 6 and 30 in the name of Shri D. P. Jadeja.

SHRI D. P. JADEJA : I beg to move :

Page 33,—

omit line 10. (6)

Page 33, line 4,—

omit "1. Bandicoots." (30)

PROF. SHER SINGH : I am accepting Amendment Nos. 6 and 30.

MR. DEPUTY-SPEAKER : The question is :

Page 33,—

omit line 10. (6)

Page 33, line 4,—

omit "1. Bandicoots." (30)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : The question is :

"Fifth Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*Fifth Schedule, as amended, was added to the Bill.*

Clause 1—(Short title, extent and commencement.)

MR. DEPUTY-SPEAKER : There is an amendment to clause 1 by Shri Jadeja. Are you moving ?

SHRI D. P. JADEJA : No, Sir, I am not moving.

MR. DEPUTY-SPEAKER : So, I put clause 1, the Enacting Formula, the Preamble and the Long Title to the vote of the House.

The question is :

"That Clause 1, the Enacting Formula, the Preamble and the Title stand part of the Bill"

*The motion was adopted.*

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

PROF. SHER SINGH : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

*The motion was adopted.*

16.10 hrs.

**VICTORIA MEMORIAL (AMENDMENT) BILL**

MR. DEPUTY-SPEAKER : The House will now take up the next item, Victoria Memorial (Amendment) Bill. Prof. S. Nurul Hasan :

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN) : I beg to move :

"That the Bill further to amend the Victoria Memorial Act, 1903, as passed by Rajya Sabha, be taken into consideration."

16-10-1/2 hrs.

(SHRI K. N. TIWARY is the Chair)

This is a very simple measure which is being brought before the House. As the hon. House is aware, this Act was origi-