

[Sh. M.L. Fotedar]

Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee."

At Serial No. 10, Dr. Mahavirsinh Harisinhji Gohil has been proposed and at Serial No. 11 in place of Dr. C. Silvara, Shrimati Geeta Mukherjee has been proposed.

MR. SPEAKER: The question is:

"That the Bill to provide for the regulation of the use of pre-natal diagnostic techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations of sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of pre-natal sex determination leading to female foeticide; and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 22 members, 15 from this House, namely:-

- (1) Shrimati Dil Kumari Bhandari
- (2) Shrimati Malini Bhattacharya
- (3) Shrimati Saroj Dubey
- (4) Shrimati Girija Devi
- (5) Dr. Viswanatham Kanithi
- (6) Shrimati Sumitra Mahajan
- (7) Shri K.R. Narayanan
- (8) Dr. Kartikeswar Patra
- (9) Dr. Vasant Niwenti Pawar
- (10) Dr. Mahavirsinh Harisinhji Gohil
- (11) Shrimati Geeta Mukherjee
- (12) Dr. (Shrimati) K.S. Soundaram

(13) Shrimati D.K. Tharadavi Siddartha

(14) Kumari Uma Bharati

(15) Kumari Vimal Verma

and 7 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the Budget session, 1992;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted

14.12 hra.

WILD LIFE (PROTECTION) AMEND-
MENT BILL

As Passed by Rajya Sabha

[English]

MR. SPEAKER: We go to the next item.
Shri Kamal Nath.

THE MINISTER OF STATE OF THE
MINISTRY OF ENVIRONMENT AND FOR-
ESTS (SHRI KAMAL NATH): I beg to move:

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

India's wildlife is a precious heritage and it is a Constitutional obligation of the Government of India and of every citizen of India to protect and safeguard it.

14.13 hrs

[MR. DEPUTY-SPEAKER - *in the Chair.*]

The depletion of wild life habitats and commercial interests of unscrupulous traders involved in wild life trade had done very serious damage to the wildlife of the country by the 1960s. In order to arrest the depletion of different species of wildlife and to conserve their habitats, both to ensure the survival of these species as well as to conserve the biological diversity of our country, the idea of having an Act applicable uniformly all over the country was conceived and the Wild Life (Protection) Act, 1972 was passed.

As this Act was the first attempt to provide a legal framework for the protection of wild life, it was quite understandable that certain areas of wild life conservation such as management of zoos and conservation of rare and endangered species of plants were left out from the purview of this legislation. The implementation of the Act over a period of time also exposed certain inherent weaknesses in the Act. Besides, the situation has also changed in these past 19 years which require modifications and additions to the legislation. Therefore, the need to bring certain amendments in the act was realised and the Indian Board for Wild Life under the chairmanship of the late Prime Minister, Shrimati Indira Gandhi decided to take up the task of making the Act more comprehensive and effective.

Suggestions from the members of the Board and from the States and Experts regarding the necessary amendments were invited and were examined by a committee formed under the chairmanship of Dr. Salim Ali and finally got approved by the Standing Committee of the Indian Board for Wild Life in March, 1987. The present Bill is an outcome of detailed consideration and con-

sultation with all the concerned Ministries and Departments of the Government of India.

I would like to mention that the Government is fully aware about the importance of the cooperation of local people on conservation of wild life. It is with this fact in view that a provision has been made in the Bill for appointment of representatives of tribal communities on the State Wild Life Boards. Similarly, provision for appointment for Honorary Wild Life Wardens for helping the Government machinery for control of poaching has also been made. It is also being provided in the Act that any individual can file a complaint for any wild life offence before the competent court, after giving a notice to the State Government in a prescribed manner. Provisions for payment of rewards to persons helping in apprehension of offenders has also been made.

The existing provisions in the Act put a restriction on the exploitation of articles derived from the animals included in Schedule-I and Part-II of Schedule-II of the Act. This also applies to the manufacture of life-saving drugs from snake venom. It is now proposed to grant an exemption for collection and preparation of snake venom from the provisions of the Act.

Peacocks shed their feathers naturally. The tribal people collect these feathers and sell it to the cooperatives and organisations involved in the production of articles. It is proposed to exempt Peacock tail feathers from the purview of the Act, so that the local people could get some benefit.

The commercial exploitation of plants has brought many species on the verge of extinction. Provisions to prohibit collection and exploitation of such plants is being made for the first time under this Act. Cultivation and trade in plants so cultivated would be permitted under a licence. The provision, however, would not affect the collection of plants traditionally used for *bona fide* personal use of tribals.

In recent years, a mushroom growth of

[Sh. Kamal Nath]

ill-conceived and inadequately managed Zoos have become a threat on the wildlife resources of the country. It is, therefore, proposed to provide for the setting up of a Central Zoo Authority for overseeing the functioning of the Zoos of the country and to ensure that only such Zoos which can maintain prescribed norms of maintenance of animals, can operate. Activities causing disturbance to animals in a Zoo and littering the grounds of a Zoo are proposed to be made a punishable offence.

Wildlife in our country has suffered serious depletion on account of pressures exerted by the rapid growth of population and the consumption-oriented approach, regardless of the need to maintain essential bio-diversity and ecological processes, balances, and life-support systems which are so vital for land productivity, food security and human survival. Setting up a network of effectively managed National Park and Sanctuaries is the highest priority of Wildlife Conservation. With this point in view, the provisions with regard to Management of Parks and Sanctuaries are being made more effective and stringent. Realising the need to protect off-shore marine flora and fauna, the legal provisions of National Park and Sanctuaries are proposed to be extended to territorial waters as well.

As already mentioned, wildlife populations and habitats have degraded to a great extent under the pressure of human activities. We can no more afford to kill wild animals for the sake of pleasure of a few person., thus disrupting life forms and linkages vital for the preservation of bio-diversity. Wildlife is also in no position to bear the burden of capturing of wild animals for commercial purposes.

[Translation]

SHRI HARISINH CHAVDA (Banas Kantha): Mr. Deputy Speaker, Sir, I am on a point of order.

[English]

MR. DEPUTY-SPEAKER: He is on a point of order. What is your point of order?

[Translation]

SHRI HARISINH CHAVDA: There is no quorum in the House.

[English]

MR. DEPUTY-SPEAKER: The bell is being rung—Now there is quorum. I would request the hon. Minister to proceed further.

SHRI KAMAL NATH: Furthermore, the passing of the Wild Life (Protection) Act of 1972 and the policies which the Government has subsequently pursued, has brought about a change in the ethos and outlook of the people. Gone are the days when the shooting of a tiger was looked upon as a courageous act or a status symbol, which was the case in the past. Now, the killing of a wild animal for pleasure or for food would be regarded as a reprehensible act and this attitude is indeed in consonance with our traditions and the precepts of our great teachers. We would like to continue with the aptitude and attitude.

In view of these facts, it is proposed to prohibit hunting of all wild animals. However, hunting of wild animals in exceptional circumstances, particularly for purposes of protection of life and property and for research and scientific management and for breeding in captivity under the provisions of Sections 11 and 12 of the Act, will be permitted.

Poaching of wild animals and illegal trade, has over the years, taken serious dimensions because of the exponential rise in the price of wild animals and their products. The job of a poacher gets more and more lucrative as a particular species gets rarer. Therefore, proposals have been made in the Bill to make the penalties for various offences more deterrent. It is being made mandatory for every transporter not to accept any consignment of wildlife products

without proper sanction from the authorised officers.

Population of Indian elephants, particularly in South India, are under serious threat by Ivory poachers. Although the trade in Indian Ivory was banned in 1986, the trade in imported ivory gives an opportunity to unscrupulous ivory traders to legalise packed ivory in the name of imported ivory. With this point in view, the trade in African ivory is proposed to be banned after giving due opportunity to ivory traders to dispose of their existing stocks.

While the Government is taking action for making a legal provision regarding protection of wild life more effective, action is also being taken to mitigate the hardships of the people living in areas around Wild Life Reserves. Recently, a scheme, "Eco-development of areas around National Parks and Sanctuaries" has been initiated with an objective of reducing depredation by wild animals and augmenting the supply of real wood and fodder to the villagers. A new Scheme, "Project Elephant" is also being formulated to tackle the problems arising out of the destruction of important habitats of the species and would go a long way in solving the problem of crops - raiding by elephants. I trust that these Schemes would be able to bring an overall socio-economic improvement for the people living in proximity of wild life areas.

As would be seen, the proposals made in the Amendment Bill could go a long way in conservation of our rare and endangered wildlife as well as the protection of parks and sanctuaries which offer today the safest havens for the protection of nature and the conservation of our floral and faunal genetic diversity. I would request the House to consider and pass the Amendment Bill.

MR. DEPUTY-SPEAKER: Motion moved:

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

MR. DEPUTY-SPEAKER: The total time allotted for this Wild Life (Protection) Amendment Bill is one hour thirty minutes. Time allotted to different political parties is as follows:

Congress	36 minutes
BJP	19 minutes
Janata Dai	09 minutes
CPI (M)	06 minutes
CPI	02minutes
TDP	02 minutes
AIDMK	02 minutes
Janata Party	01 minutes
Others	02 minutes

We shall have to confine ourselves to this limit. Now I shall call Shri Rasa singh Rawat to speak.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Deputy Speaker, Sir, the hon. Minister, has given a detailed statement in the House explaining the need of bringing forward the Wild Life (Protection) Amendment Bill, 1991. The Wild Life (Protection) Amendment Act came into being for the first time in the end of 1965. Had it been implemented from the date it was passed, there would have been no need to amend the Act time and again. I regret to say that it is the third amendment within a period of 19 years from 1972. Afterwards, the amendments were made in 1982 and 1986. This Act was enacted on 9th December, 1972. Afterwards, the amendments were made in 1982 and 1986. This Act was enacted on 9th December, 1972. Today, on 16th September, we are going to amend it for the third time. I would urge upon the Government not to pass nay legislation in haste. I think that it would have been proper if the Government would have brought forward the amendment after considering all

[Prof. Rasa Singh Rawat]

the loopholes in the Bill. I support the Bill. Many new provisions have been added to it. But, the Government brought forward the Bill to protect the wild life and pet animals and birds too late and made amendments in it time and again. All pet animals and cows useful to human being should be protected. Considering the feelings of crores of people. Had we implemented the law to protect the cows and other animals as well it would have been excellent. Our country has been the follower of 'Ahimsa paramodherma' i.e. non-violence. While praying God "Ya E-she Dweepade Chadushpade" has been said, which means that he is the master of all the animals having two legs and four legs. He is the master of the whole world. So all animals should be protected. Instead of protecting all the animals, the Government is opening slaughter houses in the country. The biggest slaughter house in Asia is going to be opened in Delhi or Meerut. I am coming towards the amendment Bill. If we conserve forests, wild life would automatically be protected. After the independence, the forests of the country have been denuded at a fast speed. In the name of giving contracts to contractors trees are being felled on large scale and the afforestation is not being made at a speed it requires. The time will come when there would be no place for the animals to live in and their species would extinct. The animals are brought in the circus and they are harassed. It has been suggested as to how to bring them to Zoo and provide them protection. It has been suggested to set up a Central Zoo Authority Fund. It is, in fact, a good proposal. No man or institution would be able to run a Zoo independently without getting it registered with the Authority. In future, it would be inevitable for all zoos running in the country to get themselves registered under the Central zoo Authority Act to be passed under the law. It is also proper to set up an Authority Fund for the animals of the Zoo and employees working there. I appreciate the provision made in this bill regarding nature, functions and rights of the authority. But, through you, I want to draw the attention of the Government to the

large scale corruption in advisory boards and among those forest officials or wild life conservation officials who are responsible to conserve the wild life in the zoos. These people, after taking bribe, encourage the poachers. They permit them to enter jungles unauthorisedly. We have to check this practice and also the poachers. Elephants in the forests of Assam as well as of other places are treated cruelly and hunted unauthorisedly to obtain the ivory. Species of white lions are almost on the verge of extinction in the country. The number of animals in all the sanctuaries or reserved jungles is decreasing at a very high speed. Today, same is the position of Girnar forests of Gujarat. The corruption prevailing in the Forest Department must be checked. Honest officials should be posted there. They should be encouraged by giving awards. There should be a provision of stern punishment for those who will be found involved in poaching or exploiting the wild animals. Those who give tip off and help in apprehending these people should be awarded and for this purpose an announcement regarding institution of prizes be made. I think that in this way the law should be implemented properly.

We should protect the interests of local and tribal people. If we fail in looking after and protecting their interests and getting their cooperation, we would not be able to implement the law through this amendment effectively. Therefore, I want to urge upon the Government through you and the hon. Minister to give enough powers to the persons responsible for implementing such laws otherwise it would be quite difficult to implement the laws. You have rightly provided of more punishment. The period of punishment has been increased from one month to one year and two years to four years and amount of fine has been increased from Rs. 200 to Rs. 20 thousand. In spite of doing all these things if we are unable to provide protection to wild life and are unable to check denudation of forests and corruption prevailing in the forest Departments, and also are unable to inculcate the importance of wild life in the minds of people

through the books in liberties, reading rooms and by celebrating wild life days, then we would be confronted with serious crisis. A special species of deer 'Neelgai' is found in Ajmer district and several other areas in Rajasthan. The Government passed an Act to provide protection to this species and banned hunting of it. But they have been damaging the crops worth lakhs of rupees. Farmers guard their fields throughout the night and as soon as they leave their fields these Neelgai in large number attack their fields and damage the crops completely. Therefore, I would urge upon the Government to pay a little attention to this problem. The Government should take some measures to protect the farmers from the loss they suffer due to the damage of their crops. With these words I conclude.

[*English*]

MR. DEPUTY SPEAKER: If hon. Members stick to the timing, more Members can participate. Even hon. Speaker has made an observation that because of non-adherence of the time-limit by some Members, some other Members could not get a chance. So I request you to stick to the time, so that more Members from their respective parties can participate.

SHRI LAETA UMBREY (Arunachal East): Mr. Deputy Speaker, Sir, I wish to oppose the Bill, but unfortunately I have no authority to do so. That is why, I am half-heartedly supporting the Bill. While there are many reasons for this, I do not know whether I will be able to convince the hon. Deputy Speaker and the hon. Minister for Environment.

I know that the protection of wild life is very important for the survival of human beings, more particularly for the tribals. When we talk of the jungles, sanctuaries, national parks, etc., we think of the tribal people who are living in the proximity of these areas.

It seems that this Bill gives ample scope

for the forest authorities who in the name of protection might harass the innocent tribal people who have been living in the jungles for centuries. The tribal people are living in those protected areas for centuries and they say that these people have encroached upon those areas. But, so far as our knowledge goes, they have never encroached upon any reserved forest or any sanctuary. It is the authorities of the Forest Department who have, without proper consultation with the local tribal people, declared these forests of tribals as wild life sanctuaries, national parks, reserved forests etc. They have asked those people to leave the Place and evictions have been done. It is very unfortunate; that is what I feel. I do not have much idea about other tribal people living in other parts of the Country; but Arunachal Pradesh which is my State, there are 70 per cent of the local population who do not belong to any distinct religious group. They have their own faith, they have their own culture and rich traditions which are very closely linked with the wild life of the jungles. It seems that this Bill is going to encroach upon the traditions of these tribal people.

My main objection is to Clause 3 of Section 33 of the Bill wherein you have given full authority to the Chief Wild Life Warden for issuing arms licences for the people living within a radius of ten kilometers near the protected area. This is very unfortunate. I happen to come from a place where there is a wild life sanctuary which is very near. It is just adjacent and is within ten kilometer radius. I know as to how that wild life sanctuary has come into existence. It is a long history and I do not like to narrate it here.

This particular Clause which I have been opposing was not there in the original Bill earlier. Unfortunately, an amendment was brought forward in the Rajya Sabha by a Private Member which was accepted and that is why, this Clause was inserted in the original Bill. I now request the hon. Minister to look into it. I do not know whether you will give more importance to the human beings or to the wild life. But I will give importance

[Sh. Laeta Umbrey]

to the human beings than to the wild life because I come from a district where the density of population is only two persons per square kilometre and the total coverage of land under forests is more than 62 per cent in my State. There are many instances where the wild animals have killed the innocent people and travellers. If you contact the State Government, you will come to know how much compensation is paid every year for the crops destroyed by the wild animals. I would like to mention that recently a student from Delhi University went home during the vacations about 1 1/2 months back, he was killed, along with other six persons by a wild elephant. Like that, there are so many instances where innocent people become the victims of the wild animals. These people require arms for their protection which you are denying. So, I request the hon. Minister to look into it.

I have many points to mention but I realise that there is a paucity of time. But I must mention about a very serious problem. It is understood that 3.45 lakh hectares of land have been dereserved during the last ten years and 1.38 lakh hectares have been dereserved last year. There are several recommendations from the State Government for dereservation of forests, particularly from my state. As I have already mentioned, we have 62 per cent of the total land covered by the forests. I do not understand the logic how dereservation has taken place where there are no forests and dereservation has been denied where there are forests. We have been asking simply dereservation on grounds of giving equal land from the unclassified State forests as those reserved forests are very much close to the people living there. There are sanctuaries, national parks and reserved forests in places where cultivable land is available. We have many hills and mountains where there is no population and which are not cultivable. We have some of the very rare species of wild life which need to be protected in those places. But nothing has been done in this direction.

MR. DEPUTY-SPEAKER: Please conclude.

SHRILAETA UMBREY: Since you have given a very little time, I must conclude. Before I conclude, I would like to request the Hon. Minister for Environment that the serious threat to the wild life is from urbanisation and the development, and not the tribal people living in the close proximity of the sanctuary areas. It is definitely going to give full scope to the various Forest authorities to harass the innocent tribal people living near the sanctuaries and the protected areas. So, I hope the Hon. Minister will take a very serious note of it.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Deputy Speaker, Sir I rise to support the Bill. I welcome it as a comprehensive legislation for the protection and conservation of our natural flora and fauna and I am happy that it is based primarily on the expert advice given by the National Board for Wild Life. I am particularly happy that plants have been included in the definition of wild life. I think it is indeed a fitting gesture in a country whose basic philosophy is unity of all forms of life. I recall not only the philosophy of Mahavir but also the fact that the great scientist, Jagdish Chandra Bose was instrumental in establishing that plants too have life and for that, he had received the fellowship of the Royal Society.

Sir, the problem posed by the hon. Member who spoke before me is also a real problem, that is, the problem of finding a balance between the claims and interests of the people who inhabit our forests, our brothers, the Adivasis and Vanvasis and the need for protection of wild life. Indeed, the hon. Minister must enlighten the House about such situations as described by the hon. Member and the methods and principles applied by the Government in trying to find a proper balance between the two apparently conflicting interests.

Sir, the Bill has added some teeth and I am very happy about that. The penal offences have been refined more severely and

the punishments have been made more deterrent. But I am rather surprised that the Bill is silent about the punishment to those who are given the responsibility for protecting wild life out who in fact, commit offences in cooperation with the poachers and sometimes even to please their guests. I know of any number of cases where for pleasure and as a gesture of hospitality, the forest and the sanctuary authorities have allowed willful and deliberate violation of laws as they stood. Well, this is a deviation from the norm of duty. But I think the hon. Minister must go into this aspect and see to it that those who are given this responsibility, in fact, carry them out and such abatement violation in the form of help and cooperation attracts the most severe punishment and they do not receive protection under our normal laws which give protection to a public servant who is engaged in the pursuit of his normal duty. That is the normal plea that is taken. I know of police officers who have been instrumental in denuding the forest of their wild life and I am sorry to say that I know of situations where the Central Government itself had deemed it fit as a gesture of official hospitality to permit hunting by our foreign guests as a matter of diplomatic courtesy. I am sure the hon. Minister is aware of such situations. I do not think that the interest of wild life can be sacrificed in the interest of diplomacy which is supposed to protect our national interests. And, therefore, Sir, while supporting the Bill, I plead with the hon. Minister that the official responsibility for the protection and conservation of wild life must be fully implemented and no loophole should be left. Otherwise, all his efforts will be completely valueless.

There is another point to which I would like to draw the attention of the hon. Minister.

I am happy that he is also in charge of Forests and therefore in charge of the administration of the Forest Act. Now wild plants have been brought under his Bill. There has to be a certain degree of coordination between operation and administration of the Forest Act and this Wild Life Act. I am sure that this goes without saying,

because many plants particularly those do medicinal and therapeutic value, require the forest environment for their growth and nourishment. Therefore, it is absolutely essential to have some sort of an official linkage between the operation of the Forests Act and the operation of the Wild Life Act.

Mr. Deputy Speaker Sir, I am also happy that the Central Zoo Authority is sought to be created. I know of situations and in fact I knew of a young group in Delhi, which took upon itself to check the manner in which the animals in zoo were being looked after. I am sure it is not hidden from the hon. Minister how the animals kept in captivity, who are in our hands, who are not free and who cannot fend for themselves are sometimes starved and even ill-treated. I am sure that this Central Zoo Authority shall not merely go into the question of allocation of wild animals to various Zoos, circuses and other institutions, but also ensure that wherever they are kept, whether in public zoos or in private Zoos. They have as natural a habitat and environment as possible and are well looked after. With these few words, I support this Bill.

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Sir, please let me make a small correction in his speech. J.C. Bose did not receive the Nobel Prize.

SHRI SY ED SHAHABUDDIN: That is right. He received the Membership of the Royal Society. I stand corrected. Thank you.

SHRI NIRMAL KANTI CHATTERJEE: He did deserve the Nobel Prize. He did not get it because of the colonial rule.

MR. DEPUTY SPEAKER: To that extent, the amendment is allowed.

SHRI G.M.C. BALAYOGI (Amalapuram): I am very happy for giving me an opportunity to speak on the Wildlife Protection Bill. I just want to give some suggestions to the hon. Minister.

Sir, while making the provisions of the

[Sh. G.M.C. Balayogi]

[Translation]

Act more effective and stringent, due regard should also be given to the rights of the local people, particularly tribals. The rights and development of the tribal people are neglected for years together. If the tribal areas are properly developed and the tribals are given educational and other facilities, the tribals themselves will protect the wildlife and also the forests in the country.

Secondly, I would like to mention that not only the wildlife in the forests, but the forests are also very important. I say this because every year, we are losing our forests. As per the information available, in the beginning while we had 45 per cent of forest land, now it is reduced to a mere 15 per cent. Since the hon. Minister is also in charge of Forests, I request him to take care of this aspect. Since the forest land is getting reduced, you can develop afforestation programmes in the coastal areas because we have a very long coast. Even in our State, Andhra Pradesh, there is a lot of coastal area. The people who live in these coastal areas by profession are fishermen. Their main profession is to catch the fish. Their living conditions are more sub-standard than the living conditions of the tribals living in other parts of the country. In this connection, I would request the hon. Minister to agree to the recommendation of the Government of Andhra Pradesh. The Andhra Pradesh Government has recommended inclusion of fishermen, living in the coastal line, in the list of SCs/STs. If afforestation is done properly, we can control the cyclones. Due to these cyclones a great amount of damage is done to the fertile land of the coastal areas.

In Andhra Pradesh there is a vast area of forest. There are a number of wild animals in these forests but so far the Government has not set up any zoo in this area. I request the hon. Minister to locate one zoo in Andhra Pradesh, particularly in the East Godavari, where thick forests are available.

*SHRI SUKHENDU KHAN(Vishnupur): Hon'ble Deputy Speaker Sir, the Bill moved by the Minister of Environment and Wild Life concerns with the protection of wild life. I rise to support the Bill. The Bill was passed in 1972 and I am happy that now the trees are also included in the amendment of the Bill. It is a good step and that is why I support the Bill and thank the Minister for the inclusion of trees also in the Bill. While supporting the Bill I would like to bring to the notice of the House some alarming facts. Many Hon. Members have expressed their opinion regarding the Bill. I do not want to repeat them because the time is short. The Bill was passed in 1972 and from 1972 to 1991 the picture before us is very much alarming and disturbing. In India we have lost 91700 Sq. K.M. of land in forest area. But that vast area of forest now has been facing destruction. About 15000 Sq. K.M. of forest area is being destroyed every year. It is indeed an alarming matter. The Hon'ble Minister of Environment has come from Madhya Pradesh. Madhya Pradesh is the largest State in India and here the density of population is low. Compared to population the area is large. The forest area of the State has been 45% till 1956. But at present it has been reduced to 15% (1991). It is indeed a very disturbing and alarming situation. If we cannot maintain our ecological balance, it would be difficult to survive. Hon'ble Deputy Speaker Sir, we have passed many Bills in Rajya Sabha, in Lok Sabha or in State Legislative Assemblies. But if those Bills or Acts are not implemented or materialized the purpose of passing them fails. If the Acts or Bills are not implemented properly, then the people for whom we want to pass Bills or Acts can never be benefitted. So mere passing of Bills or Acts is not enough. This must be implemented, made useful for the benefit of common man for whom these Bills are passed.

Sir, I come from a forest area. We have seen how life was so risky there 30 years

* Translation of the speech originally delivered in Bengali

back. We always had the fear of being attacked by wild animals. We were scared of going near the forests because of the wild animals. These animals used to attack the inhabitants as well as the pet animals of the area. But today in this advanced scientific age we find the trend has reversed. We are trying to keep the ecological balance and to protect the wild animals. It has been our endeavour to see how the number of wild animals can be increased.

But Hon. Deputy Speaker, Sir, we cannot achieve this aim just by passing Bills or Act. Of course we need some Acts and Bills. But we have to see that these Bills and Acts should be put into effective use. Hon. Deputy Speaker, we need to educate people to make them conscious for the protection of wild life. This can be achieved through T.Vs and other medias. People should be aware of the urgency of protecting wild life. This we can do through publicity, through some educative programme with the help of all kinds of medias. In Sikkim we have seen that the teachings of Buddha were preached through media. In those teachings of Buddha the emphasis had always been to have love and kindness for animals and the trees. It is also necessary to take some effective steps for conservation of forests and trees. In my State of West Bengal, our State Government, has been doing this task through the system of Panchayat. A Committee for protection of wild life comprising of the people residing near the forest has been formed. Since this Committee includes the village people, the people staying near the forest, it is but natural that proper steps are followed for the preservation and protection of trees and forests. The forest Deptt. is a complicated or should I say a confused Deptt. We have seen if the trees are preserved, they are destroyed also. If trees are planted, they are felled also. In the forest Deptt. permit is issued to fell trees in some particular part of the forest.

In this context we cannot forget the Adivasis. Adivasis have been the original inhabitants of the area. They used to preserve the forests for their own interests.

They needed fire wood and so they used to conserve forests and trees for their own purpose. If they use to fell trees for their fire wood or other purposes, they used to plant them also. Naturally the fertility of the land was preserved by the leaves of the trees. Mushroom being their food, they used to get it in abundance in forest.

The people, the school children should be made aware of the need for conservation of wild life and forest through electronic media. They should be shown films and instructive programmes for this purpose. Then only we can achieve the purpose of passing the Bills for protection of wild life and forest.

Sir, while participating in the discussion I would like to give some suggestions. The West Bengal Govt. has kept some places for Zoos and they have sent some proposals also for National Parks and sanctuaries. I request the Central Govt. through you Sir, to grant fund for these proposals of West Bengal Government so that these can be materialised. Another proposal is to sanction fund for Marine Park at Sagar Island. I would like to mention another proposal and that is Buffer Zone in shore areas should be set up for National Park and Sanctuaries. The Centre Government must sanction funds for this purpose. I have some more suggestions also but since the time is short and the bell is ringing I think the Speaker to give me opportunity to speak and after supporting the Bill I conclude my speech.

15.00 hrs.

SHRIVJOYKUMARYADAV(Nalanda):
Mr. Deputy Speaker, Sir, I support this Bill. I would also like to give two three suggestions only in this regard. The hon. Minister stated that exemption will be given to the traders who are engaged in export of ivory. I feel that this step would prove an obstacle to check the practice which the Government propose to do through law. Therefore, my submission is that the Government should take over the stocks of ivory available with these traders and take the charge of its export.

[Sh. Vijoy Kumar Yadav]

15.02 hrs.

[SHRI P. M. SAYEED *in the Chair*]

Otherwise the trade of ivory would not last long. So far as the provision of punishment is concerned, my submission is that it should be made more stringent and all the crimes dealt under this Act should be considered as cognizable and not only those who directly violate the rules but also those who instigate to do so or provide any financial help should also be penalised. Moreover, the Government officials who allow such deeds to be done merely due to their greed for money should also be penalised under this law.

The cruelty to animals in circus and zoo will not stop upto when they know that there are flaws in the law. Because they would not follow the rules as long as they are convinced that there is no such agency which can monitor their work properly. What is the use of this Bill if they maintain the same impression; this would rather prove an obstruction to fulfil the motive of the Bill. My submission in this regard is that an agency must be set up.

MR. CHAIRMAN: Yadavji, please come forward. Your voice is inaudible here. You may kindly speak a bit loud.

SHRI VIJOY KUMAR YADAV: I am just to conclude now. I would not like to speak much.

My submission is that some agency must be formed in order to prevent the cruel practices just referred to.

The problems of Adivasis are related to forests and that is why I agree to what the member of Congress party has just referred to that the Government should take care of the interests of Adivasis but not to adjust to that extent that the very purpose of this Bill is lost.

The Bill has several other shortcomings. Though it is an improved one in comparison to the Bills presented so far, yet the Government should make efforts to bring more comprehensive Bill in future.

With these words, I support the Bill.

[*English*]

SHRIMATI VASUNDHARA RAJE (Jhalawar): Over the last two months I have had many a run-in with the Hon. Minister for environment. But today I am happy to be rising in the House to support with all my heart this Bill that he has brought before the House.

In such a short while that he should be able to bring into the purview of this Bill the various things that he has, I think, requires a certain amount of congratulations. Banning of hunting of any sort, protection of plants, the grazing and movement of livestock to be protected, immunization of livestock, ban of ivory, etc., are all, I think, points that we can commend.

But at the same time, again not being an expert in the field, I still believe that there is a note of caution that one has to sound and certainly I feel that the Minister may perhaps look at these carefully so that they may also be included, perhaps, in a different way in the Bill than that we find was put forward.

The Hon. Member from Arunachal seemed to voice the same difficulty, when he said that within a ten kilometre radius around the sanctuaries no licence should be issued for the use of weapons, unless the forest wardens agree on it. I want to just say that we should not make the mistake of having over-legislation but let us try and give teeth to that laws that we have already got. Because it is difficult to enforce the law — rather it is impossible. What makes the Hon. Minister think that there would be no poaching in the forests if those people within ten kilometres radius are deprived of their weapons?

Apart from that the Hon. Member, Shri Shahabuddinji has said - a lot of others agreed with him - that the forest employees connive with poachers and mafia gangs to eliminate wild life in the forest. To a large extent, there is truth in this. I will say that the game wardens and rangers have huge areas to patrol without the means. First of all, the salary which the ranger gets is a very meagre one. The area that he patrols is huge. There are a large mafia gangs operating in the area. He has, no weapons. And no amenities are made available to his family. He is away from his family for a long period of time. I believe that he can not be an effective tool to help the Ministry and the machinery. I feel that perhaps the Minister should think seriously about arming these people; raising their salaries; lowering the area of operation and providing them vehicles so that they really may be able to operate effectively.

One thing the Minister has failed to mention is the subject of fishing. Rivers like the Kosi, and the Ram, Ganga are famous for mahseer fishing. And because of large scale bombing, the fish have died out. I do not think there are any hatcheries set up for the propagation of these fish. Sat for mahseer, which is a fantastic game fishing. Also in a place like Corbett Park, perhaps fishing should once again be allowed in blocks. There is a complete ban on it at the moment. This ban was imposed to save the mahseer but is having adequate effect on the mahseer population. As a result, the mali, which is a cat fish, which is carnivorous, eats the mahseer and the mahseer population diminishes. Perhaps the Minister could keep an eye on this and may be he can bring in fishing into the purview of this Bill.

About fires, one read a lot. Vast tracts of forest have given way because of fires. How many of these are really fires and how many of these are fires which have been lit by the people of the area, remains to be seen. And I do not think that we really have very good figures on this. Perhaps, if the Government pays special attention to this, may be we would be able to save some

areas of forest, which go every year, through this scourge.

I want to say that today the subject of environment being discussed in drawing rooms. And somehow it has become an issue, which has acquired a snob value. I really believe that we must now bring environment to earth. While we are enforcing the laws that we have already created, let us also create public awareness, by which the people of the District, the people of the area, are not only educated but also join hand with the Government to make this their movement. Take for example, the Bishnois of Jodhpur, who protect the black buck with their lives. As a result, the black buck population has gone up in that area.

The few points which I have brought to the notice of the Minister here, should be given the attention it requires and perhaps they can also be incorporated in the Bill.

Sir, I had travelled in the forests around Nainital, Haldwani. They are very beautiful forest. I want to bring to your notice some points which highlight the way the forest officials have been suffering in that area.

Six months ago, there was an incident, in which a mafia gang which used to cut wood was found operating in that particular forest by the forest people. The forest people apprehended them. They issued a warning, which was ignored and they fired, and one of the mafia people dropped dead. There seems to be some of kind of a problem between the police and the Forest Department also because even though he went immediately to lodge his FIR and told them this problem, he was apprehended and put in jail. And he remained there for quite awhile. I remember, at that time, bail was granted to him after a long period of time. The forest people were wooed about how and what route they have to take to bring the official back because the mafia gang had issued a death threat to him and his family. Now in this sort of situation it is almost impossible for people to function. I really believe that something has to be done and done soon if we are serious. There is no

[Shrimati Vasundhara Raje]

point in discussing this again and again in Parliament as we do it all the time. This Bill looks very very officious, very comprehensive and very attractive. But I really think that you must time bar it by yourself and perhaps the next six months or eight months or whatever - try to push these things through.

While I support this Bill fully and wholeheartedly. I still want to register my protest against the anti-development attitude of the Environment Ministry. Whether it is to do with the forests and the people of that area or with the development projects of our state or whatever it may be, I, coming from Rajasthan, have been suffering at the hands of the Environment Ministry for the last six years. While I have complete sympathy and support for this Bill, I expect that you also have the same kind of sympathy and support for the development projects of various States and the people of this country.

SHRI SRIBALLAV PANIGRAHI (Deogarh): I rise to support this Bill. I wonder why there was such a delay in bringing forward this Bill. Even the previous Governments could have acted upon the report submitted as far back as 1987. The Expert Committee went into this question and submitted its report in 1987. The previous Government could have acted on that and brought forward this legislation.

Any way, I congratulate the Hon. Minister and the Government for taking this matter so seriously and for having come forward before the House with such a precise and comprehensive legislation containing many revolutionary and welcome features in this Bill.

It is common knowledge that without survival of wild life, without protection to wild life and wild plants - some plants as specified - the survival of the humanity is at stake. Therefore, it is very important that we protect wild life properly.

I would quote from the report of the

Washington Research Institute. This Institute has observed that the rate of deforestation in India is about 15,000 sq. kms. annually. According to WHO report, the illicit rate of poaching is rampant in our country. Even the Minister has not made a secret of it. He has himself admitted that in spite of this 1972 Act, poaching is going on in some areas unabated. About that also the Indian Institute of Public Administration has reported that the main objective of the Act after its enactment in 1972 has not been fulfilled. Therefore, in this background we welcome this Bill. Even there is unanimity in this House to welcome this Bill. But now the question remains about its implementation, how properly it could be implemented both in letter and spirit.

Coming to the Bill I would say that depletion of forest also leads to depletion of wild life. When there is a large coverage under forest, so many tigers and so many varieties of wild life come to stay. As you know peculiarly there is something that one tiger can remain within an area of 20 kms or so. Two tigers cannot stay together in one such area. But, now the entire forest area is getting drastically reduced. The real forest coverage is very much reduced. It was 42 per cent by the time we achieved independence, as per our record, But, now it is reduced to even 15 per cent or 13 per cent. There is difference of opinion. It has reduced the scope for wild animals to grow. Ideally, the forest coverage should be one third of the total land. I am really happy that two new chapters are added. One Chapter is 3A, that is Protection of Plants. There is another provision relating to Central Zoo Authority. Naturally, we have to see that forest is not depleted.

I am happy that the tribal people who are collecting fruits etc. for their own personal bonafide use from the trees etc, they are not prevented. This is a very positive development. That is a welcome feature. Earlier, they felt isolated. The tribal people were feeling neglected. The way the forest officials were behaving, they were feeling neglected, they were feeling isolated as if

they were the enemies of the forest. That was the impression created by unsympathetic action of the forest officials. They are part and parcel of our forest. So, we have to enlist their cooperation, and this is a positive step.

Now, would like to say something about poaching etc. that goes on in some places in connivance with the forest officials and the forest officials are sometimes helpless to check them. The poachers came by speedy vehicles and armed with sophisticated weapons. Therefore stern action should be taken against those who are colluding with the poachers. Apart from that, the forest officials should be provided with necessary modern weapons and instruments. They should be provided with all sorts of weaponry and all those things to protect wild life, to protect themselves against the likely on slaught by the poachers. They are very criminal minded. Now, this commercial poaching to going higher and higher because the skins of wild animal have a good market in foreign countries and the business is lucrative. Therefore, it has to be taken notice of.

Lastly, another good feature is there and that is, in respect of grazing of live stock. The people in the vicinity of forests have a grievance against the Government, against forest officials that their live stock is not allowed to graze. Therefore, it has to be allowed. But, we have to see that all the provisions are properly implemented.

Lastly I have a suggestion to make Government that India is very rich in flora and fauna. Indian regions have been one of the most important centres of diversity in the whole range of plant wealth which is of great economic significance. This can only be done not by protection of the wild life alone but by protection habitat in the country, by protection of the bio-diversity and conservation thereof. Apart from these great animals, there is a vast area of forest genetic resources and marine genetic resources in our country. You know, Sir, how we are facing the problem of population exposure in our country. If properly exploited, if properly

looked after, even this marine wealth, marine food, sea food, etc. will go a long way to meet our requirement, the ever-increasing food requirement of our population. Therefore, we ought to ensure that the enormous wealth which is contained in the reserves is, infact, protected.

I would request the Hon. Minister through you, Sir, to look into this question and to set up a National Board for Conservation of Bio-Diversity.

With this, once again I whole heartedly support this Bill and request the Minister to lay emphasis on its proper implementation. The States' machinery does not lie in his hands. Therefore, he has to bring in the same spirit in the State Governments and also in the concerned machinery. The relevant machinery has got to be infested with this so that it can be implemented in its true spirit, in both letter and spirit. Thank you, Sir,

SHRI BOLIN KULI (Lakhimpur): Mr. Chairman, Sir, I rise to support this Bill and on this occasion I want to make a few points regarding Assam.

Kajiranga in Assam is the only place in the whole of the world where the world famous one-horned rhino is available. Unfortunately, this rare species is on the verge of extinction because poachers are killing the rhinos surreptitiously for their personal gain. By selling the horns, the poachers collect a huge amount. There is a big racket behind this operation. Unless this operation is stopped immediately, this rare species will disappear on earth. In this connection, may I request the Minister of Forest and Environment to help the Government of Assam in preparing and implementing a scheme for preserving the endangered species because the State Government alone is not in a position to do so due to paucity of funds?

Secondly, Sir, this famous national park Kajiranga is facing the danger of extinction due to erosion and floods. Floods followed by erosion are threatening the very existence of this famous park. There should be a

[Sh. Bolin Kuli]

flood and erosion protection scheme for the park to protect the very extinction of the park.

Thirdly, Sir, the number of elephants have increased manifold in Assam. Many times elephants use to come out from the forest and damage the crops and kill the people living nearby jungles. Therefore, the people living nearby jungles are suffering from the menace of animals, mainly of elephants who cause damage to life and property.

So, I request that the Government should take appropriate measures for the protection of the life and property of the people, mainly of the people belonging to tribal communities and living nearby the forests. Also, the Government should give immediate and proper compensation to the people for the damage caused by the wild elephants to their life and property.

Sir, fourthly, the law enforcement authorities should be pulled up for their negligence which causes the lives of wild animals including elephants which are killed by the poachers. Strict action must be taken against such erring officials.

With these few words, I conclude and thank you for giving me the opportunity.

[*Translation*]

SHRI AYUB KHAN (Jhunjhunu): Madam Chairman, I am grateful to you for giving me an opportunity to speak. I also congratulate the Hon. Minister who has introduced a Bill which is important in every perspective, rather to be worshiped. Our religious book say that just as a man worships God similarly plants, trees also worship God. Some trees are even worshiped; therefore it is inappropriate on the part of man to fell trees. The Hon. Minister has taken the responsibility to provide complete protection to them and I hope that he will get the reward for it. I would call it a sacred deed. Most of the people grow 'Tulsi' in front of their

house. People in Rajasthan are very fond of growing Peepal, Tulsi etc. Drinking water is scarce in that region but these plants are watered at every cost because they are associated with the religious sentiments of people. I would urge the Government to provide proper protection to these plants. Our forefathers in Rajasthan made a considerable contribution to grow forests. But those forests are in very bad shape these days; people have been indiscriminately cutting trees there. A vast area in Jhunjhunu and Fatehpur is covered by a dense forest. But due to lack of proper attention almost half of it has already vanished. Jhalawad is a naturally beautiful district in Rajasthan. There are ravines in that region where stone mines are located stone chips, emitted at the time of digging the mines are spread in the forests which causes heavy damage to the forests and cases of chest pain and Tuberculosis are increasing there. I referred to Jhalawar and Fatehpur forest just because I would like to give a few suggestions in this regard. In the first place, the forest guard should be provided communication equipments either a wireless or a telephone. If double connection can not be provided single wire telephone will serve the purpose to convey the message from one place to another. Some people hunt deer whereas some keep them as pets. These hunters dig pits to throw them into it and thus hunt them. The Government should pay attention to these matters also. I would like to draw the attention of the Government to the submission made by one of the BJP members. Neelgai is worshipped in our country. People are against its hunting. We worship "Neelgai" in the same manner as we worship cow. Hunting of Neelgai should be banned to protect this species. The members of BJP may speak in favour of its but my opinion is that its hunting should be disallowed.

SHRI RAJVEER SINGH (Aonla): You are levelling charges on BJP again and again. Our friend suggested that this species was causing a heavy damage to the crops and thus the Government make some arrangements to keep them either in forests or at any other distant place so that they are

away from the fields and may not damage the crops.

SHRI AYUB KHAN: I know you very well, you need not give clarification. you are not present at that time but I was. They are found in my constituency. I would also like the Government to keep them in sanctuaries so that they are fully protected and may not damage the crops. Some people keep parrots as pets, this should also be banned. It should not be considered as an item of grace for the house though it may kept out of affection for it. Parrot also likes freedom as much we like. God takes care of birds as well as animals the same way. He looks after human beings; birds and animals need freedom as much as the human being need. Therefore, the Bill introduced in the House is very important and all should support it.

The Government should also pay attention to the Jhunjhunu and Jhalawar forests.

[English]

SHRI VIJAY NAVAL PATIL (Erandol): Mr. Chairman, Sir, during this century because of the exploitation of natural resources, denudation of soil and deforestation, we are on the verge of a catastrophe whether it is in the form of increase in the carbon-dioxide percentage in the atmosphere or increase in the temperature because of which there may be increase in the sea level and cities which are near the sea coast will be in imminent danger of submersion.

Sir, as far as this Wild Life (Protection) Amendment Bill is concerned, I thank the Minister for bringing in its fold animals, birds and plants, all together. The idea of building more national parks is also good, but at the same time, we must consider what we are doing to the wild life near the sea shore specially where the rivers meet, where there is sedimentation. Because of emission of a lot of pollutants from the chemical factories, the life under the sea is also in danger. We learn that in Black Sea, almost four species of stark fish are already extinguished and fishes living in plantcon are also vanishing

and only gelly fishes are alive. If the balance under the sea is also disturbed, then there will not be enough oxygen and there will be danger to the life on the globe.

Sir, the provision of punishment incorporated in the Bill is welcome. There is a fine of Rs. 25,000/-, but the imprisonment is only for three years. This should be increased. The Wildlife (Protection) Act was passed in 1972, but we are not able to give proper attention to that, because there is no social awareness. We give advertisements regarding population control. Everyday we show that so many people are added to our population on Doordarshan. So, if it is a made a point to show the species which are on the verge on extinction, then the people will be aware of these facts. The children and the future generation will know as to how to protect the wildlife. It is not sufficient to have this law, because whenever there is Parliament Session, excepting the Budget Session, we find that there are so many enactments and amendments to Acts. But the implementation is not done properly. The responsibility for implementing these laws vests with the Forest Officers any they are not so much responsible. That is why, we find that they are hand-in-glove with the poachers, on many occasions and important animals and birds are being killed.

We learn that in Africa, for collection of ivory many elephants are begin killed. Therefore, they have passed drastic Acts there. In Mysore jungles so many elephants are being killed and in Assam jungles so many rhinoceros are also being killed. If we do not take timely and stringent measures to prevent these things, a day may come when our future generations have to see some of the animals and birds only in pictures and museums that such and such animals and birds lived in the 19th Century or so. This Bill is an important Bill and it is very comprehensive also. I compliment the Hon. Minister for bringing this Bill.

[Translation]

SHRIMATI GIRIJA DEVI (Maharajan): Mr. Chairman, Sir, I fully support

[Shrimati Girija Devi]

this Bill. I am anguished to think that in this country where several animals and trees from Tulsī to peepal are worshiped, the need for such a Bill has arisen. It appears that the situation has become quite grave and there is great need for saving the wild animals as well as wild plants. To save the wild animals, the biggest need is to save the forests. The gradual decrease in the area of forests is the main reason behind the killing of animals. I read it in the newspaper today that every year deforestation is taking place in the forest land equivalent to the total area of Haryana. In such a situation, if we only enact laws for the protection of animals, it will be confined to paper alone. Firstly, we should think how the forest area can be increased. Secondly, we talk about saving the animals but humans in large number also live in the forest. The operation of various laws and decrease in forest area compel them to lose their livelihood. A hungry person may commit any crime. In order to earn their livelihood, either they cut the trees or kill the wild animals and in this way both the forests and wild animals are getting wiped out. Superstitions is another reason for their extinction. It is said that a medicine is prepared from the horn of Rhinoceros. But the horn of Rhinoceros is not actually a horn. It is also heard that medicines are prepared from the fat of several wild-animals. Once a doctor told me that he could treat my sinus with the medicine prepared from the fat of lion. I told him that I would live with my sinus. I don't want to get my sinus treated with the fat of a lion. We have such superstitions that medicines can be prepared from the hair or fat of a particular wild animal. We should educate the people about all these odds. Wild animals are killed due to such superstitions. Fashion is also a reason behind killing of animals. Purses and shoes are made from snake skin. A feeling should be created among the people that such persons who use them should be looked upon with hate in society. This may save the lives of innocent animals. People take pride in hanging the hides of lions on their walls. If the Government recovers all such hides them and declare them a na-

tional wealth, may be they will not try to do it again. There are many other things too. The practice of sacrificing animals is still followed at several places. I am a vegetarian and believe in non-violence. Whether such laws are made or not, such public awareness be created that animals can only be protected when people are themselves prepared to stop huntings. I conclude while thanking you for giving me the time.

15.48 hrs.

[English]

DR. ASIM BALA (Nabadwip): Sir, the main Bill was enacted in 1972. This is the third amendment which has been brought forward by the Minister to include plant protection. I thank the Hon. Minister for bringing forward this Bill.

I feel, at least, we need to maintain biodiversity and ecological process and balances and life support system which are so vital for land productivity and food security and human survival. Setting up a network of effectively managed national park and sanctuaries should be given the highest priority for wild life conservation, especially to protect offshore marine flora and fauna.

I would like to say that in West Bengal, in Sunderbans, Darjeeling, Purulea and North Bengal, there are a lot of forests and some wild animals are there specially in Sunderbans. Royal Bengal tigers that are very famous are found in Sunderbans. Sometimes, the forest is not well protected because manning is not done due to shortage of funds. The forests are naturally growing in nature. But the Ministry of Environment and Forests is not taking care to develop the Sundarban area. Moreover, nowadays, especially the animal skins are exported illegally. Some illegal trade practices are very much rampant in our country. I have some report which says that in 1988 roughly 44849 skins of wild animals were seized. By the dimension of this figure, you can easily guess how much of illegal activity is going on; how many illegal traders are active in

killing these wild animals. I would like to point out here that especially the ivory-grade elephants are killed by the illegal smugglers or illegal traders. By killing these elephants, they are sending the ivory abroad in an illegal way. One thing I would like to say. The elephants sometimes come out from the jungles. They stray into the fields, damage the crops and agricultural products of the villagers. So, this Ministry should make necessary arrangements so that the poor villagers can be saved; their crops may not be damaged.

There is another aspect. Natural birds like the Siberian Cranes etc. are generally coming to our country from the Siberian region. Nowadays, their number is getting reduced very much. Nowadays such birds do not come to our country in large numbers. We do not get so many birds. Their number is being reduced. Such birds visit our country in a season. They are reducing gradually due to ecological disturbances. One of the facts is that due to heavy use of insecticides and pesticides, the ecological condition is disturbed. If we take proper care of that, of course, we can prevent that.

Under the Social Forestry Scheme, Government that is distributing plants, sapplings etc. The important points is that such plants and sapplings are kept on the roadside places and naturally they are not adequately protected. Due to this, those plants and sapplings are being damaged and destroyed which results in loss of even funds. So, I request the Government to protect these plants and the wild-life. Further, Government should make some arrangements to educate the people about environment. So, Government should regularly chalk-out some programmes, formulate some schemes so that the people can be educated. People should realise the necessity of plants. They should take interest to protect these things for their own welfare. If they are educated, they will have some idea to protect the trees and wild-life.

with these words, I thank you very much for giving me this opportunity to speak

on this subject.

SHRI GOPI NATH GAJAPTHI (Berhampur): Mr. Chairman, Sir, I do not wish to make a long speech on this very absorbing subject owing to paucity of time. However, as a keen visitor of game sanctuaries and as a lover of wild-life observation, I would like to highlight certain salient features from my own practical experience.

First of all, preservation of natural habitats, for the propagation of wild-life is a must. In this regard, I would like to draw the attention of our Hon. Minister for Environment and Forests, now present in the August House, the special case of Mudumalai Sanctuary in the State of Tamil Nadu. Near Mavanhalla village, several acres of forest land has been fenced by using four row barbed wires, involving lakhs of rupees of expenditure. Unfortunately, the purpose for which all this expenditure has been incurred is not fulfilled because all live-stock of neighbouring villages are allowed to enter inside and graze in the barricaded forest region. As a result, all the depleted vegetation which is expected to be regenerated, is not really taking place.

Secondly, in the Similipal Forest in my State of Orissa, the Jauna and Hora are not preserved to the befitting extent and there is lot of scope for improvement at present. I would strongly recommend that a National Policy be evolved for the villagers as well as for Adivasis, by providing them with suitable occupation, so that they are assured of a steady source of income. Otherwise, what is actually happening is that the forests are fast getting denuded with trees being indiscriminately felled of the sake of fire wood. In my native place of Parlakheundi in Orissa State, which used to boast of dense forests, the entire region has become absolutely devoid of the forests. Further the need to exercise every care for preventing destructive forest fires cannot be over emphasized.

Thirdly, de-silting and de-weeding of certain lakes should be taken up on a priority basis. In this regard, even in the Ninth Lok

[Sh. Gopinath Gajapati]

Sabha, I had pointed out before the august House regarding the need for improving the lakes like Anusupa and particularly the Chilka in Orissa State. It is, to these lakes, that migratory birds come all the way from Siberia. They not only spend the winter months in these lakes but they also resort to breeding. So, there is all the more reason that while these things of beauty should be preserved as tourist attraction, the preservation of these lakes will help in propagating the migratory birds like the Siberian Duck.

Fourthly, there are certain endangered species of wildlife like, as my hon. colleagues from Assam has pointed out, the Indian Rhinoceros as also the Musk Deer and the Black buck. We also have certain species of birds like the Great Indian Bustard and like the Siberian crane, migratory birds which are gradually getting extinct. So the concerned authorities including the local game wardens must be given strict instructions to ensure that poaching of these endangered species is strictly prohibited.

16.00 hrs.

In this context, I wish to emphasize that it is not just a question of the Central Government's concern. This awareness must be enforced by the State authorities as well the respective game wardens, adequate instructions should be issued with instructions so that Acts and Rules are strictly followed, to ensure that our flora and fauna are well preserved. This is so necessary for maintaining and preserving the ecological balance in our globe.

Fifthly, the wide range of flora of Mahendragiri hills in my district of Ganjam are so unique of their kind that this particular terrain should be taken special care of, by developing it into a Study-cum-Tourist center. Indeed, it possesses all the necessary potential for conversion into a biosphere reserve like the wild boar, which cause considerable damage to valuable crops along with wild dogs, both of which are considered to be

vermin, should be allowed to remain outside the purview of the Wild Life Protection Act.

I commend the wild Life (Protection) Amendment Bill introduced by our volatile Minister of State of the Ministry of Environment and Forests and lend my full support to this Bill of great significance in safeguarding nature's unlimited bounties.

[*Translation*]

SHRI MOHANLAL JHIKRAM (Mandia): Mr. Chairman, Sir, I rise to support this Bill. All the Members have presented their views on the subject of conservation of forests and I don't want to repeat. But I will present some facts before you. Several laws were made to provide protection to the animals and the situation has improved since then. The number of animals have increased and their killing has reduced. But it is not enough to provide only protection to them. Sometimes, the animals are infected with such diseases, as are contagious and a number of animals die of such diseases. Therefore, the officials responsible for protection of animals should have knowledge about animal diseases so that they can know that an animal has become infected with such and such disease and can treat him. Secondly, as the hospitals are at far-off places at a distance of one hundred to two hundred kilometres, medicines cannot be arranged for the sick animal in time. For example, if a lion gets sick, how can he be saved unless there is a hospital nearby because he has to be made unconscious first. Such facilities should be made available readily.

Animals need some special type of food ingredients as salt. They need a special type of salt. Specially, deer lick the earth, as it contains a special type of salt ingredient. Arrangements for providing such type of salt should be made where such animals live.

Water is also very essential for the animals, particularly for bison. Adequate water arrangements should be made at the places where these animals live. Actually very little water is available at such places. Many

animals die due to scarcity of water. Therefore, adequate water arrangements should be made at such places.

Wild dogs also kill a number of wild animals. Arrangements should be made to ensure that animals are not killed.

I am grateful to you for giving me the time.

[*English*]

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): At the *tag-end* of this session, I am sure that everybody in the House would agree with me that we have seen a rare unanimity in the debate that we had on the Wild Life (Protection) Amendment Bill. I thank all the Members for the suggestions and advices which they have given. We shall try and see what is possible to deal with them at the administrative level. India is proud of its bio diversity. Bio diversity is very essential for our well being and life support system itself. India has a gene bank of many species and our bio diversity is recognized internationally. This Bill and other measures which we have been taking will go a long way in preserving this very rich bio diversity that we have, spread right across the country.

One of the most important things in the preservation of our ecology, which includes preservation of our wild-life and conservation of our forest, is awareness. A lot of points have been made by our Members about involvement of tribals. We all do know that tribals and forests go together. There are no forests where there are no tribals and there are no tribals where there are no forests. Keeping this in mind, various steps have been taken. This amendment which we are introducing to the Act also encompasses many facets which will, in fact, help the tribals in future.

I do agree that it is not the tribals or the people living around these parks or forests who have destroyed the forests. It is in fact

the tremendous thrust on urbanisation which has created problems for our wild-life and is leading to destruction of forests.

To get into some of the specific and important points made by the Hon. Members, I would like to say very briefly a few things. A point has been made about the involvement of officials in poaching and in shooting of wild animals. Because of that we are trying to involve and we have introduced the concept of Honorary Wild Life Warden and these will be non-officials. With their involvement we feel that there shall be greater participation from the people.

Another point was made that there should be some rewards. There is a provision also in this Bill for rewards. One of the other points is that cultivation in these areas will now be stopped. I do not agree with that. Legal cultivation in these sanctuaries will not be stopped and if there is any acquisition, adequate compensation will be paid. So, I don't think Members should have any apprehension in this regard.

Shri Shahabuddin has made a point about punishment to officials. Section 52 of the Bill says that "any person who abets or commits any act in contravention of it..." This "any persons" also includes an official.

This Bill brings in that anyone from the public can lodge a complaint, in a competent court. Previously it was only a State Department official who could file a complaint. Following a certain procedure which is of giving notice to the State Government, anyone from the public also can lodge a complaint, can file an FIR and go to the court. This would be a deterrent to those officials who are neglecting or acting in collusion or derelicting their duties.

Shrimati Vasundhara Raje made a point about more field staff and about awareness. As I said, awareness is one of the most important instruments we have in preserving our wild life and in conserving our forests. We are shortly launching one of the very large awareness programmes and this will

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trickle down to the school levels. We are trying to introduce education in primary and middle schools; in fact in all levels of education on the environment which shall cover wild life preservation also.

About the question of giving more money, we are providing hundred percent of non recurring and fifty percent of recurring funds in tiger project and we are providing some funds to the State Government.

About the question of fishing, raised by Shrimati Vasundhara Rajee, in Gim Corbett I think it shall mitigate the very purpose of fishing in parks and sanctuaries. But I certainly think of starting breeding of fish near Jim Corbett park.

SHRIMATI VASUNDHARA RAJE: What I was mentioning was that the malli fish eats the mahseer fish. If you allow fishing, perhaps it will cull mallis so that the mahseers can survive. At the moment, the way things are going soon there will be no mahseers left. A year or two ago fishing was allowed in blocks from time to time. If you can rotate it that way perhaps it would work and keep the mahseers alive.

SHRI KAMAL NATH: We will look into the question of mallis because mallis just eating the mahseers will become a chronic problem. We shall certainly look into it as we would like to preserve mahseers.

My friend, Shri Khan mentioned about more funds to be provided for zoo in West Bengal. I would like to only inform him that we are giving almost Rs. 15 lakhs to Darjeeling Zoo per year and we shall look into the aspect of providing more funds for Zoo authorities, with greater streamlining, the proper management, etc.

SHRI INDER JIT (Darjeeling): We need a lot more.

SHRI KAMAL NATH: One of the points raised is about implementation. It is a fact

that sometimes implementation does become a lacuna. I can assure the House every effort would be made to ensure that there no failure in implementing this. We have to involve the people and the people shall be involved in implementing the provisions that we are bringing in.

A point was mentioned about 1927 Forest Act which needs to be revamped. We will certainly look into this.

One of the points raised by Shri Ayub Khan is about stone mining. We have been repeatedly writing to the State Government to put some kind of curb or control over this. We have also taken it up with the Rajasthan State Government. We shall take it up with greater emphasis again.

He has also mentioned about Jhunjhunu and Fatepur *beehrs*. I entirely agree with him that we should declare it a sanctuary or at least a closed area. We shall take it up with the State Government - and I took forward to his support - that these two *beehrs* are made into sanctuaries or closed areas. Shri Bala has mentioned that Sunderbans is being neglected. This is not true. Sunderbans was one of the first tiger reserves to be created and allotted funds from the Government of India. It has additionally been declared as a bio-sphere reserve and have received funds also under this scheme.

There was a mention by one of the Members about destruction of forest in Orissa. I do hope that the Hon. Members also shall bring it to the notice of the Chief Minister because I have been repeatedly telling him about our concern. He has mentioned about sitting of lakes, specially Chilka lake. We have been helping these wet-lands like Chilka and would continue to help them and I shall look into as to what I can do.

All these, as you would appreciate, require, not only help, but cooperation and participation by the State Government. I have taken up with the State Chief Ministers this question and am looking forward to their Ministers this question and am looking for-

ward to their support and their more active cooperation.

SHRIMATI VASUNDHARA RAJE: Before the Minister finishes, I would like to tell him that two of my questions have not been replied to. One was about forest fires which are destroying much of the forests. The second was about arming of forest guards which I think is very important. Unless you arm them, it is not possible for these people to go into the forest area without adequate security. Thirdly, a very important question which I wanted to check up with the Minister is that he just mentioned in the Rajya Sabha the other day that 1,52,000 hectares of forest land was converted and regularised over a period of ten years. But in the last one year 1,38,000 hectares of forest land was converted. I just wanted to know as to why this discrepancy exists - that is conversion of 1,52,000 hectares of forest land took ten years and the conversion of 1,38,000 hectares of forest land took one year. What was the use that land was put to and what is the Minister going to do about it? If this kind of deforestation takes place, we would not have any forest cover left much longer.

MR. CHAIRMAN: I do not know whether the Minister will have these details.

SHRI KAMAL NATH: Habitat is most important. Habitat of wild life is the forest. It is most important to protect the habitat, if we are to protect the wild life. There is no doubt about that. Sir, I had mentioned it in the Rajya Sabha. I do not have exact figures with me now; but since the Hon. Member had followed the proceedings in Rajya Sabha very carefully, I can only say that it is a fact that about 1,50,000 hectares of forest land was diverted from the inception of the Forest Act in 1989 and during the Calendar year 1990, about 1,38,000 hectares of forest land was diverted. It is a factual statement; this was the clearance given under the Forest Act. (*Interruptions*) I did say that in the Rajya Sabha. (*Interruptions*)

MR. CHAIRMAN: For further clarifications, the hon. Members may write to the

Minister and get the details.

SHRIMATI VASUNDHARA RAJE: He has made a comprehensive statement in the Rajya Sabha. I am just asking a few clarifications.

SHRI KAMAL NATH: In 1990, diversion of 1,38,000 hectares of forest land - which is almost equal to what had happened in the preceding eight, nine years - took place largely because of regularisation of encroachments and because of the fact that some mining leases were granted. (*Interruptions*)

SHRIMATI VASUNDHARA RAJE: It is very shameful.

SHRI KAMAL NATH: This is the statement I made in the Rajya Sabha. Now, she is saying shameful. I would like to make sure of what she is saying. (*Interruptions*)

I would like to respond to another point made by the hon. Member which is with regard to the arms. We are providing funds, especially under Project Tiger, for arms and wireless sets. State Governments have asked for more staff and we are permitting them to have more staff and adequate funding shall be provided to them.

Another point which she made was regarding non-sanctioning of projects in her Constituency. I shall look at it after the passage of this Bill with their support. I shall look at it with even greater sympathy.

[*Translation*]

SHRI MOHAN LAL JHIKRAM (Mandia): Mr. Chairman, Sir, I would like to know from the hon. Minister as to what steps are taken to protect the animals who get sick as the deer become sick with a contagious disease?

[*English*]

SHRI KAMAL NATH: Sir, I presume that he is referring to the problems in Kanha. I am aware of this and we are providing inocula-

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tion; we are providing medicinal help; provision has been made in the Bill for prevention of communicable diseases by way of immunisation of live-stock in those areas; we are funding for setting up of veterinary units in national parks, etc. We shall look at this problem in Kanha.

Sir, once again I would like to thank the hon. Members for the kind of support they have extended to this amendment Bill. There has been a rare unanimity and I am thankful and grateful to every one.

SHRI SARAT CHANDRA PATTANAYAK(Bolangir): Sir, maximum number of tribal people are living in the Western parts of Orissa like Koraput, Kalahandi, Phulwani, Bolangir, etc., I am from that area. The State Government has built a deer park at Harishankar of Bolangir. I would request the Central Government and the hon. Minister to provide more money for that. To check poaching if the Central Government takes a big area there and have a national park, that will be better for the people of western Orissa. That is my request.

SHRI KAMAL NATH: The problem in these areas around national parks and sanctuaries has been felt. We have embarked on a very elaborate-eco-development scheme for these areas. I shall have a look at the specific problem the Member is mentioning.

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

The motion was adopted.

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

"That clauses 2 to 52 stand part of the Bill."

The motion was adopted.

Clause 2 to 52 were added to the Bill.

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the long title stand part of the Bill."

The motion was adopted.

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

SHRI KAMAL NATH: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted

16.23 hrs.

CANCELLATION OF GENERAL ELECTIONS IN PUNJAB BILL
PUNJAB BUDGET 1991-92 —GENERAL DISCUSSION
AND
DEMANDS FOR GRANTS ON ACCOUNT (PUNJAB) 1991-92

[English]

MR. CHAIRMAN: The House will now take up combined discussion on Cancellation of General Elections in Punjab Bill, 1991 General Discussion on the Punjab Budget, and the discussion and voting on Demands for Grants on Account (Punjab) for 1991-92 for which 3 1/2 hours have been allotted. The Minister may move motion for consideration of the Bill.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): Sir, I beg to move:

"That the Bill to cancel certain notifications calling for general elections in relation to the State of Punjab, be taken into consideration."