

SHRI M. RAMA JOIS: I want to know from the hon. Minister, since ancient times as far as rights of property to women is concerned, probably, ours is the only jurisprudence wherein the concept of sthreedhana has been recognised, i.e. exclusive property of women. Apart from that, as for a self acquired property, i.e. gains of learning where the husband acquires property out of gains of learning or wife may acquire out of gains of learning, they become their separate property. But there is no provision regarding jointly acquired properties. The question relate to joint matrimonial properties. So, there should be a classification of exclusive property of husband or wife individually acquired by their own gains of learning or profession, and, jointly acquired by husband and wife. These three types of properties are required to be classified. I want to know from the Minister whether there is any proposal to make this classification. As far as the rights of women are concerned, I can say that our ancient jurisprudence was the best. In some of the countries why is it treated as the property of the husband, which is never done in our country?

SHRI M. VEERAPPA MOILY: Mr. Chairman, Sir, I think, the time has come when we have got to do away with this kind of exclusion and we need to have a holistic approach on the whole thing. Husband can always claim that this is my property, this is acquired by me, this is exclusive to me. They think that the wife does not inherit that or the wife does not contribute to that. I think, the days have come when we have to modernise our thinking, our mindset. There cannot be exclusiveness when they are in a family, when she belongs to that family. I think, this is a matter of detail. While we make a reference of all these questions to the Law Commission of India we will arrive at a holistic concept and policy. We will definitely make a reference and get the reply.

काले हिरणों का संरक्षण

*125. श्री सत्यव्रत चतुर्वेदी: ††

श्री मोती लाल वोरा :

क्या पर्यावरण और वन मंत्री यह बताने की कृपा करेंगे कि:

(क) काले हिरणों के लिए देश में कुल कितने अभयारण्य हैं;

(ख) क्या राजस्थान में चुरू जिला स्थित ताल छापर अभयारण्य में 28 मई, 2009 को हुई भारी वर्षा के कारण दलदल में फँसकर 100 से भी अधिक काले हिरणों की मौत हो गई थी; और

(ग) यदि हाँ, तो क्या इस अभयारण्य में काले हिरणों की सुरक्षा के लिए कोई भावी-योजना बनाई जा रही है?

पर्यावरण और वन मंत्रालय के राज्य मंत्री (श्री जयराम रमेश): (क) से (ग) एक विवरण सदन के पटल पर रखा गया है।

विवरण

(क) देश में, विशेष रूप से काले हिरणों के संरक्षण के लिए एक राष्ट्रीय उद्यान और तीन अभयारण्य अधिसूचित किए गए हैं। इन संरक्षित क्षेत्रों के अलावा, काले हिरण अन्य राष्ट्रीय उद्यानों और अभयारण्यों में तथा संरक्षित क्षेत्रों के बाहर भी पाए जाते हैं।

(ख) राजस्थान राज्य सरकार से प्राप्त सूचना के अनुसार चुरू जिले के ताल छापर अभयारण्य में 28 मई से 31 मई, 2009 के बीच 75 काले हिरण भारी ओलावृष्टि के साथ तूफानी वर्षा से लगे आघात के कारण मर गए थे।

†† सभा में यह प्रश्न श्री सत्यव्रत चतुर्वेदी द्वारा पूछा गया।

(ग) केन्द्रीय सरकार, राज्य सरकारों द्वारा प्रस्तुत की गई वार्षिक कार्य योजना (एपीओ) के अनुसार काले हिरण अभयारण्यों और राष्ट्रीय उद्यान सहित संरक्षित क्षेत्रों के लिए, 'वन्यजीव पर्यावासों का एकीकृत विकास', 'बाघ परियोजना' और 'हाथी परियोजना' की चल रही केन्द्रीय प्रायोजित स्कीमों के अंतर्गत निधियों की उपलब्धता और आवश्यक प्रक्रियात्मक आवश्यकताओं के पूरा करने की शर्त पर वित्तीय सहायता प्रदान करती है। तदनुसार, काले हिरणों के लिए कोई अन्य स्कीम विचाराधीन नहीं है।

Protection of Blackbucks

†*125. SHRI SATYAVRAT CHATURVEDI:††
SHRI MOTILAL VORA:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the total number of sanctuaries for Blackbucks in the country;
- (b) whether due to heavy rains on 28 May, 2009 in Tal Chhaper Sanctuary in Churu district of Rajasthan, more than 100 Blackbucks were entrapped in swamp and died; and
- (c) if so, whether any prospective scheme is being formulated for the protection of Blackbucks in the sanctuary?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) One National Park and three Sanctuaries have been notified specifically for the conservation of Blackbucks in the country. Besides these Protected Areas, Blackbucks are found in other National Parks and Sanctuaries and also outside the Protected Areas.

(b) As per the information received from the State Government of Rajasthan, 75 Blackbucks died due to shock caused by stormy rains with heavy hailstorms between 28 May and 31 May, 2009 in Tal Chhaper Sanctuary in Churu district.

(c) The Central Government provides financial assistance to Protected Areas including Blackbuck Sanctuaries and National Park as per the Annual Plan of Operations (APOs) submitted by the State Governments subject to availability of funds and fulfillment of necessary procedural requirements under the ongoing Centrally Sponsored Schemes of 'Integrated Development of Wildlife Habitats', 'Project Tiger' and 'Project Elephant'. Accordingly, no other scheme for Blackbucks is contemplated.

श्री सत्यव्रत चतुर्वेदी: माननीय सभापति महोदय, पिछले दिनों राजस्थान के ताल छापर अभयारण्य में काले हिरणों की हुई घटना के संबंध में मैंने यह सवाल पूछा था। उसका जो उत्तर मिला है, उससे कुछ नये प्रश्न पैदा हुए हैं। वन्य जीवों को बहुत सारे राष्ट्रीय संरक्षण उद्यानों और संरक्षित क्षेत्रों में सरकार के संरक्षण देने की नीति के तहत राज्य सरकार और केन्द्र सरकार, दोनों अपनी-अपनी भूमिका अदा करते हैं। लेकिन देखने में यह आया है कि अभयारण्यों, संरक्षित क्षेत्रों और राष्ट्रीय उद्यानों में भी वन्य जीवन लगातार कम होता चला जा रहा है। इसके दो कारण हैं। पहला है, अवैध शिकार, जो स्थानीय अधिकारियों के मिले-जुले बिना संभव नहीं है और दूसरा इन राष्ट्रीय उद्यानों और अभयारण्यों का खराब प्रबंधन होना है।

†Original notice of the question was received in Hindi

††The question was actually asked on the floor of the House by Shri Satyavrat Chaturvedi.

माननीय मंत्री जी से मेरा पहला प्रश्न यह है कि क्या आपने इस बात की जांच की है कि देश भर के कितने राष्ट्रीय अभयारण्यों और राष्ट्रीय उद्यानों में अवैध शिकार की घटनाओं की शिकायतें/जानकारियां मिली हैं, जिसके कारण वहां पर वन्य जीवन का नुकसान हुआ है? अगर मिली हैं, तो इनमें से कितने में क्या कार्यवाही की गई है? कृपा करके इसके बारे में हमें जानकारी दें।

SHRI JAIRAM RAMESH: Sir, this question is on Black Bucks and the hon. Member has expanded this question to deal with all wildlife, wildlife management. But, I will be pleased to answer this question. The House had a debate last week on a Calling Attention Motion on Project Tiger. These issues did come up. The hon. Member has raised a very valid issue of poaching. This is a very, very serious issue. In fact, in the Black Bucks instance itself, we had two high profile poaching cases—one involving a famous film star and the other one involving the former cricket captain of India. These cases are dragging on for years. One case has dragged on for 11 years and another case has logged on for six years. I am extremely dissatisfied, as, indeed, all hon. Members will be at the pace of prosecution under the Wildlife (Protection) Act, 1972. We have to ensure that the 'Sansar Chands' of the world who have decimated population of tiger in Sariska as an example be brought to justice and be given punishment quickly. We are examining amendments to the Wildlife (Protection) Act, 1972. As I mentioned in my reply to the Calling Attention Motion last week, I am also coming forward with a proposal for a National Green Tribunal which will be a new mechanism that will ensure faster dispensation of justice. Although the National Green Tribunal is conceived of, largely, as a civil case institution, we are looking at mechanisms in order to deal with criminal cases as well. I request the hon. Member to bear with me. I can give him a detailed reply on every wildlife park. But, I can assure him, as far as tiger sanctuaries are concerned, as I mentioned last week, out of the 37 Project Tiger areas – we have done a detailed analysis of each of these 37 – 12 are in a good condition, 9 are in a satisfactory condition and 17 are in a very poor condition in which animals are endangered.

MR. CHAIRMAN: I think, it is on record.

श्री सत्यव्रत चतुर्वेदी : सभापति महोदय, मैं मंत्री जी की इस बात से सहमत नहीं हो पा रहा हूँ कि मैंने इस क्वेश्चन को बहुत बड़ा कर दिया है, जनरलाइज कर दिया है। आपने जो अपना जवाब दिया है, उसके खंड 'ग' को देखिए, आपने ही इसको विस्तार दे दिया है, तभी मुझे विस्तार देने की जरूरत पड़ी है। आपने "बाघ परियोजना" का हवाला दिया है, आपने 'हाथी परियोजना' का हवाला दिया है, इसलिए मैंने इसको सिर्फ व्यापक संदर्भ में देखने की कोशिश की है।

मेरा दूसरा प्रश्न यह है कि जिन-जिन अभयारण्यों और राष्ट्रीय उद्यानों में बाघों की या अन्य वन्य जीवों की गिनती कम हुई है, संख्या कम हुई है, उनमें आपने अभी बताया कि उसकी आप जांच करवा रहे हैं और उसके बारे में आपके पास कुछ जानकारी है, उसी संदर्भ में मैं जानकारी देकर प्रश्न पूछ रहा हूँ कि पन्ना राष्ट्रीय उद्यान में पांच वर्ष पहले 27 बाघ थे, अब निरन्तर बहुत सारे NGOs भी, हम लोग भी और वहां के स्थानीय प्रतिनिधि भी इस बात को कहते रहे कि पन्ना राष्ट्रीय उद्यान में बाघों की संख्या निरन्तर कम हो रही है, पर हमेशा सरकारी जवाब मिलता रहा कि स्थिति ठीक-ठाक है, अब अचानक पता लगा कि पन्ना राष्ट्रीय उद्यान में एक भी बाघ नहीं रह गया और अब दूसरे राष्ट्रीय उद्यानों से वहां बाघ पहुंचाने की प्रक्रिया शुरू की गई है।

श्री सभापति : आप प्रश्न पूछिए।

श्री सत्यव्रत चतुर्वेदी : मेरा प्रश्न यह है कि ऐसे ज्वलंत उदाहरण जहां सामने हैं, तो वहां राष्ट्रीय उद्यान का जो प्रबंधन है, जो वरिष्ठ अधिकारीगण हैं, छोटे-छोटे नीचे के कर्मचारियों को तो आप फांसी पर चढ़ा देते हैं, मैं जानना चाहता हूँ कि क्या ऐसे बड़े अधिकारी, जो इस कार्यकाल में वहां मौजूद रहे और जिनके रहते वहां बाघ समाप्त हुए, इतना बड़ा नुकसान हुआ, उनमें से कितने लोगों के विरुद्ध आपने कार्रवाई शुरू की है, उनमें से कितनों को आप सजा दे पाए हैं और आगे भविष्य में आप इस बारे में क्या कार्रवाई करना चाहते हैं?

SHRI JAIRAM RAMESH: Sir, the issue of Panna had been raised in the Calling Attention Motion. I had explained, in detail, that a Special Investigation Team had been constituted. The Report was submitted to the Central Government. We have shared that Report with the State Government. I had written to the Chief Minister giving a series of specific interventions that we are requesting the State Government to do. My information is, the Project Director in one of the Tiger Sanctuaries has actually been transferred. So, this is a cooperative exercise of the Centre and the State. We are engaged in having a tripartite MoU. It is a new system. It involves the Central Government, the State Government and the Project Tiger areas. We will extend this to the entire wildlife protection area. I want to assure the hon. Member, Sir, that we are fully alive to the crisis situation that prevails in so far as many of the wildlife sanctuaries and national parks are concerned. As far as the Centre is concerned, we are extending all financial and technical assistance to the State. But, ultimately, the States have to move in the matter.

श्री मोती लाल वोरा : माननीय सभापति जी, माननीय मंत्री जी ने वन और पर्यावरण विभाग को संभालने के बाद बहुत क्रांतिकारी बयान दिए हैं और एक के बाद एक करके उनके जो बयान आते हैं, उनसे ऐसा लगता है कि उनके माध्यम से एक परिवर्तन का दौर शुरू होगा। मैं माननीय मंत्री जी से यह निवेदन करना चाहता हूँ कि राजस्थान की Talchapar sanctuary में 28 मई और 30 मई, 2009 के बीच जो भारी वर्षा हुई, उसके कारण करीब 100 काले हिरणों की मौत हो गई। माननीय मंत्री जी शायद अब तक अभयारण्य के अधिकारियों से इस बात की जानकारी ले चुके होंगे कि 28 तारीख से 30 तारीख तक, जब तीन दिनों तक लगातार भारी वर्षा हो रही थी, क्या अभयारण्य के अधिकारियों ने इस बात की व्यवस्था नहीं की कि 28 तारीख को ही इसका अंदाजा लगाते हुए उन हिरणों और उनके बच्चों को अन्यत्र ले जाने की कोशिश करते? क्या माननीय मंत्री जी इस बात का जवाब देंगे?

SHRI JAIRAM RAMESH: Sir, the annual rainfall. ...*(Interruptions)*...

SHRI MOTILAL VORA: No, Sir, my question is about 28th to 30th. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: I am coming to that. ...*(Interruptions)*... I am coming to that. ...*(Interruptions)*...

SHRI MOTILAL VORA: The rainfall occurred from 28th to 30th. What action did the sanctuary officials on 28th take?

SHRI JAIRAM RAMESH: Sir, the annual rainfall in the Talchapar Sanctuary, where 75 blackbucks were killed, is 15 cms. In these three days, to which the hon. Member is drawing our attention, the rainfall was 21 cms. In three days, you had 6 cms much more rainfall than what you get over the entire year. Obviously, the management was not prepared; obviously, it was a complete situation for which there was no contingency planning. And, the death of 75 blackbucks, some of which were, admittedly, old, is something that we cannot simply accept. I have asked a team, from the Wild Life Institute of India, to visit the Talchapar Sanctuary and give me a detailed report on why we were not in a situation to manage the situation. Admittedly, the rainfall was an abnormal rainfall, but as soon as I get a report from the Wild Life Institute of India, I will be glad to share it with the hon. Member.

श्री मोती लाल वोरा : सभापति जी, मैं आपकी इजाजत से कहना चाहूंगा कि केन्द्र सरकार की जिम्मेदारी, राज्य सरकारों को इन अभयारण्यों की रक्षा के लिए केवल निधियां देने तक सीमित नहीं है, उनकी यह भी जिम्मेदारी बनती है कि देश में जितने भी अभयारण्य और राष्ट्रीय उद्यान हैं, वे समय-समय पर उनकी पूरी जानकारी लें। केवल धनराशि को उपलब्ध कराना ही पर्याप्त नहीं है, क्या माननीय मंत्री जी हमें इस बात की जानकारी दे सकते हैं कि उस राशि का किस प्रकार से उपयोग हो रहा है, क्या माननीय मंत्री जी इस बात की जानकारी रखते हैं?

SHRI JAIRAM RAMESH: Sir, I have no hesitation in admitting that all of us, the Centre, the State and the Talchapar Sanctuary were caught napping in this case. I have no hesitation in accepting the fact that this abnormal rainfall caught us.(Interruptions)...

SHRI MOTILAL VORA: I am not talking about the rainfall.

SHRI JAIRAM RAMESH: That is the reason why these 75 blackbucks died. It was an abnormal situation.

MR. CHAIRMAN: Voraji, let's get on with.(Interruptions).... आपने अपना सवाल पूछ लिया है।

SHRI MOTILAL VORA: Sir, I abide by your instructions. I never stand unless and until you permit. I just wanted to know whether the Government of India, which is giving money to the State, is having any report from them.

SHRI JAIRAM RAMESH: Sir, that is exactly the whole change, what he said "क्रांतिकारी बयान". That is the example of "क्रांतिकारी बयान" where we are going from just giving money to the State Governments to having a tripartite MoU, for the first time, involving the Centre, the State and the local management. So, this "क्रांतिकारी" goes beyond बयान.

DR. K. MALAISAMY: Sir, it is a matter of fact and from the reply of the well-informed Minister like him it is clear that the population of some of the rare varieties including these black bucks, lions and tigers is on the decline and they are becoming almost extinct. He has been very emphatic to go all

out to protect them all. Sir, my question is: Has the Government got any scheme to see whether there could be any procreation of population by some study or some research? Whether instead of one child in one delivery, whether instead of adopting natural family planning, whether you can do something concrete to see that procreation is more and more so that the rare varieties can be increased.

SHRIMATI BRINDA KARAT: Sir, I am inclined to ask what the natural family planning for animals.

SHRI JAIRAM RAMESH: Sir, procreation is not a problem in our country. There are many species, which are in danger. There are some species that have become extinct. We have plans to deal with both these situations. I do not have the time to get into this question, Sir, but we do, as part of the Central Zoo Authority, have plans for dealing with the situations where we are confronted with species, almost 70 species, which are endangered. Some species like Cheetah have already become extinct. Of course, we have examples like the tigers and the lions which are constantly under threat. So, we have captive breeding programmes in many of these cases and we have been successful in some of these cases. I would be glad to share this information with the hon. Member.

SHRI KUMAR DEEPAK DAS: Sir, poaching is an issue of concern and involvement of the higher-ups of the forests is also an issue of concern as far as the protection of wildlife is concerned. Sir, we need protection for every wildlife. In our region, we have seen that the birds, which come in here in November and December from foreign countries, that is, Australia and other parts of Siberia are killed by the people. Protection is not given to them. So, will the hon. Minister consider to amend the Wildlife Protection Act thereby giving some feeling of protection to the wildlife?

SHRI JAIRAM RAMESH: Sir, the present provisions of the Wildlife Protection Act, the penalties are laughable. I think a time has come for us to impose the most stringent penalties and make a test case of a few cases. It will send a message across the country that we are serious about implementing the Wildlife Protection Act. I am engaged in this exercise and I want to assure the hon. Member that we will soon come out with comprehensive amendments to ensure that the penalties are steep and it will not pay to violate the Wildlife Protection Act of 1972.

श्री रामदास अग्रवाल : सर, अभी माननीय मंत्री जी ने कहा कि एक-दो काले हिरण किन्हीं प्रसिद्ध सितारों के द्वारा शिकार कर दिए गए थे, उसका काफी हल्ला पूरे देश में मचा और सारे देश ने इस बात को जाना, महत्व दिया कि ऐसा शिकार नहीं होना चाहिए, लेकिन 28 से 31 मई को जिस प्रकार से उस अभयारण्य में 75 काले हिरण मारे गए और उस पर सरकार ने केवल यह कहा कि ओलावृष्टि हुई या जरूरत से ज्यादा बरसात हो गई, इसलिए वे मारे गए। सभापति महोदय, मुझे इस काले हिरण कांड में दाल में कुछ काला नजर आता है, क्योंकि ...(व्यवधान)...

श्री सभापति महोदय : आप सवाल पूछिए।

श्री रामदास अग्रवाल : सभापति महोदय, मैं सवाल ही पूछ रहा हूँ, लेकिन दाल में काला है, यह तो मैं उनको बताऊंगा, क्योंकि मंत्री जी तो यह कहकर अलग हो गए कि कुछ तो उसमें वृद्ध थे - कुछ हिरण old age के थे, इसलिए मारे गए। सभापति महोदय, मैं मंत्री जी से यह कहना चाहता हूँ कि इस मामले को इतनी सहजता से स्वीकार नहीं किया जाना चाहिए। जितने भी वन्य पशु-पक्षी होते हैं, वे इस प्रकार के तूफानों के आदी होते हैं। दुनिया भर के सारे देशों में इस प्रकार के तूफान आते रहते हैं, बरसात होती रहती है, इसका अर्थ यह नहीं है कि इतनी बड़ी संख्या में हिरण मारे जाएं। इसलिए मैं चाहता हूँ कि आप सहजता से इसको स्वीकार न करके इसकी कोई पक्की जांच करें, ताकि अपराधियों को सजा मिल सके, क्योंकि दो हिरण मारने पर आपने उसकी हालत खराब कर रखी है, होनी चाहिए, लेकिन ये जो 75 मारे गए, क्या उसकी कोई जांच नहीं होगी?

SHRI JAIRAM RAMESH: Sir, I have already given an assurance a few minutes ago that there will be an inquiry into this by the Wildlife Institute of India, a Dehradun-based institution of the Government of India. I want to assure the hon. Member that there will. ...*(Interruptions)*...

श्री बलवीर पुंज : अब तक तो इन्क्वायरी का जवाब आ जाना चाहिए। ...*(व्यवधान)*... By now, it should. ...*(Interruptions)*...

MR. CHAIRMAN: Please, please. ...*(Interruptions)*...

SHRI RAMDAS AGARWAL: Why didn't the State Government itself ask for an inquiry into this? ...*(Interruptions)*... They should have also done it. ...*(Interruptions)*... राजस्थान की सरकार इतनी insensitive क्यों है? ...*(व्यवधान)*...

SHRI JAIRAM RAMESH: Sir, as the Minister, I take the full responsibility. ...*(Interruptions)*... I am ordering an inquiry. ...*(Interruptions)*...

श्री रामदास अग्रवाल : जब हम चर्चा करते हैं ...*(व्यवधान)*... हिरण मारे जाते हैं। ...*(व्यवधान)*...

श्री सभापति : आपने सवाल पूछ लिया है।

SHRI JAIRAM RAMESH: Sir, there should have been an inquiry. The fact is that this question has sensitised me. I did not know about this incident till this question came to my notice. This morning, I asked for an inquiry by the Wildlife Institute of India. I accept the fact that I should have been a little more careful when this incident occurred. But I assure the hon. Member that an inquiry will be instituted. ...*(Interruptions)*...

श्री रामदास अग्रवाल : पानी-तूफान तो आते ही रहेंगे ...*(व्यवधान)*... उसे कंट्रोल करना चाहिए। ...*(व्यवधान)*...

MR. CHAIRMAN: Please, please, we are running out of time. There are other questions. ...*(Interruptions)*... Question No. 126.

Royalty by ONGC on oil and gas

*126. SHRI NATUJI HALAJI THAKOR:††

SHRI VIJAYKUMAR RUPANI:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

††The question was actually asked on the floor of the House by Shri Natuji Halai Thakor.