

198 zoos in the country. Is there any plan to increase these numbers, or are these numbers going to be gradually reduced because the condition in several zoos in smaller towns is actually quite pathetic and there are very few trained staff? Perhaps, but I am not sure, it is subject the Minister needs to investigate, the mortality rates are probably higher in some of these smaller towns' zoos compared to the big cities where they are better maintained. In the light of this, in the light of the mortality and in the light of fact that a number of zoos over which the Central Zoo Authority has no control, it does not have trained staff, does the Government have any plan of phasing out some of the smaller zoos and clubbing them together where better health care and facilities can be provided to the captive animals?

SHRI JAIRAM RAMESH: Sir, policy on the new zoos is two-fold. One is, not only does it require approval by the Central Zoo Authority but it also requires the approval of the Supreme Court. This is as far as the new zoos are concerned. Sir, I have been very careful in agreeing to new zoo proposals except in so far as they relate to relocation. The hon. Member is aware, for example, that the zoo in Alipore, a very historic zoo, is cramped and the State Government has come forward with a proposal for a part relocation which we have agreed to and which we are funding. Similarly, in the city of Mumbai there have been proposals for relocation given the current location of the current zoo. So, I for one, in answer to the hon. Member's question, would say, am very cautious in so far as new zoos *de nova* are concerned. But certainly, there is a case for consolidation. There is certainly a case for relocation from some of the congested urban areas. The location for zoos, if you look at it from an ideal point of view, Sir, the Vandalur Zoo in the city of Chennai is a zoo that is ideally situated. It is not in the municipal precincts. It is far away from the city. It has got a large land area and people can generally enjoy being in the zoo unlike the zoos in some other cities or in small towns which happen to be bang in the middle of the city. Sir, as far as the mortality rate in small towns is concerned; I will get this information and pass it on to the hon. Member.

#### **Recommendations of Forest Advisory Committee to tackle illegal mining**

\*104. SHRIMATI SHOBHANA BHARTIA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the Central Government has set up a Forest Advisory Committee to tackle the issue of illegal mining in some States;
- (b) if so, the details of the recommendations made by the Committee;
- (c) whether some State Governments have been ignoring the recommendations of the Committee and continuing to extract iron ore from reserved forest areas; and
- (d) if so, the steps Central Government proposes to take to prevent such illegal mining in future?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (d) A statement is laid on the Table of the House.

***Statement***

(a) to (d) The Forest Advisory Committee (FAC) has been constituted under section-3 of the Forest (Conservation) Act, 1980 to *inter-alia* examine the proposals received from State/UT Governments for diversion/de-reservation of forest land for non-forestry purposes under the provisions of the Forest (Conservation) Act, 1980. The FAC after examining the proposals submits its recommendations to the Central Government.

While examining the proposals, if the FAC comes to know of instances of illegal mining in cases, these are examined at length and in certain cases after hearing the representatives of the State Government and the project proponents, suitable preventive recommendations are made by the Forest Advisory Committee.

So far, nothing adverse to the recommendations of the FAC has come to the notice of the Central Government. The primary responsibility to check illegal mining any State/UT is of the State/UT Administration. The Central Government also through its Regional Offices monitors the mining operations on random sample basis.

SHRIMATI SHOBHANA BHARTIA: Sir, Karnataka is in violation of the FCA guidelines of May 2010 which explicitly stated that such mining be stopped and this area needs to be demarcated, it is an issue which the hon. Minister had also flagged through a letter to the Chief Minister. So, while export of iron ore has been stopped for the time being, I would like to ask the hon. Minister what

steps has the State Government taken to adhere to the FAC guidelines. Would he like to inform us as to what action has been taken and also whether such violations have been noticed in other States and what has been the response of other States as well?

SHRI JAIRAM RAMESH: Sir, it is true that on the 3rd of July I wrote a letter to the Chief Minister of Karnataka pointing out the gross violations by certain private iron ore mining companies which had violated the guidelines, the recommendations and the stipulations of the Forest Conservation Act of 1980. I had pointed out in detail what these violations were. Sir, the Act does not empower me to take action. Action has to be taken by the State Government under the Forest Conservation Act and this letter has gone to the Chief Minister and the Chief Minister has assured me that he is as concerned with illegal mining as the Ministry of Environment and Forests and he has promised that he would take action against these iron ore mining companies.

SHRI SITARAM YECHURY: Which are those iron ore mining companies?

SHRIMATI SHOBHANA BHARTIA: Sir, in violation of the guidelines a lot of forest cover has been lost across the country. It is estimated that in the State of Karnataka alone almost 3000 acres have been lost giving rise to water issues and other environmental issues. Has the Minister compiled a total figure of the forest area that has been lost because of such activities?

SHRI JAIRAM RAMESH: Sir, some Members asked for names of the Companies. The names of the three companies are S. D. minerals, Trident minerals and V. M. Minerals. These are the three companies which have been found to be in violation of the Forest Conservation Act for which I had written to the Chief Minister of Karnataka.

Sir, as far as the amount of forest land that has been lost, all I can say, Sir is that between 1950 and 1980, this country lost about four million hectares of forest land to non-forestry purposes. In 1980, Parliament enacted the Forest Conservation Act following the bringing of forest under the Concurrent List through the 42nd amendment in 1976. From 1980 to 2010, the amount of forest land that has been diverted for non-forestry purposes is one million hectares. So, four million hectares in the first 30 years has come down to one million hectares as a result of the Forest Conservation Act, 1980. Sir, one other point I want to make. The Forest Conservation Act does not prohibit the use of forest land for non-forestry purposes. It only regulates the forest land for non-forestry purposes. It

cannot be anybody's case that we should stop all mining, that we should stop all developmental activity. In many instances, there will be cases where forest lands will be required. Our policy is to ensure that the diversion is kept to the barest minimum.

Sir, the diversion takes place under strict conditions and stipulations which allows for compensatory afforestation as well. This is the policy that has been laid down by the hon. Supreme Court. This is also the policy that is stipulated by the Ministry of Environment and Forests.

**श्री रुद्रनारायण पाणि :** सभापति महोदय, धन्यवाद। एक साल हो गया है, जब से माइनिंग के बारे में चर्चा आती है। जब माइनिंग शब्द आता है, यानी इल्लिगल माइनिंग आ जाता है, जो इल्लिगल माइनिंग फॉरेस्ट क्लियरेंस के बिना होती है, यहां पर केवल कर्नाटक के बारे में चर्चा हुई है। सभापति महोदय, मैं सदन को स्मरण दिलाना चाहता हूँ...(व्यवधान)...

**श्री वी. हनुमंत राव :** आपके मिनिस्टर हैं...(व्यवधान)...

**श्री रुद्रनारायण पाणि :** देश भर में जो इल्लिगल माइनिंग है...(व्यवधान).... अवैध खनन का जो समाचार आता है...(व्यवधान).... साल भर हो गया है, पिछली जुलाई में उड़ीसा विधान सभा के अंदर इसको उठाया गया था...(व्यवधान)...

**श्री सभापति :** प्रश्न पूछिए।

**श्री रुद्रनारायण पाणि :** मैं आपके माध्यम से माननीय विद्वान मंत्री महोदय से प्रश्न करना चाहता हूँ कि उड़ीसा में बिना फॉरेस्ट क्लियरेंस के कितनी इल्लिगल माइनिंग हुई?... (व्यवधान)...

**श्री किशोर कुमार मोहन्ती :** सभापति जी, यह उड़ीसा का क्वेश्चन नहीं है, यह कर्नाटक का क्वेश्चन है...(व्यवधान)...

**श्री रुद्रनारायण पाणि :** सभापति जी, इनको क्या पता है?... (व्यवधान).... इनको प्रोसिडिंग के बारे में क्या पता है?... (व्यवधान)...

**श्री सभापति :** आप प्रश्न पूछिए...(व्यवधान)...

**श्री रुद्रनारायण पाणि :** सर, इनको प्रोसिडिंग के बारे में कुछ पता नहीं है...(व्यवधान)...

**श्री सभापति :** आप प्रश्न पूछिए...(व्यवधान)...

**श्री रुद्रनारायण पाणि :** सभापति जी, उड़ीसा के अंदर बिना फॉरेस्ट क्लियरेंस के कितनी इल्लिगल माइनिंग हुई है, कृपा करके बताया जाए?

SHRI JAIRAM RAMESH: May I say something on the issue of illegal mining, because it has exercised all the hon. Members of Parliament since 11 o' clock?

Sir, first of all, there are major minerals and minor minerals. The responsibility of the Central Government extends to major minerals. The minor minerals in which the case of illegal mining is equally critical is the responsibility of the State Government. This distinction is mentioned under the Mines and Minerals Act, 1957. My Ministry has taken up this with the State Governments. We set up a Working Group on sustainable mining of the minor minerals. I have written to all the Chief Ministers to put in place safeguards to ensure that illegality, in so far as mining of minor minerals are concerned like sand, gravel, stones, is minimized.

As far as major minerals are concerned, today, the honest truth is that the regulatory system is not effective enough to stop illegal mining. Whether it is in contravention of the Minerals Act or whether it is in contravention of the Forest Conservation Act, the honest fact and the honest truth is that we do not have an effective regulatory system to deal with illegal mining. Sir, a GoM, under the Chairmanship of the hon. Finance Minister, has been set up. Two meetings of this GoM have been held. The Report of the GoM is being finalized. And, one of the Terms of Reference of the GoM is to see how to put in place an effective regulatory system, both at the Central level to deal with the major minerals and at the State level to deal with the minor minerals, to deal with illegal mining.

Recently, you might have seen that an RTI activist was killed in the State of Gujarat, because he was raising the issues relating to illegal mining of minerals around the Gir Forest. This issue is very, very important. I think the hon. Members should know that the responsibility for minor minerals rest with the State Government.

Sir, as far as the State of Orissa is concerned, which the hon. Member has raised, there have been some instances which have come to our notice in which conditions governing approval have been violated. What happens is this. Sir, it will take half-a-minute for me to explain this. A project will have activity, both in the non-forest area and in the forest area. Guideline, rule and stipulation is that you cannot start any activity in the non-forest area till you get the final approval under the Forest Conservation Act. Unfortunately, a couple of mining companies- I do not want to take their names as the hon. Member knows very well who they are - without getting clearances illegally mining.

SHRI RAJIV PRATAP RUDY: Are these outside the Parliamentary privilege to know ?  
...(Interruptions)...

MR. CHAIRMAN: No, no. It is not relevant to the Question ...(Interruptions).....

SHRI SITARAM YECHURY: Mr. Minister, you name the companies.

**श्री रुद्रनारायण पाणि** : सर, कर्नाटक के बारे में बताया...(व्यवधान)... उड़ीसा के बारे में पूछ रहे हैं...(व्यवधान)...

**श्री सभापति** : देखिए, जवाब तो सुन लीजिए...(व्यवधान)... बैठ जाइए...(व्यवधान)...

SHRI RAJIV PRATAP RUDY: Are these companies out of the purview of the Parliamentary privilege?

MR. CHAIRMAN: Please listen to him.

DR. V. MAITREYAN: Sir, he has taken the names of companies which are doing illegal mining in Karnataka. What is the problem in taking the names of companies which are doing illegal mining in Orissa?

SHRI JAIRAM RAMESH: I will name the companies, Sir. If the hon. Members are agitated, I will name the companies. The most important company is delightfully named, the Vedanta. The Vedanta company is a company that is under investigation of our Ministry because they have violated the guidelines of the Ministry of Environment and Forests. I have set up a four-member Expert Group, which is right now in Orissa, looking at all cases of violations. Once I get the report of this Group, we will take a final call on what the future of this project would be. There are also a large number of questions that have been raised on the Posco Project. This also is under investigation of our Ministry. I would like to assure the hon. Members that any violation of the Forest Conservation Act or any violation of the conditions governing approval will not be tolerated, under any circumstances, by the Ministry.

SHRIMATI JAYANTHI NATARAJAN: Sir, I am grateful to the Minister for mentioning the issue of illegal mining of minor minerals. A very big danger to environment, all over the country, is the mining and export of river sand and sand in various rural areas, which is continuing unchecked and which is extremely harmful to the environment. I don't believe that it is correct to leave it purely to the

discretion of State Governments alone because environment is also a subject, which is very important at the national level. Sometimes smuggling takes place across borders also. So, I would like to ask the hon. Minister whether he would consider, or, if there is already an all-India authority that looks into this illegal mining of sand, river sand and depredation of the environment. Part 'b' of the question is. ...*(Interruptions)*...

MR. CHAIRMAN: No, only one question please.

SHRIMATI JAYANTHI NATARAJAN: Sir, it is one question only. If somebody, in the State Government itself, happens to be an owner of a mine, as in Karnataka, what will the Government do if they just say that the State Government is responsible for taking care of this because it is no longer that the State Government becomes a conflict of interest?

SHRI JAIRAM RAMESH: Sir, I would like to say on this issue of minor minerals that whenever I have raised this issue with the Chief Ministers concerned, I have had a very strong opposition from them to stop the minor minerals' mining activity because of the huge employment involved. Let me take the example of the State of Uttarakhand. Many hon. Members of Parliament from Uttarakhand approach me to allow mining of minor minerals because it provides employment to thousands of people in the local areas. I cannot be completely oblivious to certain economic compulsions under which the State Governments have to operate. That is why, what my Ministry has done is—and, it is available on the website; I will share it with the hon. Member — that we have set up a Committee; we came up with guidelines; we said that there must be a minimum size for the mining lease; that mining lease should be done under sustainable mining guidelines; that there must be a plan for reclamation and operation of these leases. So, we are pursuing this matter with Uttarakhand, with Rajasthan, with Haryana, and with all other States where minor minerals has caused a lot of environmental damage. But let me be very honest, Sir, that this is not an easy issue to tackle because of the huge amount of pressures under which the State Governments are. They say that if they close these mines, they will lose thousands and thousands of jobs. So, we have to have a trade off. I share the hon. Member's concern for the environment. We are making sure that the minor minerals come under some environmental discipline, but till a regulatory authority is put in place at the Central

Government level and a similar regulatory authority is put in place at the State level, I am afraid, we are not going to see much results on the ground.

SHRIMATI BRINDA KARAT: Sir, I am happy to learn from the hon. Minister that he has expressed his concern about illegal mining in Karnataka. And, I think, the whole country is outraged with what is happening there. But what I would like to ask the hon. Minister is that the reports and complaints have also been given to Minister that across the border, in Andhra Pradesh, the same people responsible are also indulging in illegal mining in Andhra Pradesh.

The Minister himself, I think, is elected from that State. So, what I would like to ask the hon. Minister is: Has he issued a similar strong notice to the Government of Andhra Pradesh? If he has, then, what is the response? If he hasn't, why hasn't?

SHRI JAIRAM RAMESH: Sir, if the hon. Member is insinuating that I am selective in my interventions, let me re-assure her that Andhra Pradesh will not get the status of Most Favoured State, as far as environmental rules and regulations are concerned. In so far as Andhra Pradesh is concerned, there was an issue on Obulapuram mining. A complaint was brought to my notice that there was illegal mining taking place. We have now got the Survey of India to do a complete survey of the disputed territory. Whatever are the recommendations of the Survey of India, we will adopt and we will follow. We will, accordingly, guide the State Government to follow the recommendations of the Survey of India ...*(Interruptions)*... Let me finish. ...*(Interruptions)*...

SHRIMATI BRINDA KARAT: Sir, is he aware that his team was prevented from doing their work there? ...*(Interruptions)*...

MR. CHAIRMAN: Please don't interrupt. ...*(Interruptions)*... No, no, please. Let the hon. Minister finish.

SHRI JAIRAM RAMESH: Let me finish. It took some time because of the differences between the State Government and the Central Government. It took some time for the Survey of India to start its activity. The Survey of India has started its activity. We will carry this exercise to its logical conclusion. And, if there are violations of mining leases under the Forest Conservation Act, which is, as far as my Ministry is concerned, in Andhra Pradesh, we will take full action. For the information of the hon. Member, I might mention, just a couple of days ago, in response to a feedback that we had



received that three power projects and one aluminium smelter refinery project in Andhra Pradesh contravened laws, I sent a team. The team has given its report and permissions for all these four projects have been put under suspension, even though they are in Andhra Pradesh.

#### वन क्षेत्रों में रहने वाले जनजातीय लोग

†\*105. श्री श्रीगोपाल व्यास : क्या जनजातीय कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या देश के वन क्षेत्रों में रहने वाली विभिन्न जनजातियों की जनसंख्या का पता लगाने के लिए कोई अध्ययन/सर्वेक्षण किया गया है,

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है, और

(ग) सरकार द्वारा जनजातीय कल्याण कार्यों को आरंभ करने के लिए क्या-क्या आधार/मानदंड अपनाए गए हैं?

जनजातीय कार्य मंत्री (श्री कांतिलाल भूरिया): (क) से (ग) एक विवरण सभा पटल पर रख दिया गया है।

#### विवरण

(क) और (ख) जी, नहीं। जनजातीय कार्य मंत्रालय ने देश में वन क्षेत्रों में रह रही विभिन्न जनजातियों की आबादी को सुनिश्चित करने के लिए कोई सर्वेक्षण/अध्ययन नहीं किया है। देश में वन क्षेत्रों में रह रहे लोगों के संबंध में जनसांख्यिकीय ब्यौरे संबंधित राज्यों/संघ राज्य क्षेत्र सरकारों द्वारा रखे जाते हैं। इन समुदायों के संबंध में अन्य सूचना, जहां कहीं उपलब्ध हो, राष्ट्रीय सांख्यिकी आंकड़ा तथा संबंधित मंत्रालयों से एकत्रित किए जाते हैं।

(ग) सरकार देश की अनुसूचित जनजातियों का एकीकृत सामाजिक-आर्थिक विकास करने के लिए विभिन्न योजनाओं के कार्यान्वयन के माध्यम से विशिष्ट कल्याणकारी पहल करती है। इन पहलों के लिए निधियां, दिशानिर्देशों में निर्दिष्ट मानदण्डों, जिसमें अन्य बातों के साथ-साथ, लक्षित लाभार्थियों की आर्थिक स्थिति तथा लक्षित क्षेत्र/जनसंख्या की जनसांख्यिकीय विशेषताएं शामिल हैं, के अनुसार जारी की जाती हैं। कुछ जनजातीय कल्याणकारी गतिविधियों के लिए लड़कियों/महिलाओं तथा विशेष रूप से कमजोर जनजातीय समूहों को प्राथमिकता दी जाती है।

#### Tribals living in forest areas

†\* 105. SHRI SHREEGOPAL VYAS: Will the Minister of TRIBAL AFFAIRS be pleased to state:

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†Original notice of the question was received in Hindi