

*Announcement Re. Govt. Business* a result of computerisation of this kind, especially when unemployment is growing in the country. Is it proper ...

DR. BHAI MAHAVIR: Is this something very extraordinary that you have allowed?

MR. CHAIRMAN: Yes.

SHRI BHUPESH GUPTA: The work can be done by other ways and that process should be done. Therefore, the union people and the workers have suggested that this computerisation should be kept in abeyance.

Sir, the Shipping Corporation has come in for severe criticism by the Estimates Committee and the Dande-kar Committee and others have made strong and critical observations against it. The Public Undertakings Committee has made its observations.

There is a lot of mismanagement in that. I think that steps should be taken and things should be set right. I would urge upon the Government not to go ahead with this policy of so-called modernisation in a developing country when we have so many people unemployed and face a social problem of this kind. This step is entirely wrong and should not be proceeded with. The proposed scheme of introducing this computer there should be abandoned and given up.

SHRI BABUBHAI M. CHINAI (Maharashtra): Sir, on the same point on which Mr. Bhupesh Gupta spoke, I want to draw your kind attention that the Dandekar Committee's Report which has been submitted to the Government—and it is now a public document—has also said that in certain public sector organisations where computers are necessary, they should be allowed. And not only that. They have also said that if the public sector undertaking gives an undertaking that no unemployment will be caused by having this, then there should not be any worry to the employees. In these circumstances, the Shipping Corporation has also given an undertaking to their employees that no unemployment will take mace. Under these circumstances, it is not a question of very much importance.

MR. CHAIRMAN: Next item. The Wild Life (Protection) Bill, 1972.

SHRI BHUPESH GUPTA: What are the views of the Government? Let the Minister say something.

MR. CHAIRMAN: No reply. I do not want any reply. The Wild Life (Protection) Bill, 1972.

DR. BHAI MAHAVIR: There is so much wild life in Delhi—all that this Police is currently doing, and it is being protected all right.

### THE WILD LIFE (PROTECTION) BILL, 1972

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH): Mr. Chairman, Sir, I move:

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

SHRI BHUPESH GUPTA (West Bengal): Sir, I want to know whether you can give us protection against the wild animals on the Treasury Benches.

SHRI SYED AHMAD (Madhya Pradesh). Does Mr. Bhupesh Gupta want protection under this?

MR. CHAIRMAN: Lions, etc. must be protected now.

SHRI BABUBHAI M. CHINAI: We want protection against Mr. Bhupesh Gupta also. It is not against wild life only.

MR. CHAIRMAN: I will protect all wild life.

SHRI MAHAVIR TYAGI (Uttar Pradesh): Are you going to protect human life as well?

PROF. SHER SINGH : If human gets wild. This Bill seeks to safeguard one of the greatest heritage of our country. The rapid decimation of India's once-abundant and varied wild life has been a matter of grave concern. Grand animals like the tiger and

[Prof Sher Singh.] the snow-leopard are natural asserts which once destroyed, can never be recreated. As early as in 1952, the National Forest Policy of India emphasised the need for affording protection to the wild life and particularly to the rarer species. It recommended the setting up of sanctuaries and national parks and the enactment of special laws. The Indian Board for Wild Life constituted by the Government of India in the same year, has also opined that adequate legislation should be enacted by the Central Government and the States, and that there should be a uniform set of rules and regulations in contiguous States for the effective protection of wild life. The expert committee appointed by the Indian Board for Wild Life has also emphasised the need of protection of the various threatened species. This legislation which today is my privilege to place before this House, is, therefore, the expression of a long-felt need.

As you are aware, Sir, protection of animals and birds features in the State List of the Seventh Schedule of our Constitution. As such powers in this regard vest with the State Governments alone. During the formative and tumultuous years which followed our independence, State Governments have naturally been preoccupied with the problems of providing the basic needs for the masses. Large number of crop protection weapons were given in the interest of agriculture, and wild life could not be given the priority it deserved. The stage, however, has now reached that if the States and the Central Government, in close harmony, do not take up the case of wild life preservation, many a species of birds and animals would go the same way of extinction as have the cheetah and the pink-headed duck. If this country is not to be denuded of its wild life and if the future generations are to enjoy immeasurable pleasure of seeing some of the natures' noblest creatures in their wild environment, action needs to be taken here and now. The Union Government have already taken action in regard to the banning or controlling the export of a number of species of animals and birds and the products deriv-

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

SHRI DAHYABHAI V. PATEL (Gujarat): This shows how wild the State Governments are.

PROF. SHER SINGH: Wild life is a renewable natural resource. Apart from its aesthetic value, the economic and scientific aspects of wild life cannot be lost sight of. Its potential as a tourist attraction have not yet been exploited to the full, and as a source of protein and as an object of commerce it has a considerable role to play in the economy of the country. But like all resources, wild life has to be scientifically managed if it is to yield sustained progressive returns. In India, however, a very large number of species of animals have reached a stage of depletion and their exploitation cannot be considered for the present. There are certain other species whose exploitation for sport or trade can be permitted in a strictly regulated manner. Keeping in view these circumstances, animals and birds have been included in different schedules and different punishments are prescribed for violations of rules in respect of these different categories. The status of wild life cannot be static. Therefore, if at a future date it is felt that any particular animal or bird has become rarer than before, or conversely has increased sufficiently in number whereby controlled exploitation of it could be permissible, they can be

moved from one schedule to another. If, however, it is felt that any particular animal has reached a critical stage of survival, the Central Government will be empowered to include any such animal in Schedule I and thereby give it complete protection throughout the country. State Governments also would be empowered to add any animal to Schedule I in respect of their own area of jurisdiction. Violations pertaining to any such animal or bird will be treated as a very grave offence and deterrent punishment has been provided.

This Bill greatly strengthens the scope and powers of the State Governments in regard to wild life preservation and the Central Government will give them all possible assistance.

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

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

Sir, with these few words, I commend this Bill for the consideration of the House.

*The question was proposed*

DR. K. NAGAPPA ALVA (Mysore): Mr. Chairman, Sir I welcome and support this Bill. I do so with mixed feelings of happiness and anxiety. I support the Bill with happiness because the Government thought it fit to bring a somewhat comprehensive Bill of this kind at least in this year, the silver jubilee year of India's independence. We are now having some sort of an Act of this kind which was passed in 1912, in the diamond jubilee year of that Act. This is very important in every respect. It has got relevance to the cultural heritage of India, the spiritual

heritage of India and also the heritage of prosperity and happiness. Sir, on this occasion I must remind the House about an Act, just like this or more so, outmoded and out-dated—there is no meaning in continuing it at all—what is called the Indian Lunacy Act of 1912. By that Act, every person suffering from mental illness is being treated as a criminal in this country. When the entire concept of mental health has changed, to have an Act of this kind is an insult to the intelligence and culture of this country. So, I appeal to the Government that a Bill in that regard also may be brought before the House in this year itself.

The Minister somewhat in detail has explained the reasons why this Bill is before the House. There is a rapid decline of wild animals and birds in this country. Since time immemorial in our rich forests we have been having varied types and species of birds and animals which could compare very well with the wild animals and birds anywhere in the world itself. It is now very painful to know that some species have become extinct. It is our foremost duty to see that this Bill becomes an Act and it is implemented in all seriousness. At the outset I will suggest that the Central Government must give directives to the State Governments so that the various boards and other bodies that will be set up do meet at least twice a year. Government should also set up a machinery to follow up the decisions of these bodies so that not only the Act is implemented, but the purpose for which this Act is being enacted is also fulfilled.

*Sarve Jeeve Sukhino Bhavanthu* is the Vedic saying. This is the message that this country has given for ages to the entire world and from which we have derived inspiration. The path in which we should tread in this country had been shown to us by the sages and saints who lived with animals and birds in the deep, thick forests of this country. That is why I said that this has relevance to the cultural and spiritual heritage of this country,

I am glad that the Minister has given us some points for thought. Yes, there was the National Forest

[Dr. K. Nagappa Alva] Policy of 1952. Under that we should have had afforestation in this country. The forest area in this country is only 23 per cent of the entire geographical area and that too is very unevenly distributed. The National Forest Policy envisaged an increase of this area to 33.3 per cent of the total area. But it is for the Government to analyse and see to what extent they have fulfilled these targets. Afforestation is the most important thing needed for the success of many of our developmental programmes. But I am afraid very little has been done during the last few years in the direction of afforestation and exploitation of forest wealth. Through afforestation it is possible for this country to increase our forest area to 60 per cent in hill areas and 20 to 40 per cent in plain areas. We should learn from what other countries have achieved in this field. In 1963 I had the opportunity to go to West Germany. My idea of West Germany till then was that it is a highly industrialised country and there was no forest or agriculture. But when I went there I found that mainly by their determination and resolution they succeeded to convert 1/3 or even more of their area into forests. And their forest wealth helped them to expand their industrial programmes and cultivation.

We have to consider this as a national programme. We must have more and more of sanctuaries and national parks. My information is that sanctuaries and national parks cover just less than 3 per cent of our total area of forests. It must be raised at least to 5 per cent. It is possible. For that this Act will greatly help, if it is implemented in the right direction.

Another point that I want to bring to the notice of this august House is that we have always respected animals and birds. Our national animal is the lion and our national bird is the peacock known for its beauty and majesty. While we use their pictures as emblems and symbols, is it not our duty to see that the entire species of wild animals and birds are preserved? We must put down with ruthlessness the anti-social activities of certain people. It is very painful

to know that some of our officers in the forests are bribed by interested parties and animals are shot and killed. In the matter of hunting also this is happening. I feel certain etiquettes and principles should be followed in trade and commerce related to this and then only we will have richness in every field.

There is what is called the ecological balance which deals with certain ratio to be maintained between plants and animals. That ratio has to be maintained. I am sure Government will bear in mind some of these points and see that the Act is implemented in the right spirit.

Now I come to the duties and functions of the various bodies such as Wild Life Protection Authority, Wild Life Advisory Body, etc. What is happening these days is that meetings are held as if they are some rituals. There is no follow-up action. There is an international organisation also connected with this. But they should do their duty. For that I suggest that at least two meetings of these various bodies should be held. It must be made obligatory and compulsory on the part of the State Governments to send the reports of these bodies to the Central Government so that the Central Government may evaluate and see what further action is necessary.

If there are loopholes and defects in the Bill, it is for the Government to plug the loopholes and remove the defects. It has become one of the diseases in our country that we do not admit our mistakes. We must admit our mistakes and we must correct ourselves also. If there are rules or certain sections in the Bill which go against the principle or which cannot be implemented in the light of the experience that has been gained and in the light of the opinion that has been expressed by the different States and also in the light of the analysis made by the Central Government, those rules also will have to be changed and we have to find out how they can be implemented in the proper way.

Sir, I once again say that this fits in very aptly, especially in the year of Silver Jubilee of our Independence which is considered to be very

auspicious and in the Birth Centenary year of Shri Aurobindo, the great sage and saint, with the saying: "Sarva jeevo sukhino bhavantu". By increasing the forest wealth in the country, by going ahead with afforestation programmes and by protecting all these animals and birds, let us march ahead.

With these words. Sir, I support this Bill. Thank you.

**श्री सैयद अहमद (मध्य प्रदेश) :** जनाबे सदर, मेरी तकरीर मुक्तसिर होगी। मेरी हमदर्दी जो कानून पेश किया गया है उसके साथ है। उसकी वजह यह है कि मुझे जंगली जानवरों का बहुत बड़ा तजुर्बा है और इसी वास्ते मैंने यह जुर्रत की है कि मैं इसके मुताल्लिक कुछ मशविरा माननीय मंत्री जी, जिन्होंने यह बिल पेश किया है, उनको दूँ। शायद इस हाउस को या गवर्नमेंट को यह याद होगा कि 1952 से लेकर आज तक करीब-करीब हर स्टेट में एक सैक्चुअरी बनाई गई है। सैक्चुअरी बनाई गई है इस वास्ते कि हर स्टेट चाहती थी कि जो जंगली जानवर स्टेट में हैं, उनकी हिफाजत की जाय। हिन्दुस्तान में जिस कारबैट नेशनल पार्क भी बनाया गया है। जो कानून दफा 19 से लेकर 34 तक सैक्चुअरी और नेशनल पार्क के मुताल्लिक आज करने की कोशिश की जा रही है, वे कानून इसके पेशतर भी हुब-हू ऐसे ही थे। मेरे दोस्त, जिन्होंने बिल पेश किया है, अगर वे कोशिश करेंगे तो उन्हें याद आएगा। मैं बल्लीपुर गया, मैं मध्य मलाई गया, परिहार गया, काजीरंगा गया, मैंने बहुत से सैक्चुअरी देखने की कोशिश की है, लेकिन एक फीचर सभी जगह दिखाई देता है और वह यह है कि जानवर की जिन्दगी के लिए जो जरूरी है वह हैवीटैट वहाँ नहीं है। हैवीटैट की डेफीनेशन सैक्शन 2 (15) में दी गई है :

"land, water and vegetation in which the animal lives".

मालूम नहीं यह इन्होंने कहां से ली है। हैवीटैट का मतलब यह होता है कि जानवर को उसके एनवायरनमेंट में छोड़ दिया जाय।

It is the isolation of the animal from any environment which makes the habitation.

अगर उस जानवर को उसकी फ्रिजा में नहीं छोड़ा गया तो वह पैदा करना छोड़ देता है, वह ब्रीड करना छोड़ देता है। दो साल पेशतर मैं गीर गया तो मैंने वहाँ एक बात देखी कि वहाँ फ्री पापुलेशन है। वह 500 मील का एरिया है, अगर गलत नहीं कह रहा हूँ। उस 500 मील के एरिया में 200 टाइगर्स हैं, 500 पैथर्स हैं, इसके अलावा पिग या सोमर है। वहाँ फ्रिज पापुलेशन किसानों की है जो काश्तकारी करते हैं। उनके पास करीब 16 हजार कैटिल थे। ये 16 हजार कैटिल वहाँ चरते थे। वहाँ कन्ट्रेक्टर्स को टिम्बर का कान्ट्रेक्ट दिया गया था, वे टिम्बर काटते थे। वह देख कर मुझे लगा कि यह सैक्चुअरी नहीं है, जू है और जैसे जू के अन्दर विजिटर को, टूरिस्ट को लाया जाता है, सफर करने वालों को लाया जाता है और उनको बताया जाता है कि ये हमारे यहाँ के जानवर हैं, इसी तरह गीर के अन्दर कुछ टाइगर्स, एक-आध पैथर्स और कुछ दूसरे जानवर हैं, जिनको दिखला दिया जाता है।

उनका जो एसोसिएशन था, वह बिल्कुल ह्यूमेन था। वे आदमियों के साथ में रह रहे थे। मेरे खयाल से चीतल को छोड़ कर के अगर किसी जानवर को ह्यूमेन सोसाइटी में रहना पड़े तो वह ब्रीड करना बन्द कर देगा या बहुत कम कर देगा। एक सैक्चुअरी मेरे सूबे में इस वास्ते बनाई गई थी कि वहाँ पर बारह सिंघे को रखा जाय। बारह सिंघा जो रेयर एनिमल हिन्दुस्तान में है वह काजीरंगा में है या काश्मीर में था। बारह सिंघा को काश्मीर में तो फौज ने खत्म कर दिया है। मारकोस भी खत्म कर दिया गया है। तो उसका एरिया 65 मील है और उसमें किसी जमाने में 300 बारह सिंघा और 16 टाइगर्स थे। अब करीब डेढ़ सौ बारह सिंघा और 9 या 10 टाइगर्स रह गये हैं। मैं अपने दोस्त की इत्तिला बें लिए कह देना चाहता हूँ कि इतने छोटे एरिया में इतने टाइगर्स रखने से पाँच छः साल :

[श्री संयद अहमद]

बारहसिंघे खत्म हो जायेंगे। टाइगर अपने शिकार के लिए 20-20 मील चला जाता है। इस लिए 65 स्क्वायर मील के एरिया में रखने से ऐसा लगता है कि टाइगर किसी पिंजड़े में रख दिया गया हो। जहाँ पर शिकार नहीं होगा वहाँ पर टाइगर एक्जिस्ट नहीं कर सकता है। उसको मारने के लिए सांभर चाहिये, स्पॉटेड डीयर चाहिये, नील गाय चाहिये। अगर उसको यह जानवर नहीं मिलेंगे तो वह दूसरी जगह चला जायगा। उसी तरह से अगर घास खाने वाला कोई जानवर हो, भैंसा हो, जंगली गाय हो या और कोई जानवर हो और उसको घास न मिले तो वह घास की तलाश में और कहीं चला जायगा। तो वहाँ पर बारहसिंघा की पापुलेशन है, लेकिन हैबिटेड नहीं है।

एक सैक्चुररी जिससे मुझ संतोष हुआ वह काजीरंगा की सैक्चुररी है। वहाँ पर जो रेजर था, उससे मैंने पूछा कि आपने इस सैक्चुररी को कैसे इस हालत में रखा है। उसने कहा कि हमने सात पोचरों को

प्रो० शेर सिंह : यह कहाँ है।

श्री संयद अहमद : आसाम में है।

(Interruption)

श्री सभापति : आप मुझ को एंड्रेस कीजिये।

श्री संयद अहमद : वे मुझ से पूछते हैं।

उनको आपके जरिये पूछना चाहिये था। आप उनको नहीं डांट रहे हैं, मुझ को डांट रहे हैं।

श्री सभापति : आप बोल रहे थे। आपको रुकना नहीं चाहिये था।

श्री संयद अहमद : मैं माफी चाहता हूँ। लेकिन आपको मेरे खयाल से मेरे बजाय उनको डांटना चाहिये था।

मैं अपने दोस्त की इत्तिला के लिए कह देना चाहता हूँ कि काजीरंगा आसाम में है। गैंडा के लिए यह सैक्चुररी बनाई गई थी। गैंडा के सींग किसी खास लिहाज से चीनी लोग पसन्द

करते हैं और वह आठ-आठ हजार रुपये का बिकता है। इसी वजह से कुछ लोग गैंडे को मारते हैं और उसका सींग ले जा कर के तिब्बत के पास बेच देते हैं। एक बार ऐसा किस्सा हुआ कि 20 गैंडे मार दिये गये और उससे गवर्नमेंट को तश्वीश हुई कि इस तरह सारे गैंडे खत्म हो जायेंगे। इसीलिए वहाँ पर सैक्चुररी का इन्तजाम किया गया। तो उसने बताया कि एक बार सात पोचर उन्होंने मार डाले।

तो मैं आपसे यह कह रहा हूँ कि सबसे पेश्तर बात यह है कि जितना भी मैंने देखा है चाहे वह बन्दीपुर हो या परियार हो, हर जगह वे हैबिटेड नहीं हैं। जानवर ऐसा मालूम पड़ता है कि आदमी की कंपनी में रह रहा है। परियार में तो 15 हजार एकड़ बिलकुल लगा हुआ एकबा था, उसको बसाया गया और मैं एक बात और बताना चाहता हूँ और वह यह है कि जितना फारेस्ट कटिंग होती है, उतना ही ज्यादा जानवर डिस्टर्ब होता है। जितने चरागाह बढ़ते हैं उतने ही जानवर डिस्टर्ब होते हैं और उसकी वजह से जानवर वहाँ कम जाते हैं। अभी आपने जो कानून बनाया है, उसमें आपने नेशनल पावर में और सैक्चुररी में फर्क रखा है। मैं समझता हूँ कि यह फर्क मिटा देना चाहिए। नेशनल पार्क के लिए जो कुछ आपने रखा है वही नवैयत आपको सैक्चुररी को भी देनी चाहिए। अगर ऐसा होगा तभी सैक्चुररी में जानवर ज्यादा पनप सकेंगे और वहाँ आदमीयों का डिस्टर्बेस कम होगा। इस वास्ते मेरी दरखास्त यह है कि सब से पहले आप हैबिटेसन इंप्रूव करने की कोशिश कीजिए। अगर हैबिटेसन इंप्रूव करने की कोशिश नहीं करेंगे तो आप कितने ही कानून बना लीजिए, आप अपने जानवरों की हिफाजत नहीं कर सकते हैं। बिना हैबिटेसन के जानवर पनप नहीं सकते हैं और मौजूदा हालात उन के मिजाज के माफिक नहीं आते हैं, चाहे वह शेर हो या साँभर हो या शेर बबर हो, हालात उनकी तबियत के माफिक नहीं आते हैं। मैं तो यहाँ तक कहूँगा कि आप मेहरबानी करके सैक्चुररीज में और नेशनल

पार्क्स में ट्रैस्ट्स का जाना बन्द करा दीजिए और उन जानवरों को बिल्कुल अकेला छोड़ दीजिए। ऐसा करने से किसी जमाने में आपको काफी जानवर दिखाई देंगे। जानवरों की पैदाइश में ट्रैस्ट का वहां होना ही खलल पैदा करता है, जैसा कि आज कल हो रहा है। आजकल तो वहां तमाशा होता है। मैं जब वहां गया तो मुझे बताया गया कि किस तरह के जानवर वहां हैं। किस तरह से वे शिकार करते हैं। एक बड़े से जंगल में मुझ को बैठा दिया गया और दूर पर एक बकरी को बांध कर उसके चारों तरफ फ्लैश लाइट लगा दी गयी और एक तेंदुवा जो पाल रखा गया था उसको छोड़ दिया। उसने आकर बकरी को पकड़ लिया और यह तमाशा हमको दिखा दिया। कहीं भी नेशनल पार्क में ऐसा नहीं होता। आप उगांडा में जायें, कीनिया में जायें, साउथ अफ्रीका में जायें आपको मालूम होगा कि किसी तरह का तमाशा वहां फारेन्स को नहीं दिखाया जाता। वहां कितनी ही तरह के जानवर पाये जाते हैं। वह पोचिंग करते हैं। पोचिंग कोई भी शिकारी करता है। लार्ड ग्रे जो अपने जमाने के एक बड़े शिकारी थे वह भी पोचिंग करते थे। जिम कार्बेट जो था उसने भी कभी पोचिंग की थी और मुझे माफ करेंगे मैंने कभी थोड़ी बहुत पोचिंग की है। तो पोचिंग हर शिकारी थोड़ी बहुत करता है, लेकिन सबसे बड़ी चीज यह है और मेरा तजुर्बा है शिकारी होने के लिहाज से और जंगली जानवरों के साथ मैंने जिन्दगी भर सोहबत रखी है, मेरा तजुर्बा है कि जितने आपके सरकारी मुलाजिम इन जानवरों को खत्म करने के लिए जिम्मेदार हैं, उतना और कोई दूसरा नहीं है। उन्होंने ही उनका सबसे ज्यादा नुकसान किया है। जानवरों के दो डिवीजन होते हैं उनके स्पेसीज के—हार्ड स्कैन्ड और साफ्ट स्कैन्ड। एक में भैंसे वगैरह आते हैं और दूसरे में टाइगर, पैथर वगैरह आते हैं। हार्ड स्कैन्ड जानवरों का गोشت खाया जाता है जिन में सांभर, चीतल और बारहसिंघा आते हैं और हार्ड स्कैन्ड जानवरों का जहां तक ताल्लुक है उनको

सरकारी मुलाजिमों ने बहुत ज्यादा बर्बाद किया है। यह मेरा तजुर्बा है। मैं आपको बता रहा हूं। उन्होंने दो तरीके से बर्बाद किया है। जब हम जाकर पोचिंग करते हैं तो हम सरकारी मुलाजिमों को गोشت खाने के लिए देते हैं। हम फारेस्ट गार्ड को खाने के लिए देते हैं, रेंजर को देते हैं और वह हम को ओवर लुक करता है। अगर हमारा लाइसेंस एक चीतल मारने का है और हमने दो मारे तो वह रिपोर्ट नहीं करता। दूसरे आज साहब बहादुर की आदत हो गयी है कि अंग्रेज लोग सांभर मारते थे, शेर मारते थे, इसलिए हम भी मारते हैं।

**श्री सभापति :** अब आप खत्म कीजिए।

**श्री संयद अहमद :** मैं जिन्दगी में बहुत कम बोला हूं, अगर पांच मिनट ज्यादा भी मुझे दे देंगे तो कोई हाउस का नुकसान नहीं होगा।

**श्री सभापति :** नुकसान किसी का नहीं होगा, लेकिन वक्त इसके लिए थोड़ा है।

**श्री संयद अहमद :** तो मैं आपको बता रहा हूं और आपके नोटिस में लाना चाहता हूं कि मुझ को खुद दो-दो बार रिपोर्ट करनी पड़ी। जंगल में सबसे बड़ी आफेंसेज दो होते हैं। सिविल लाइफ में मर्डर सबसे बड़ा आफेंस होता है और जंगल में दो सबसे बड़े आफेंसेज होते हैं। एक तो फारेस्ट फायर होती है जिससे वहां का एडमिनिस्ट्रेशन डरता है। अगर फारेस्ट फायर शुरू हो जाय तो सारा फारेस्ट एडमिनिस्ट्रेशन पैरेलाइज हो जाता है। दूसरे यह कि मादा को मारना, किसी जानवर की मादा को मारना, सबसे बड़ा मारल आफेंस है, लेकिन एक कलेक्टर ने वहां एक दो को मार लिया और उनके मारने के बाद जब मैंने वहां के मिनिस्टर आफ फारेस्ट से रिपोर्ट की तो झूठ बोल गये कि मैंने नहीं मारा। मुझे बड़ी खुशी हुई कि कलेक्टर भी झूठ बोल सकता है। एक कलेक्टर ने एक शेर मारा था। (Time bell rings) कलेक्टर साहब की रिपोर्ट की तो वह भी झूठ बोल गये।

**श्री सभापति :** दुनिया भर के झूठ बोल गये लेकिन अब आप खत्म कीजिये ।

**श्री संयद अहमद :** मैं सच बोल रहा हूँ । अच्छा साहब तो मैं अपने अमेंडमेंट के मुतालिक कुछ बात कहूँ ।

**श्री सभापति :** बहुत थोड़ा समय है इस बिल के लिये और कई साहब बोलना चाहते हैं, आप उनका भी वक्त ले लेंगे ?

**श्री संयद अहमद :** थोड़ा सा अमेंडमेंट के बारे में कहना चाहता हूँ । आपने एक शैड्यूल बनाया है और शैड्यूल 5 और उसमें वर्मिन को गिनाया है और उसके डिस्ट्रिक्शन को परमिट किया है, लेकिन कुछ जानवर ऐसे होते हैं जिनको कि हम "मेहतर" कहते हैं, वह स्क्वेजर का काम करते हैं, वह हड्डियों को साफ करते हैं, खाये हुये जानवरों को साफ करते हैं, तो मेरा आपसे अर्ज करना है कि ऐसे जानवरों को आपको प्रोटेक्ट नहीं करना चाहिये जैसे कि ह्याना है । He is a scavenger along with jackal. जैसे कि जंगली कुत्ता है, जिसको कि वुश डाग साउथ अफ्रीका में कहते हैं और उसको आपने प्रोटेक्शन देने वाले जानवरों को कैटेगरी में रखा है, हालांकि इससे ज्यादा डिस्ट्रिक्टिव जानवर और कोई नहीं है वह पैकेज में, झुंड में घूमते हैं और शेर को मार देते हैं, चीते को मार देते हैं, बीस-बीस के पैकेज में रहते हैं, कभी हाथी को मार देते हैं, उसमें ज्यादा डिस्ट्रिक्शन करने वाला कोई नहीं होता । तो इसको आप प्रोटेक्ट कर रहे हैं । इस वास्ते मैंने अमेंडमेंट दिया है कि ये दो तीन जानवर ऐसे हैं जिनको कि प्रोटेक्शन में रखने का सवाल ही नहीं । इसकी कोई जरूरत नहीं है । इन अल्फाज के साथ मैं खत्म करता हूँ । मैं आपका शुक्रिया अदा करता हूँ कि आपने मुझे इतना मौका दिया ।

**श्री रणबीर सिंह :** यह, अहमद साहब, शिकारी हैं ।

**श्री मान सिंह वर्मा (उत्तर प्रदेश) :** यह तो आश्चर्य की बात है कि शिकारी ही आज प्रोटेक्शन

की बात कर रहे हैं—दिन-रात मारते हैं और फिर प्रोटेक्शन की बात करते हैं ।

अध्यक्ष महोदय, जीव मात्र की रक्षा हमारी सांस्कृतिक परम्परा है, प्राणी मात्र को सुरक्षा दी जाये, यह हमारी धार्मिक मान्यता रही है इस नाते से यह जो विधेयक लाया गया है इसका मैं स्वागत करता हूँ । पहली बात । पहले से ही इस प्रकार का प्रावधान होना चाहिये था कि जीव मात्र की रक्षा का प्रबन्ध किया जायेगा । परन्तु, श्रीमन्, इस विधेयक को पढ़ने के पश्चात् मैं यही कह सकता हूँ कि विधेयक एक प्रकार से हाफ-हार्टेड मेजर है—कुछ जानवरों की रक्षा करना और कुछ को न करना । मैं यह नहीं समझ सका कि इस विधेयक को लाने में किस भावना ने काम किया है । मानवीय भावना से यह विधेयक लाया गया है, राजनैतिक भावना से अबवा धार्मिक भावना से, किम भावना को लेकर यह विधेयक लाया गया है । यदि मानवीय भावना है जैसा कि प्रतीत होता है तो फिर इसमें एक समाजवादी सरकार द्वारा समाजवाद जानवरों के सम्बन्ध में भी होना चाहिये—जो छोटे-छोटे हैं बेचारे वे मारे जायें और जो बड़े-बड़े हैं उनकी रक्षा की जाये, जो शक्तिशाली हैं उनकी रक्षा का पूर्ण प्रबन्ध हो जाये और जो छोटे-छोटे हैं उनको मार कर खाया जाये । यह जो आपकी परिभाषा है, वह असंदिग्ध है, स्पष्ट नहीं है ।

श्रीमन्, मैं यह कहना चाहता हूँ कि इसमें वाइल्ड लाइफ और एनिमल्स और बर्ड्स का प्रोटेक्शन करने का आप प्रावधान कर रहे हैं, शेर, चीते की रक्षा की जाय, हाथियों की रक्षा की जाय, जो जगत में रहने वाले और जानवर हैं उनकी सुरक्षा का प्रबन्ध किया जाये, तो फिर गौ की सुरक्षा का प्रबन्ध क्यों न किया जाये । फिर यह बकरी क्यों मारी जाती है । फिर सूअर क्यों मारे जाते हैं, फिर ये दिन रात लाखों और करोड़ों की ताबाद में भुगें क्यों मारे जाते हैं ? उसमें मानवीय भावना नहीं है क्या ? उसके लिए लाइसेन्स दिए जाते हैं और उसका प्रचार किया

जाता है—अधिक से अधिक गोشت खाया जाए, अधिक से अधिक मांस खाया जाए। तो उसमें जो वाइल्ड बर्ड्स हैं, जो गोشت खाने के काम में आते हैं, उनकी सुरक्षा कैसे करेंगे? तो क्या यह हाथी के दांत खाने के और दिखाने के और बाली बात नहीं है? कौन सी भावना को लेकर यह प्रावधान ला रहे हैं, यह समझ में बात आई नहीं। हमारी संस्कृति में, हमारे इतिहास में तो प्रत्येक पशु को यहां पर बड़ी मान्यता दी गई है, जहां पर गऊ को दी गई है उसको यहां पर राष्ट्रीय जीव माना गया है, वहां पर बारहावतार भी माना गया है। तो जितने भी पशु हैं उनको मान्यता दो हुई है। इस नाते से मैं यह निवेदन करूंगा कि सरकार की तरफ से जब यह बिल आया है तो इसमें इस प्रकार का प्राविजन होना चाहिए कि जितने भी काम में आने वाले पशु हैं—और सभी काम के हैं, प्रत्येक का अगर उपयोग देखा जाए तो प्रत्येक का उपयोग है—उनको मारने की व्यवस्था नहीं होनी चाहिए। मारने की व्यवस्था उनको दी गई है।

To kill a killer is the right type of *ahinsa* according to—our culture—

यह हमारी अहिंसा की जो परिभाषा है, वह यह है कि जो नुकसान पहुंचाता है, किलर है, जो कि किल करना चाहे। तो मैं समझता हूं, शेर भी किलर नहीं है, कोई भी अपने-अपने स्थान पर किलर नहीं है। इस नाते से आप एक कबूतर की रक्षा कर सकते हैं, लेकिन मुर्ग को हलाल कर डालते हैं, उसके लिये विरोध नहीं होता है। तो इस प्रकार की परिभाषाओं को रखने की क्या आवश्यकता थी।

श्रीमन्, इस बिल की धाराओं में मैंने एक-दो जो प्राविजन देखे हैं, उसके विषय में मैं आपका ध्यान आकर्षित करना चाहता हूं। यह तो मैंने एक जनरल वे में अपनी भावना को व्यक्त किया है। श्रीमन्, क्लॉज 27(2) में आप यह प्रावधान कर रहे हैं—जहां पर सैक्चुरीज होगी, वहां पर जो रहने वाली जनता होगी, यदि वहां पर कोई प्रोटेक्टेड एनिमल मारे जाएंगे तो उसकी

जिम्मेदारी वहां के निवासियों पर भी होगी और उनको भी दंड दिया जाएगा।

VICE CHAIRMAN (SHRI V. B. RAJU) in the Chair.

श्रीमन्, मैं समझता हूं इस प्रकार का जो प्रावधान है, यह वहां के रहने वाले निवासियों के प्रति ठीक नहीं है, यह एक हार्डशिप होगी उनके प्रति इसमें उनको अकारण ही कभी-कभी सजा दी जा सकती है। यह तो ठीक है जिसने मारा है उसका पता लगाना चाहिए और उसका पता लगाने में वहां के निवासी भी सहयोग दें, लेकिन वहां के निवासियों पर इसका दायित्व डाला जाए, इसकी जिम्मेदारी डाली जाए, मैं समझता हूं, इससे परेशानियां पैदा होंगी और विशेष रूप से जो जन जातियां जंगलों में रहती हैं, जिनका रहन-सहन उन्हीं जानवरों के साथ है और उन पर जीवन भी निर्भर है, उनके प्रति एक बहुत बड़ा दंड यह हो जाएगा।

श्रीमन्, मैं आपके साध्यम से माननीय मंत्री जी का ध्यान क्लॉज 56 की ओर भी आकर्षित करना चाहता हूं, जिसमें आप ऐसा प्रावधान कर रहे हैं कि यदि किसी ने अपराध किया है तो उसको चीफ वार्डन या चीफ सेक्रेटरी दंड देंगे। इसके अनुसार जैसा मैं समझ सका हूं, वह कोर्ट में नहीं जा सकेगा और अपील भी नहीं कर सकेगा। यदि ऐसा है तो जो एक राइट है सिटिजन का, जो एक नागरिक का अधिकार है, कि वह अदालत में जाकर, जो एलीमिनेशन उसके ऊपर लगाए हैं, जो आरोप लगाए हैं, उनके बारे में सुनवाई करा सके, निराकरण करा सके, उस अधिकार को आप छीनना चाहते हैं। यदि ऐसा है तो यह उचित नहीं है, इसको बदलना चाहिए।

इसके साथ ही यह बताया गया है कि जो कंपनियां वहां जाएंगी, वह वाइल्ड एनीमल्स के स्कैन, वाइल्ड लाइफ का जो धन है, वह कलेक्ट करेंगी। इसमें एक मुश्किल पैदा हो जाएगी। आपने इजाजत दे दी कि बड़ी-बड़ी कंपनियां जा सकती हैं—और इसमें यह प्राविजन है—

[श्री मान सिंह वर्मा]

तो एक बहाना मिल जाएगा, अगर यह पता न लगा सके कि किसने अपराध किया है। तो कंपनी दंड के लिए लाएबल नहीं होगी, ऐसा इसमें है। अगर ऐसा होगा तो जो बड़े-बड़े लोग हैं, उनको जानवरों को मारने का मौका मिल जायेगा और उन्हें कोई दंड नहीं दिया जायेगा और छोटे-छोटे लोग पकड़े जायेंगे। तो मेरा कहना है कि इस चीज की ओर भी देखने की आवश्यकता है।

श्रीमान्, इसमें जो यह प्रावधान कर रहे हैं कि जानवर के मारने के 15 दिन के अन्दर सूचना दे देनी चाहिये कि कौनसा जानवर मारा गया और किस दिन मारा गया। इसके सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि 15 दिन की जो अवधि सूचना देने के बारे में रखी गई है, वह बहुत ज्यादा है। 15 दिन के अन्दर तो बहुत से मामले बनाये जा सकते हैं और बहुत सी चीजें मैन्यूवैरिंग की जा सकती हैं। आपको इसमें इस तरह की व्यवस्था करनी चाहिये थी कि जैसे ही कोई जानवर मारा जाता है, उसकी सूचना तुरन्त ही जहाँ पर देनी हो, वहाँ पर दे देनी चाहिए और इसके लिए आप ज्यादा से ज्यादा दो दिन की अवधि रख सकते हैं। इसमें जो 15 दिन की अवधि रखी गई है वह बहुत ज्यादा है क्योंकि आपको मालूम है कि अगर कहीं पर मर्डर होता है तो घंटों के भीतर उस घटना के बारे में बातें बदल दी जाती हैं। इसलिए जो 15 दिन की अवधि इसमें रखी गई है वह बहुत ज्यादा है और मैं मंत्री जी से चाहूँगा कि जो यह प्राविजन इस तरह का किया गया है, अगर उसको बदल कर एक या दो दिन का कर दिया जाये, तो अच्छा होगा। मैं समझता हूँ कि इस बिल के सम्बन्ध में यही कुछ बातें सोची थी, जिन्हें मैंने व्यक्त कर दी है।

श्री भोला पासवान शास्त्री (बिहार) :  
उप सभाध्यक्ष महोदय, वन्य प्राणी (संरक्षण) विधेयक, 1972 का मैं स्वागत करता हूँ और उसका समर्थन भी करता हूँ। मेरा ऐसा विश्वास है

कि अगर हम अपने राष्ट्रीय जीवन को हर तरह से अच्छा बनाना चाहते हैं तो इन वन्य प्राणियों का संरक्षण बड़ा आवश्यक है। इन वन्य प्राणियों से मानव समाज को बराबर फायदा रहा है। हमने इनका मांस खाया है, हमने इसके चमड़े को ओढ़ा है और हमने उनकी हड्डियों से काम लिया है तथा आज तक लेते आ रहे हैं। इतना ही नहीं, इनसे हमें आर्थिक लाभ मिला है और हमारी सभ्यता और संस्कृति पर वन्य प्राणियों का बहुत गहरा प्रभाव पड़ा है।

दुनियाँ के किसी देश के साहित्य को ले लीजिये या संस्कृति को ले लीजिये, तो आप पायेंगे कि वन्य प्राणियों की वजह से वहाँ की संस्कृति पर गहरा प्रभाव पड़ा है। हमारे साहित्य में, हमारे रामायण और महाभारत में ले लीजिये, उसमें आपको इस तरह के शब्द मिलेंगे, गज-गामिनी, मृगनयनी, पिकबयनी और हंसगामिनी। जिस स्त्री की आंख हरिण की तरह बतलाई गई है, उसको मृगनयनी कहा जाता है। अब आप समझ लीजिये कि अगर इन प्राणियों का सत्यानाश कर दिया जाये, इनको खत्म कर दिया जाये, तो पचास या सौ वर्ष के बाद जो हमारी संतानें होंगी, वे मृगनयनी शब्द का अर्थ नहीं समझ पायेंगी। "पिकबयनी" जो कोयल की तरह मीठा बोले, उसको पिकबयनी कहा जाता है। गजगामिनी ऐसी कामिनी, जो गज की चाल चल सकती हो। इसी तरह से हंसगामिनी है। ये सब चीजें नहीं रहेंगी, अगर हम वन्य प्राणियों को संरक्षण नहीं देंगे। साहित्य और संस्कृति पर कितना गहरा असर पड़ा है, इससे आप अन्दाजा लगा सकते हैं। सभी लोग आसानी के साथ लगा सकते हैं। इसलिए हमारे युग में वन्य प्राणियों ने मानव समाज की सभ्यता पर आर्थिक दृष्टिकोण से और सांस्कृतिक दृष्टिकोण से गहरा प्रभाव डाला है। इसमें दो राय नहीं हो सकती है कि उनका संरक्षण होना चाहिये। क्योंकि पिछले कई वर्षों से बड़ी तेजी से इनका ह्रास हो रहा है और बड़ी बेरहमी से इन प्राणियों को मारा गया है। जिस समय जमींदारी प्रथा उठ रही थी, उस समय

जमींदारों ने काफी जंगल बेरहमी के साथ काट डाले और कई जानवरों को मार दिया। जब पिछला महायुद्ध हुआ तो उस समय भी काफी जानवर मारे गये। आज जानवरों को सबसे अधिक खतरा पेशेवर शिकारियों से है। क्योंकि ये पेशेवर शिकारी जानवरों को मार कर उनके चमड़े का व्यापार करते हैं। आज वन्य प्राणियों को उनसे सब से ज्यादा खतरा पैदा

12 Noon हो गया है। इसलिए इसको रोकना जाना बड़ा जरूरी है। मैं मिनिस्टर साहब को राय दूंगा कि जो गन से शूटिंग होती है, उसके बदले वे कैमरा शूटिंग को प्रोत्साहन दें तो अच्छा होगा, कुछ फंड रखें, लोगों में इसके लिए इन्टरेस्ट पैदा करें। लोग बाघ की खोज में, हाथी की खोज में, मृग की खोज में जायें और तरह-तरह के फोटो लें।

जंगल में जो तरह-तरह के जानवर रहते हैं, वे खुद अपने जीवन को संतुलित करते हैं। प्रकृति उसको बैलेंस करती है। अगर हिरन नहीं रहेगा तो खाने की खोज में बाघ बाहर आएगा। अगर हिरन भी है, बाघ भी है तो जंगल की लाइफ बैलेंस रहती है, प्रकृति स्वयं बैलेंस कर लेती है।

अभी हमारे दोस्त वर्मा जी ने कहा कि आप बाघ को बचाते हैं तो गाय को क्यों मारते हैं? मैं उनको बताना चाहता हूँ कि हमारे यहां तो कहा गया है, "आत्मवत् सर्व भूतेषु", सब प्राणियों को अपने समान समझो, यह हमारा उद्देश्य है लोग हिरन खाते हैं, गाय खाते हैं, भैंसा खाते हैं। लेकिन उस उद्देश्य तक हम कहां पहुंच सके हैं। दुनिया के लिए, संसार के लिए जानवर की भी उपयोगिता है, इसलिए उसे मारा जाता है, खाया जाता, मनुष्य खाने के लिए भी उसका लाभ लेता है। उस दृष्टि से भी वन्य प्राणियों की रक्षा करना बड़ा जरूरी है।

यह काफी बड़ा विधेयक है। 60 वर्ष के बाद आया है। मेरी राय में इस विधेयक को पहले स्लेक्ट कमेटी में जाना चाहिए था। स्लेक्ट कमेटी

में जाता तो 1912 का जो एनीमल्स रेगुलेशन ऐक्ट था, उसके बाद 60 वर्ष में जो तबदीलियां हुईं, लोगों का जो दृष्टिकोण बदल गया है, इन सबका वहां लाभ उठाया जाता। लेकिन सरकार को इसकी ग्रहमयत ज्यादा महसूस हुई और उसने चाहा कि इसे जल्दी पास करा लें। मैं समझता हूँ कि कुछ दिन के बाद सरकार को इस ऐक्ट में अमेंडमेंट के लिए बिल लाना पड़ेगा।

दूसरी बात मुझे यह कहनी है कि हमारे देश में आदिवासी बहुत काफी संख्या में बसते हैं। वे जंगल में रहते हैं। आदिवासियों का और जंगल का ताने-बाने का सम्बन्ध है। उनका वह जीवन है। आज भी उनकी रोजी-रोटी का साधन शिकार है और यह बड़ा महत्वपूर्ण साधन है। उनकी जिन्दगी ऐसी नहीं है कि वे खेती करके ही अपने जीवन का निर्वाह कर सकें। आज वे शिकार करते हैं। उनके लिए यह सब कानून लाया जायेगा तो उनके लिए बड़ी कठिनाई हो जायेगी। रोज आपके अफसर उनको पकड़ कर बन्द कर देंगे। अच्छी नीयत से आपने यह कदम उठाया है और उसका उलटा असर होगा, एडमिनिस्ट्रेटिव समस्या खड़ी हो जायेगी। इसको इस खयाल से भी सोचिये। मैंने इसको सरसरी नजर से देखा है। अंडमान निकोबार के लोगों को कुछ सहूलियत है, लेकिन मध्य प्रदेश है, बिहार है, बंगाल है, आसाम है, बहुत से प्रदेश हैं, जहां आदिवासी रहते हैं। जंगल हैं, जंगली जानवर हैं, वे शिकार करके गुजर करते हैं, जिनको आप कानून बना कर नहीं रोक सकते। जब तक आप उनके लिए कोई स्पेशल रियायत नहीं करते। उनके बाल-बच्चे जाते हैं, जंगल से लकड़ी और चावल वगैरह ले आते हैं। ट्राइबल लोग जानवरों पर बहुत निर्भर करते हैं और अगर उनको रोका जायेगा तो उनके अन्दर रोष होगा सरकार के प्रति। इस दृष्टिकोण को भी खयाल में रखा जाना चाहिए। डिस्ट्रिक्ट मैजिस्ट्रेट को आपने बहुत पावर दी है। ऐसी स्थिति में कहां तक कामयाबी होगी, इस पर भी खयाल करना चाहिए।

[श्री भोला पासवान शास्त्री]

ऐसे भी जानवर हैं जो किसानों के खेत खा जाते हैं। हमारे यहां पलामू डिस्ट्रिक्ट से लेकर उड़ीसा के बार्डर तक ऐसी बेल्ट है जहां पर काफी जंगली हाथी हैं। कभी-कभी जब धान पका रहता है तो 18-18, 20-20 हाथी गांवों में चले जाते हैं। उनसे बचाने के लिए भी कोई न कोई प्राविजन करना चाहिये।

खैर यह अच्छी बात है कि आपने स्टेट गवर्नमेंट को पावर दी है और रूल मेकिंग पावर भी ली है जिस में बाकी चीजें दुस्त कर ली जायेंगी। लेकिन आदिवासियों के लिए जब तक आप के स्टैंड्युटरी पावर की गुंजाइश नहीं करेंगे तब तक उनको कठिनाई उठानी पड़ेगी। इस लिए हम सम्बन्ध में भी विचार करना चाहिये।

वैसे यह बिल और पहले आना चाहिये था, लेकिन खैर देर आयद दुस्त आयद। यह ऐसा बिल है जिसमें किसीको विरोध नहीं हो सकता। मैं फिर दुबारा इस बिल का खुशी-खुशी स्वागत करता हूं और इसका समर्थन करता हूं।

SHRI K. P. SINGH DEO (Orissa): Sir, it is high time that a comprehensive legislation has been brought before Parliament. But I fully suspect the intention and the motivation of the Government's bringing this Bill before Parliament now although the Government seems to have had apparently been concerned in these 25 years about the protection of wild life. This is judged from past experience. In 1969 before the IUCNNR met in Delhi, there were a lot of meetings here, there and everywhere just to show to the country that we are also concerned with the wild life. But from 1966 to 1969 there was no meeting of the Indian Board for Wild Life. Then during the Conference at Stockholm on Environmental Pollution both our Chairman of the Indian Board for Wild Life, Dr. Karan Singh, and the Prime Minister waxed eloquent on pollution and ecology and wild life. There is a certain motive of the Government to pass this legislation within 48 hours just a fortnight before the IUCNNR Conference is to be held in Canada, just to give the impression that India is

doing everything that should be done for wild life. This piece of legislation is like old wine in a new bottle. In 1952, the Government constituted the Indian Board for Wild Life, All the suggestions and recommendations of the Indian Board for Wild Life and of the Expert Committee on Wild Life have yet to see the light of day in so far as implementation is concerned. And all those suggestions form part of the clauses here in this Bill. There are 66 clauses in the Bill and we are expected to pass it within 48 hours without going through any of the clauses, without going through to find out what has been done so far about the recommendations of the Indian Board for Wild Life. At the same time, the Government has said that only 12 States have passed Resolutions. So I want to know whether the onus of responsibility for enforcing and implementing all these recommendations and provisions will remain with the Central Government or the State Governments or whether it is a no man's land, and let the wild life fend for themselves, as it has been the case for the last 25 years? So, I say that the Government is not serious at all. And apart from the instances that I have cited, I would like to quote a question of mine tabled for the 16th August, 1972, unstarred question No. 907, and Prof. Sher Singh had replied to it at a time when Mr. T. N. Srivastava, the Inspector-General of Forests had approached the FAO of the UN to save the wild life of India. Here is a cutting from the Hindustan Times dated May 17 entitled 'FAO help sought to save the tiger'. I am not going into full details for lack of time. But here is what it says:

"Mr. Srivastava said, although tiger hunting had been banned throughout India for the next five years, banning the shooting of tigers is not enough if we have no idea of the present tiger population of the country.

The Rome-based organisation said the request was made by Mr.

T. N. Srivastava at a meeting last week of the FAO's Committee on Forestry".

In regard to my question of last week, the 16th August, 1972, about the measures to safeguard Indian tigers

from extinction, the answer given to the first part about assistance from FAO for this was, 'no' and to the second part, the answer was 'Does not arise'. Either the Minister is misleading the House or he has not done his homework well. Or there is some difference of opinion between the Inspector-General of Forests and himself. I wish he clarifies his reply.

The Government does not maintain any seriousness because after the IUCNNR Conference in Delhi and after there was a total banning of tiger shooting throughout the country, 27 licences were issued, in Madhya Pradesh alone, for the shooting of tigers. Now, I have just come back from Orissa where I heard that in Andhra Pradesh only three or four days back in the District of Srika-kulam a tiger had been shot. And in Orissa itself, in the District of Bela-sore, in the Baripada Reserve Forest, elephants are being poached for ivory just like in Africa, where plantains, banana plants and other plants are being poisoned. And this has been happening right under the nose of the Government, only within half a mile of the Forest Ranger's bungalow. And this lucrative trade from Orissa to Calcutta is carried on with impunity. I still maintain that the Government is not serious because a couple of months back I had the privilege of hearing a talk by Mr. Guy Montford who is considered to be an expert on tiger, at the India International Centre, presided over by Dr. Karan Singh who is the Chairman of the Indian Board for Wild Life, who said that long before it became the fashion anywhere else, to talk about environment and ecology and preservation of wild life, the Prime Minister had talked about it. This is what they say—it is a fashion for us to talk about it because it is a fashion somewhere else: and it is a fashion for conferences to be held in Delhi because in Stockholm and elsewhere, the European Conservation Year had been celebrated and a legislation is brought forward here at a very fast rate so that Members will not be able to go into the details of the working of the Indian Board for Wild Life and the WPV preservation is being implemented in the various States and at the Centre by Government.

Sir, flora and fauna are inseparable parts of nature which cannot survive without each other and without which, man cannot survive also. Flora and fauna form part of our agriculture and marine economy as in Taiwan and other agricultural countries. We have a huge coast-line. So, it is in this context that we must look to the preservation of wild life and not because of the reasons as enumerated by the Minister who said that it is only taxidermy and the commercial trade due to which it has resulted in their extinction; it is the pressure of human population and indiscriminate exploitation of the habitat, environment and ecology which have brought us to this sorry state of affairs. This has been indicated even by the Estimates Committee of the Fourth Lok Sabha in its Report No. 76 for 1968-69 wherein it has severely criticised Government and held the working of the Indian Board for Wild Life responsible. It has said that forest has a direct relationship with rainfall, with the productivity of land, with water-table, with flood protection and other things which are major factors of the agricultural economy of the country.

There was an interesting article in the Times of India of last Sunday where under the heading of "Pollution"—I would not go into the details here—it has given quite an interesting analysis by Mr. Charles Darwin regarding the proportion of dogs with that of the production of honey. I hope the Minister would take pains to read it. I would not take the time of the House because, there is only a few minutes left.

Then there is another reason why I say the Government is not serious about preserving wild life. On the one hand it wants to protect wild life and on the other it gives crop protection guns to farmers without any agreed specification regarding the size of the barrel. And it is also encouraging the National Rifle Association of India to import LGs. SGs and BBs and shots which are lethal enough to endanger wild life but not to kill it outright. This is most inhuman and this is where the Government can play, its part usefully and effectively.

Moreover, Sir, there is nothing in this Bill to allay our fears about the

[Shri K. P. Singh Deo] implementation and enforcement of wild life preservation, because we have had statutes which have never seen the light of the day. We have had legislation in various States which have yet to be implemented. Therefore, this Act is going to be another exercise in futility. The passage of this Bill is another pious platitude which is not going to save wild life in the country unless proper steps are taken to enforce and implement the Act.

There is one glaring fact which I want to bring to the notice of the Government. The zoo and museums have been taken out of the purview of the Act. As far back as 1969 here in Delhi a tiger was killed because it happened to get out of its cage in the Delhi Zoo. Supposing the tigers are killed in this manner what steps is the Government going to take to safeguard the tiger population and other rare animals and birds inside the zoos, if zoos are to be kept out of the purview of the Act. I would like the hon'ble Minister to say what steps he is going to take in this direction.

Lastly, Sir, I would like to bring to your notice a small point how officials try to hoodwink our politicians and authorities that be at Delhi.

SHRI DAHYABHAI V. PATEL: Now politicians hoodwink people.

SHRI K.P. SINGH DEO: As far back as 1969 a particular official—I would not like to name him because he is not here to defend himself—promised the Prime Minister a fawn for her birthday. But on that particular day, when the female doe was supposed to give birth to the fawn, did not, a caesarean operation was carried out inside the Delhi Zoo in the night and the fawn was presented to the Prime Minister on her birthday. But the fawn died, so also the doe. If this is the way wild life is going to be preserved by the Government, and if this is the respect attached to our legislation, I think wild life has a very meagre chance of surviving in this country. Sir, I do support this Bill, but I do not think it is going to serve the purpose. It is going to serve just the fringe of the matter. I hope

the Government will come out with the most stringent steps for the enforcement of the legislation.

SHRI DAHYABHAI V. PATEL: Why don't you send it to a Select Committee?

SHRI NABIN CHANDRA BURAGOHAIN (Assam): Mr. Vice-Chairman, Sir, I welcome this Bill and I also thank the Government for being conscious about the preservation of wild life and birds in India. It is really befitting the culture and philosophy of past India and present India. The idea of protecting animals and birds comes from the Indian philosophy. There is no other philosophy in the whole world which shows so much respect and honour to the animals and birds. It is only Indian culture and civilisation which shows honour to animals and birds. Now the whole humanity has begun to think that it has no right to make extinct a specie on earth. It is realised that many of the very important species of birds and animals have disappeared from the earth, and also that there is no way of bringing them back. So, the whole humanity is concerned, about it. The intellectuals have also, begun to think about the preservation of animals and birds. Sir, if we go to the statistics of the science of birds, there are throughout the world 8,670 species of birds, of which in India alone there are 2,060 species. And out of these 2,060 species, some of the very important species have disappeared from India. So, Indian intellectuals also have begun to think of the preservation of these animals and birds.

After independence, the Government concentrated on giving land to the landless and on development of industries. As a result, many areas have been de-forested. Many land-hungry people have trespassed on forests. As a result, many wild animals and birds have disappeared from the forests. Many species of wild animals and birds have become victims to the invasion of the land-hungry people. Also many tribal people have eroded into the forests. Most of the political parties nowadays advise the land-hungry people to go

and take possession of forest lands. So they invade the forest lands and in this way, they bring destruction to the animals and birds.

In Assam also there were many birds and animals. Assam was the place where many special species of birds and animals were found. There were even white elephants. This is a very rare species. "White elephants are found in Burma only. But previously they lived in Assam also. Assam is a place of one-horned rhinos. It is also well known for many other kinds of wild animals. There is a sanctuary there called the Kaziranga National Park; the area will be about 120 to 150 sq. miles. There are about 300 one-horned rhinos. This sanctuary is situated on the southern bank of the Brahmaputra. Recently the whole sanctuary was flooded and the rhinos living there took shelter in the hills nearby. So, the people took advantage of this to kill a few of them. I may also draw the attention of the Government to the fact that a rhino horn, if it weighs about one kilo, will bring at least Rs. 30,000. So these rhinos have become the victims of poachers. I may also draw the attention of the House to the fact that these rhinos have some peculiar habits. For example, when they desire to ease themselves they go to a particular place together. There is some sort of a community feeling. They go together at the same time and allow the dung to fall.

So for a poacher it is very easy to catch them. Some ditches are dug and they are covered with some leaves, etc. and the rhinos fall into them. Automatically they become prey to these ditches. In this way the rhinos' are caught. Therefore, they need special protection. I would like to draw the attention of the Minister to this. Now I would like to give some suggestions on this Bill.

First of all I welcome the penal provisions of this Bill. There should be a condition of allowing people to live in the sanctuary. If they do not cooperate the employees of the Forest Department cannot detect the offen-

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ces. Their co-operation is most needed. Therefore, if the villagers on condition could live in the sanctuary, it must be in the interests of preservation of wild life. For that there should be some penal provision compelling them to behave as expected. It is very essential that people staying in the sanctuary should be made responsible for the offences.

Then there should be more forest personnel in the sanctuary. Now there are hardly a dozen people in Kaziranga sanctuary. They are not enough. The forest personnel of the sanctuary should be well armed and equipped. All forest personnel of the sanctuary irrespective of ranks should be empowered to arrest people committing offences. Otherwise Rangers, forest guards, foresters, who work in a lonely place will be helpless.

The roads leading to sanctuaries should be developed and improved for the benefit of foreign tourists. Secondly railway traffic and air traffic should be very convenient to them. For example, air traffic to Kaziranga is quite inconvenient. There is an airport at Jorhat and the distance between these places—Jorhat and Kaziranga, sanctuary—is only 60 miles. In the airport there is only a dilapidated house which is being used for the airport. This house cannot meet the needs of an airport of first class. These are all obstacles in the way of tourist traffic. Kaziranga is, therefore, not in a position to attract good number of tourists there. I would request the Minister to see that tourist traffic and tourist centres are improved, because these are foreign exchange earners.

I appreciate the stand taken by Shri Bhola Paswan Shastri. Really what is our culture? Our culture is closely connected with protection of wild animals and birds. Our original language, namely, Sanskrit, is closely connected with birds and animals. There are dramas and stories in Sanskrit which are closely connected with animals and birds. There is the beauty of Indian literature and there lies the beauty of Indian culture and civilisation. With these words I support the Bill.

SHRI SANAT KUMAR RAHA (West Bengal): Mr. Vice-Chairman, I would support this Bill, but I would also express my misgivings this way that by bringing this Bill so late we prove that our Government and we are all wild enough even in this twentieth century civilisation. Our first, second and third national Plans have been completed and the Fourth Plan is going on without planning anything for these vital species of animals and birds. Spontaneity leads our government. So, this Bill has come so belated. This Bill has come at such a time when an ecological crisis is there and when our natural resources have been ruined. However, this is a good piece of legislation for protection of wild animals and birds, in relation to our one-sided economic planning. It is true that without such a legislation preservation of wild animals and birds cannot be possible at all. Deforestation, urbanisation and compulsion of population growth create such a disaster in animal life and forest. In the course of civilisation, man ruthlessly exploited all kinds of natural resources, including valuable species of animals and birds. We have reached today such a point where through this ruthless exploitation of our natural resources we have created an ecological crisis. It is good that we are today seriously thinking of wild life in forests. In the absence of the Select Committee, I would request the Government to come forward with a comprehensive Bill in future because there are several recommendations of the Indian Board of Animal Life and an expert committee which should be studied and discussed. Had there been a Select Committee this Bill would have been more comprehensive.

In this connection I would like to know whether the Government has any scheme regarding Sundarbans in order to develop the forest life and preserve the wild animals there. In West Bengal this is the homeland of Royal Bengal Tiger. I would also request the Government to think of the problems of people living in forest after this Bill is passed. The people who are living in forests are mainly Adivasis. They are very backward. They should be given all sorts

of assistance and they should not be victimised or harassed or disturbed. This Bill can be implemented correctly and effectively with their voluntary co-operation. I might also say that the penal clause may be misused because it takes away the right to go to court. This clause should also be seriously considered. Government should seriously see to it that nothing wrongful is done to the people who have to protect our animal life and bird life. I request the Government to look to the loopholes of the Bill and plug them, so that our animals and birds are protected and preserved as natural resources which are assets of our country and add to our national wealth.

SHRI N. G. GORAY (Maharashtra): Sir, I am happy that this Bill is being discussed here. And I feel that after we pass this Bill it will be possible for us to preserve the wild life which is threatened with extinction. We know that already some of the species have gone out and it will not be possible for us to recreate them. Just now my friend talked about the Royal Bengal Tiger. I do not know how many of them are still alive. And I am afraid that they will soon go the way the cheetah has gone. So far as wild life in India is concerned, our tradition is very ancient and very rich. Even in the seals that we have discovered in Mohanjodaro. We will find animals like elephant, rhino, deer, bull; all of them have been depicted. Then, if you go to our classics, it is hardly a classic which does not mention the rich wild life in India. If you go through the Raghuvamsha you will find that the civil life and the wild life are so dovetailed into one another that the whole thing becomes a contiguous fabric. I would like here to mention the Pancha Tantra which was specially told for the children and there also these monkeys, lions, serpents, jackals, have been treated as if they were human beings. The cunning of the one and the bravery of the other, they are all described and it was told to the princes so that the princes would be able to imbibe some of their virtues and some of their guiles. But it seems that the pastoral pattern that India had till the 18th century was violently disturbed with the advent of the

British. It is the industrial civilisation, which has come as a sort of a death warrant to the wild life. It will not be proper to blame the people for having destroyed this wild life simply because of their greed or cruelty. As my friend here said the shikaris are poachers. Every shikari is a poacher. But it is not the shikari alone who has been instrumental in destroying this wild life. It is the menace and inexorable pressure of civilisation. The population is growing. Roads are being built. People want fuel. There is no other source for fuel. They are destroying forests and with the destruction of the forests the wild life also gets destroyed. That is the ecology. When the Minister is asking us to pass this Bill I would like to point out to him that unless he takes very energetic steps to preserve the forests, whatever Bills we pass it will not be possible to preserve the wild life. The forest and the wild life go together. Therefore, I would like to point out here that unless you preserve certain areas—just now Dr. Alva pointed out to you that even in a highly industrialised country like Germany they have forest reserves; every village must have a square mile or two square miles of forest; unless you do that—the miserly numbers of our sanctuaries and the forests we will not be able to cope with this problem at all.

I would say, Sir, that we must have hundreds of such sanctuaries, because the country is very large and, if you are going to legislate for the States also, why don't you lay down that every State will have to have at least ten sanctuaries? If that is the way you go about it, then there is some possibility of preserving the wild life.

Another thing also I would like to point out, Sir, which was mentioned so well by my friend, Shri Bhola Paswan Shastri, that in certain areas the wild life in the forest and the people who are staying there are in a sort of eternal conflict with each other. The *Adivasis* are there. I would also add to it that the *maldaris* of the Gir forest, who rear cattle, buffaloes, etc. and the lions for whom we have preserved that particular forest, are feeding upon the buffaloes. Now,

the *maldaris* and the *rabaaris* and the lions come into conflict with each other and their interests always are in conflict. Therefore, unless you see to it that their cattle is protected . . .

SHRI SYED AHMAD: Sir, is it not a fact that these buffaloes are allowed to be killed by the Government because their meat can be given to the lions?

SHRI N. G. GORAY: Is it so? Then, you are only reinforcing my argument. Whether it is the lion which kills on its own or whether they are given the buffalo meat, it is the same thing to me. The interests of the two groups clash. Therefore, I say that unless you find out a way by which you can remove this conflict they will have to suffer. If you do that, you can solve the problem. Then, the lions can also remain there and the cattle can also grow in number. So, Sir, these are the things which we shall have to sort out.

Then, Sir, while we are talking about wild animals, I would like to point out that there are wild cattle in U.P., for instance. The wild cattle there are destroying the crops. Now, what will you do? Unless you confine them to certain areas, unless you see to it that they don't destroy the crops, what will happen to your "green revolution" and what will happen to your ideas of growing more crops? Therefore, it would have been very proper, Sir, if this Bill had been referred to a Select Committee where all these questions could have been discussed in detail and where all the effects of preservation of wild life on our civilization, on our plans, etc. could have been thoroughly gone into.

Sir, I support this Bill, because I am a lover of the wild life. I admire the tiger; I admire the lion; and, when I was a child, I used to admire the elephant and still I admire it. I saw it when I was staying in Poona. Now, Sir, I find that the whole wild life round about Poona has become extinct today. Sir, Shri J. S. Tilak is not here now. You ask him. Just within ten miles of Poona he used to shoot leopards. Now, there are no more leopards within fifteen miles of Poona. Previously we could see deer there. There is no deer at all there

[Shri N. G. Goray] now. They have all vanished. Therefore, I would say, Sir, that though we want to live, we want to prosper, we want to have cities and roads, we want to have the "green revolution", at the same time, we want our wild life to be preserved also.

I hope, Sir, that the introduction of this Bill and the passing of this Bill will be only the first step in this direction and I also hope something more will follow. Thank you, Sir.

श्री भूपेन्द्र नारायण मण्डल (बिहार) :  
उपाध्यक्ष महोदय, मैं सिर्फ दो मिनट ही बोलना चाहता हूँ ।

जो विधेयक अभी सदन के सामने प्रस्तुत है उसका मैं समर्थन करता हूँ । समर्थन करते हुये मेरा यह कहना है कि अब तक जो भी इंतजाम जंगल का बिहार में हुआ है उससे हम समझते हैं कि वहाँ के जो आदिवासी थे उन लोगों की जो समस्या थी न तो उसका ही समाधान हुआ है और न इस समस्या का समाधान हुआ है कि जंगली जानवर सब अच्छी तरह से रह सकें । जो जंगल रहता है तो उस जंगल में जो गाँव में लोग रहते हैं उनके भी मवेशी चरा करते हैं और उसमें जंगल के भी जो चरने वाले जानवर हैं वह भी चरते हैं, तो हमारे यहाँ जो कुछ हुआ है उसका यह नतीजा हुआ है कि जंगल के चरने वाले जानवरों के लिये भी जंगल में इतनी गुंजाइश नहीं रह गई है कि वह अपनी जान को रक्षा कर सकें ।

इधर जंगली जीव जन्तु के संबंध में जो ध्यान गया है, उसका कारण यह है कि जो बराबर अखबारों में और मैगजीनों में निकलता रहता है, कि जो सिंह थे, जो बाघ थे, जो राइहनोंज थे, गैंडा थे, या जो ब्लाइट बीथर या जो अनेकों सींग वाला बारह सिंगा होता है वे थे, ये सब जानवर जिनके बारे में हम लोग अपने साहित्य में पढ़ा करते थे उनका प्रायः लोप हो गया है और जिनका लोप नहीं हुआ है वह लोप होने को है, तब सरकार का ध्यान इसकी ओर गया है ।

यह बिल जो आया है यह अच्छा है और मैं इसका स्वागत करता हूँ । बस मुझे इतना ही कहना है ।

PROF. SHER SINGH: Sir, I am extremely grateful to the hon. Members who took part in this debate and have welcomed this legislation. As Dr. Alva said, this is a gift of the jubilee year to wild animals. This Bill, since it has been brought in 1972, can be called as a gift of jubilee year to wild animals.

I will touch on some points which have been raised by the hon. members very briefly.

One question was raised by Dr. Alva that our national animal Lion and our national bird Peacock should be protected. They are included in Schedule No. 1. No hunting is allowed of animals included in Schedule No. 1.

Shri Syed Ahmad raised some objection to the definition of the word "habitat". If he reads carefully into the definition, "habitat" includes land, water and vegetation; the whole of the environment is included in that word. So the definition is quite correct; there is no mistake in that.

Now, another point raised was that the sanctuary should not be just like the sanctuary of the zoo. I agree with him. We have laid down many restrictions on the movement of people, movement of animals, grazing and so on. That has been regulated.

Shri Bhola Paswanji made one very significant remark that camera shooting should be allowed instead of gun shooting. Gun shooting is regulated under this Bill. It is not allowed for all purposes. It is very rarely allowed. But camera shooting is allowed.

We cannot refer this Bill to the Select Committee because it will take more time. As was just now said by an hon. Member from Assam, rhinos and other animals are now being killed and we have received reports that during these three or four days—in the other House an hon. Member made this remark—seven rhinos have been killed. So, if this Bill is not passed, if it does not become an Act, there may be other violations of the

clauses which have been provided in this Bill. Therefore, it is very necessary for us to pass it just now; no time should be lost. If it is necessary to make any amendments after we have some experience of its working, then certainly we can bring an amending Bill.

Now, he also touched on the problem of tribals. In this Bill, Sir, we have provided for those tribals who have traditional hunting rights; these have been protected. Now, there are traditional hunting rights in Andaman and Nicobar Islands. We circulated this Bill to all the States. We also sent this Bill to Andaman and Nicobar where there are some hunting rights for tribal population in their area.

We received information only from the Andaman and Nicobar Islands and we have made a provision in section 65 of this Bill where we have respected the hunting rights which are traditionally there in the Andaman and Nicobar Islands.

Shri K. P. Singh Deo made certain points. One thing he said was that there was some contradiction in the reply that I gave to a question in the House and the statement made by the I.G. of Forests. I may submit that there is nothing wrong in the reply to the question because we did not ask for any financial or direct help from the FAO for any of our programmes. When our I. G. of Forests went to the FAO meeting in Rome, some questions regarding wild life were discussed there. It was pointed out by our I.G. that an item to find out better methods of wild life census should also be included in their programme. That was the only thing he said. And, in this connection, it was mentioned that in India we were collecting tiger census and this data and research will be useful to us. So, that thing was mentioned there in that context—not that we asked for any financial help. Therefore, there is no contradiction in the reply to the question that I gave on the floor of the House and the statement made by the I.G. of Forests.

One thing more he said was that it had become a fashion to talk of ecology and environment. It is not

only a fashion with us. We have only recently appointed a National Committee on Environmental Planning and Co-ordination under the leadership of Shri Pitamber Pant of the Planning Commission. So, we are serious about it. Not only are we talking about this ecology and environment as fashion but also we are serious about it and, as I said, we appointed a Committee.

SHRI K P. SINGH DEO: It is open to question whether you are serious. Your performance belies your words.

PROF. SHER SINGH: Mention was made about development of the Sunderbans as a sanctuary. We have a centrally sponsored scheme. As Shri N. G. Goray also has said, we should not allow cutting off of forests. We should save the forests as also have more and more sanctuaries—hundreds of them—in the various parts of the country: We have a centrally sponsored scheme for assistance to selected sanctuaries and parks.

SHRI N. G. GORAY: How many sanctuaries we have and how many shall we have at the end of the next Plan?

PROF. SHER SINGH: I will not be able to say off-hand. We have a centrally sponsored scheme and we want the State Governments to come up with their schemes and we will certainly help them to put up more sanctuaries and national parks.

SHRI SYED AHMAD: Have you any national parks?

PROF. SHER SINGH: I do not think there are any other important points made. Now I have got the number of sanctuaries and national parks. There are 130 sanctuaries and five national parks in India, and we are thinking of having more. We have advised the State Governments to have more sanctuaries and more national parks.

SHRI NABTIST CHANDRA BURAGOHAIN: Is Kaziranga declared a national park?

PROF. SHER SINGH: I do not have that information but five national parks are there. But we can

[Prof. Sher Singh]

certainly consider it if the State Government says that it wants to convert it into a national park. We will certainly welcome it. As I said, we have a centrally sponsored scheme.

A mention has been made about the relationship between wild life and culture. All that has been there. We have a rich cultural heritage and our culture has been very kind to all types of animals. In fact we believe in all sorts of comfort and *sukh* and all that to all animals to all life.

Our object has been:

“कामये दुःख तप्तानाम् प्राणिनाम् आतिनाशनम्।  
सर्वे भवन्तु सुखिना सर्वे भवन्तु निरामया ।  
सर्वे भद्राणि पश्यन्तु मा कश्चित् दुःख भाग-  
भवेत् ॥”

In our culture we look to the comfort of every animal; we want to save every animal from all sorts of exploitation. With these words I again thank all the hon. Members who have participated in this debate and have given general support to this legislation.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is:

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

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 to 30 were added to the Bill.*

CLAUSE 31—*Prohibition of entry into sanctuary with weapon*

SHRI SYED AHMAD: Sir, I move: 3. "That at page 12, line 43, after the word 'sanctuary' the words 'or any area or place within three kilometres of its boundary' be inserted".

*The question was proposed.*

SHRI SYED AHMED: This is a very simple amendment. New, nobody shall enter the sanctuary with a firearm. But it is possible that the animals might stray outside; you cannot prevent the animals from straying outside and that is why I have suggested in this amendment that nobody should be allowed to carry a firearm within three kilometres of the boundary of the sanctuary. This is my simple amendment and I do not think there can be any objection to it.

PROF. SHER SINGH: There will be difficulties in practice. It is not practicable. We have our employees inside the sanctuary who can take care of this but outside the sanctuary who will control this? It will be difficult to enforce in a three kilometre area outside the boundary of the sanctuary.

*The amendment was, by leave, withdrawn.*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is:

"That Clause 31 stand part of the Bill".

*The motion was adopted.*

*Clause 31 was added to the Bill.*

*Clauses 32 to 66 were added to the Bill.*

#### *Schedule I*

SHRI SYED AHMAD: Sir, I move:

7. "That at page 28, Part I, after entry 41, the following *new* entry be inserted, namely:—

'42. Bison or Gaur (Bos gaurus)'."

*The question was proposed.*

SHRI SYED AHMAD: I think the wild buffalo and the bison are on the same footing so far as this question of protection of wild animals is concerned, and there is no reason why one should figure in Schedule I and the other in Schedule II. I want that the bison should be transferred from Schedule II to Schedule I. That is my suggestion.

PROF. SHER SINGH: The only objection to this is that bison is not in a bad state in all parts of the country. In fact in your own State of Andhra Pradesh, Sir, there are a number of such animals and they do not want it to be included in Schedule I. Unless it is agreed to by all the States, it will be difficult. I may say here that there is a provision and we can always move an animal from one Schedule to another Schedule if it is found necessary to do so in future. If we find it necessary to protect it we can do it.

I P.M.

This is provided for in the Bill itself.

SHRI SYED AHMAD: Yes, it is in the Bill. All the same I would request him to give an assurance that, in future, if it is found necessary he would come forward with amendments for transfer of entries from one Schedule to another.

PROF. SHER SINGH: Certainly' whenever the necessity arises.

SHRI SYED AHMAD: Sir, in the light of the assurance given by the hon. Minister I would like to withdraw my amendment.

The amendment No. 7 was, by leave, withdrawn.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is— "That Schedule I stand part of the Bill".

*The motion was adopted.*

*Schedule I was added to the Bill.*

SHRI SYED AHMAD : I am not moving my amendments to Schedule II and Schedule in.

*Schedules II and III were added to the Bill,*

THE VICE-CHAIRMAN (SHRI V. B. RAJU): There are no amendments to Schedule IV.

*Schedule IV was added to the Bill.*

*Schedule V Vermin* The VICE-CHAIRMAN (SHRI V. B. RAJU): There is an amendment by Mr. Syed Ahmad.

SHRI SYED AHMAD: Sir, I move:

10. "That at page 33, after entry 7, the following new entries be added, namely: —

'8. Wild Dog or Dhole (Cuon alpinus)

9, Hyaena (Hyaena hyaena)

10. Wild pig (Sus scrofa).'"

*The question was proposed.*

SHRI SYED AHMAD: The reason for my moving this amendment is absolutely logical and scientific. Probably my friend, the Minister, or somebody who has framed this Schedule V did not know what vermin is in the parlance of the hunters, and people who are acquainted with wild life know that Wild Dog, Hyaena and Wild pig are vermins. They are not the kind of animals that are protected in any civilised society, and they are allowed to be hunted freely. I want to say that Wild Dog particularly is a menace to preservation of wild life. In order to preserve wild life these three should be included in 'Vermin' and not in the protected category.

PROF. SHER SINGH: As the amendments to Schedules II and III were not moved and as we have adopted Schedules II and III as they are, without any amendments, we cannot now accept this amendment. If we accept this amendment, it would mean that the animals included in Schedule II and Schedule III would also find a place in Schedule V. To include them again in Schedule V would present an awkward picture. These amendments were only consequential.

SHRI SYED AHMAD: It is technically correct, not logically correct.

PROF. SHER SINGH: It is only consequential.

SHRI SYED AHMAD: Sir, I withdraw my amendment.

*The amendment No. 10 was, by leave, withdrawn.*

THE VICE-CHAIRMAN (SHRI V.B. RAJU): The question is:

"That Schedule V stand part of the Bill".

[Shri V. B. Raju] *The motion was adopted. Schedule V was added to the Bill. Clause 1, the Enacting Formula and the Title were added to the Bill.* PROF.

SHER SINGH: Sir, I move: "That the Bill be passed".

*The question was proposed.*

SHRI K. R. SINGH DEO: During the First Reading of the Bill I had asked certain questions regarding animals which have been left out of the purview of the Bill because they happen to be in the zoo. I pointed out the case of the tigers which had been there in 1969. I would like to know about the white tiger population and all animals which are bred in captivity and which are kept in captivity. I would like an answer to that. Secondly, in this Bill there is not much light thrown on the environment. I have no objection to technology and industrialisation coming to our country, but it should not affect the critical balance of nature and endanger the basic things of life. Wherever there has been exploitation of natural resources without understanding the balance of nature, it has always led to the damage of environment. In this connection, I would like to give a few examples, quoting from the Times of India:—

"Some parallel cases of nature's balance being inadvertently tilted have been observed recently in Indian conditions. India earned Rs. 33 crores during 1969-70 as foreign exchange by the export of some non-vegetarian food. Frozen frog legs alone earned Rs. 1.40 crores. Frogs are voracious eaters. Laboratory experiments show that one frog would consume 20,000 insects in four months. If there are 100 frogs in a locality they would consume 2,000,000 insects and a host of other pests, including mice and crabs that damage crops. The damage done by these animals to paddy alone would run to hundreds of rupees while 100 pair of legs would not fetch more than Rs. 50. Thousands of these frog legs are exported each year, resulting in a huge increase in the number of

pests and subsequent untold damage to crops. Besides, each biology department in a college in India needs about 1,000 frogs per year for teaching. The cost of a frog 20 years ago was 25 paise. Now it is Re. 1 and they are not available at many colleges, jeopardising teaching and research.

Another example is that of snake skins which earned a foreign exchange of Rs. 3 crores for India in 1967. Lizard skins earned another of Rs. 75,00,000. Newspapers advocate that the government should encourage the export of these skins, forgetting the good these reptiles do to agriculture.

Snakes are used in central Europe on an experimental basis to control rats. Snakes (non-poisonous) have been released in a marked area in fields and it has been statistically shown to reduce the rat population. The entomology department of the Indian Agriculture Research Institute, New Delhi, has an ambitious scheme to acquire a large number of lizards and snakes to eat away the locust hordes that invade Rajasthan".

Regarding the declaration of sanctuaries and national parks, there has been no norms suggested. In this regard I would like to point that in countries abroad, for example, in Europe national parks are those which are preservers of wild life. In America they are mainly areas of outstanding scenic beauty and remarkable natural phenomena. In Africa they are mostly faunal in character. We have the definition given by the Indian Board of Wild Life, but in that there is nothing mentioned regarding the minimum of disturbance of wild life and there should be no encroachment into their habitats or disturbance of their ecological balance of nature. I give the example of Bandipur. A couple of years ago a whole bison herd was destroyed by rinderpest. There is no *sanctum sanctorum* in any of these things and it does not form part of the Bill. I would like the Minister to reply to these points.

PROF. SHER SINGH: I have already submitted that we have appointed a National Committee on Environmental Planning and Co-ordination. All the problems mentioned in his speech and the quotation from the newspaper giving some information about certain animals which consume certain pests or are injurious to agriculture and also to other animals will be considered. All these things will be considered by the National Committee on Environmental Planning and Co-ordination and also by the agricultural department and other concerned departments. I think for the future when some foreign trade is done, all these things will be considered at the level of the National Committee. The planning and co-ordination of these environmental things is their charge and only with their permission all these things will be done in future.

SHRI K.P. SINGH DEO: Dual control will be there. Environment is a part of this and there is no control of environment in the Bill. The National Committee has to give certain guidelines. What is the purpose of this Bill if it cannot control the environment?

PROF. SHER SINGH: The second thing he said is about the sanctuaries and National Parks. I may inform him that if he goes through the Bill, he will find that grazing is prohibited in the National Parks. Grazing is not allowed in the National Parks. In the sanctuaries also it will be regulated. It is not that free grazing will be allowed. We are taking all care to see that wild life is protected and the rarest animals in our country may not become extinct. As I have already said, all care will be taken and more sanctuaries and National Parks will be brought under the Central scheme, with the help of the State Governments,

SHRI K.P. SINGH DEO: I had asked about animals in captivity in the zoos. They have been kept out of the purview of the Act. In 1969 a tiger was shot dead inside the Delhi zoo because it escaped. The white tiger population is a rare species . . .

THE VICE-CHAIRMAN (SHRI V.B. RAJU): Your point is regarding animals in captivity.

SHRI K. P. SINGH DEO: Specially in zoos. Zoos and museums have been kept out of the purview of the Act.

PROF. SHER SINGH: We take extreme care to protect these animals. There is every scheme for their feed, for their health, etc. Everything is done for them. It is only when they become out of control, when they become a danger to human life it is only then that some such action is taken. Otherwise we protect wild life.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is:

"That the Bill be passed".

*The motion is adopted.*

; THE VICE-CHAIRMAN (SHRI V. B. RAJU): The House stands adjourned till 2 P.M.

The House adjourned for lunch at twelve minutes past one of the clock.

The House reassembled after Lunch at half past two of the clock. The VICE-CHAIRMAN (SHRI V. B. RAJU) in the Chair.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Both hon'ble Members, Mr. Shejwalkar and Mr. Prem Manohar, are not here. The Minister will, therefore, move his Bill.

#### **THE INDIAN IRON AND STEEL COMPANY (TAKING OVER OF MANAGEMENT) BILL, 1972**

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM): Mr. Vice-Chairman, Sir. I move:

"That the Bill to provide for the taking over of the management of the undertaking of the Indian Iron and Steel Company Limited for a limited period in the public interest and in order to secure the