

The Government assesses the implementation of the legislations on a continuous basis. Requisite amendments are carried out, as and when found necessary. The Government had notified Rules under the National Green Tribunal Act, 2010 as National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, Allowances and other Terms and Conditions of Service of Chairperson and other Members and Procedure for Inquiry) Rules, 2010 on 26.11.2010. Based on the assessment of these Rules, the Government notified the National Green Tribunal (Manner of Appointment of Judicial and Expert Members, Salaries, Allowances and other Terms and Conditions of Service of Chairperson and other Members and Procedure for Inquiry) (Amendment) Rules, 2012 on 11.07.2012.

Statement

Bills introduced by the Ministry of Environment, Forest and Climate Change (MoEF&CC) proposing for new Acts or amendments to existing Acts during the period 2004-2014

- (i) The Wildlife (Protection) Amendment Bill, 2005 was laid in the Parliament on 23.12.2005. The enactment of the Wildlife (Protection) Amendment Act, 2006 (39 of 2006) came into effect on 04.09.2006. The Wildlife (Protection) Act, 1972 was amended through this amendment constituting the National Tiger Conservation Authority to exercise the power conferred on, and to perform the functions assigned to it under the said Act.
- (ii) The National Green Tribunal Bill, 2009 was introduced in the Lok Sabha on 31.07.2009. The National Green Tribunal Act, 2010 (19 of 2010) came into effect on 18.10.2010 for establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.

Compensatory afforestation for State Government Undertakings

*311. SHRI BHASKAR RAO NEKKANTI: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether it is a fact that Central Government has allowed taking up compensatory afforestation twice in the area of degraded forests, for forest diversion

proposals of Central Government's Public Sector Undertakings (PSUs), but similar provision has not been allowed for the projects of State PSUs;

(b) if so, the details thereof and reasons for not allowing such dispensation for the projects for State PSUs;

(c) whether State Government of Odisha and /or other State Governments have requested for similar dispensation for State PSUs; and

(d) if so, the details thereof and decision taken on these requests?

THE MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) Compensatory Afforestation is one of the most important conditions stipulated by the Central Government while approving proposals for de-reservation or non forest use of forestland under Forest (Conservation) Act, 1980 (FCA, 1980). It not only compensates loss in the forest cover and forest land but also ensures that forest land is sought only for unavoidable site specific activities.

In view of "land" being a State subject, and in view of National Forest Policy (NFP 1988) goal of having a minimum of one third of land area of the country to be brought under forest or tree cover, State PSUs and private user agencies are normally required to provide for equivalent non forest land for Compensatory Afforestation. However as a matter of pragmatism, revenue lands/zudpi jungle/chhote' bade jharka jungle/jungle-jhari land/civil-soyam/orange lands and all other such categories of forest lands not under management and/or administrative control of the State/UT Forest Department, on which the provisions of FC Act, 1980 are applicable, shall be considered for the purpose of Compensatory Afforestation. Such forest lands on which Compensatory Afforestation is proposed shall be provided double in extent to the area proposed for diversion.

(c) and (d) Some State Governments, including Odisha, had requested for similar dispensation to the State PSUs. The above stated justifications and reasons have been conveyed to the concerned States/authorities.

Pollution due to stubble burning

†*312. CH. SUKHRAM SINGH YADAV: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

†Original notice of the question was received in Hindi.