

[Shrimati Mohsina Kidwai]

valuable comments of the Honourable Members of the House on the vital issues discussed by the Commission in its report.

16.36 hrs.

FOREST (CONSERVATION) AMENDMENT BILL-CONTD.

[English]

MR. CHAIRMAN : Now the House will continue consideration of the Forest (Conservation) Amendment Bill, 1988. Shri Mankuram Sodi.

[Translation]

SHRIMANKURAMSODI (Bastar) : Mr. Chairman, Sir, I hope that the amendment to the Bill brought forward by the Hon. Minister will benefit the entire country. To improve the environment, it is essential that the forest area should be increased because environment is preserved by the forest.

But one thing worth consideration is that Adivasis also live in the forests. The Adivasi areas, are very backward. The way our country is developing, Adivasi, areas are not being developed at the same rate. We have to develop Adivasi areas also and at the same rate with which rest of the country is being developed.

It is essential that the means of livelihood must be provided to them, no matter even if you have to amend this Bill further.

Approach roads should be built for Adivasis to facilitate their movement, drinking water should also be provided for them. Arrangements to provide education and medical facilities to them should also be made. Means of irrigation will have to be established.

Those who live in the forests know from

their experience that such Bill create problems for them. Somehow you have to see that the people living in forests do not face any problems, as a result of this amendment and at the same time they could conserve the forests. They should be able to lead their life while treating the forests as their companions.

If Adivasis living in the forests are not treated properly, the development in forests will be hampered. They make every effort to conserve the forests. Had they not protected the forests, the environment would have been deteriorated. If you want to preserve the environment of the country, please save their lives also. It is, therefore, very essential to develop their areas. It is necessary to supply electricity and provide drinking water in their areas. Please get the handpumps installed at the places where they work. They do not get water from the hand-pumps installed in the forests. When you arrange for supply of water by laying pipes, you must supply that water to them also. Approach roads should be built for their use and get the stones fixed. If the stone is needed, they are not allowed to extract it on the plea that this is forest land. Everywhere obstructions are created on the plea that the land is a forest land. Even when we want to build a school, or a play ground for the children, a dwelling unit for the doctor who is taken to the villages after great difficulty or laying of the drains for irrigation purposes authorities do not cooperative on the place that was a forest land,

The development of rural areas shall be stopped in this manner. It cannot help in securing support and cooperation of Adivasis. Please do not treat Adivasis who have been living in the forests and have conserved the forests and preserved the environment, enemy of forests.

It was deliberated in 1976 to issue lease deeds to Adivasis, some people have been given lease deeds while many others have not got the same. There is a need to issue instructions for them too. Please get it re-verified again, that the people who have been living for 15-20 years there, have been

allotted land and therefore, lease deeds should also be issued in case of other people in the same category. In Bastar district by terming trees small or big the entire land has been taken over by the forest department in revenue records and thus no public work like opening of school or any administrative work can be accomplished. Therefore, please arrange to return the land so that is available for welfare of the people and various welfare schemes could be carried out. Then only provision of Bill will be complied with by the people, otherwise instead of protecting the forests they will oppose it and become enemies. In this manner, the forests would not be conserved which have been protected by them upto now.

[English]

MR. CHAIRMAN : The extended time for this item is expiring. Is it the pleasure of the House to extend it?

SHRI RAM PYARE PANIKA: It can be extended up to 7 O'Clock.

The Minister of Environment and Forests (SHRI Z.R. ANSARI): It can be extended for one hour from now.

MR. CHAIRMAN : For the present, we extend it by one hour from now. Then we will see. The time is extended by one hour for discussion on this Bill.

[Translation]

SHRI BALSAREB VIKHE PATIL (Kopargaon): Mr. Chairman, Sir, I am obliged to you for having granted me an opportunity to speak. We all are grateful to the late Prime Minister Shrimati Indra Gandhi who created a new atmosphere for forest conservation in the country. The people started realising that they have to work for it with dedication. An Act was made for this purpose. We are going to make certain amendments in the Forest Conservation Act:

[English]

"(a) after clause (ii), the following clauses shall be inserted, namely:-

(iii) That any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government."

[Translation]

I feel that this is not right. It is dangerous to grant land on lease to a private organisation, person or company. Even the non-forest proposition, which includes horticulture, has been changed. Now the harijan-advaitis living in forests will be free to indulge in deforestation activities. The Government should define Horticulture because there are trees like mango and other medicinal trees, which are planted in Government or in forest land fall under the jurisdiction of Horticulture Department. However the Government is making the Central all powerful by concentrating all the powers with them. All the party members and M.Ps. say that we are thinking of decentralisation but contrary to this, laws are being made for concentration of powers at the Centre. If the mine-workers, workers engaged in the construction of Houses and roads as well as the labourers engaged in quarries in hilly and other areas are told that this work will be stopped, then unemployment will further increase instead of being removed. Our system cannot function properly if we do not take positive steps for the mine-workers because they do not have the knowledge of any other work. I would like to urge that the Government should take some concrete steps for encouraging horticulture, plantations of medicinal plants, and for the welfare of mine workers. The Government say that they are giving the forest land to private parties. But land is being given to the industrialists and private parties who are undertaking unlawful activities there. For example the paper plant owners plant bamboo trees in the land allocated to them but

[Shri Balsaheb Vikhe Patil]

later on divide it into several pieces and utilised it for other purposes. This thing needs to be given proper attention. There is a vast area of forest land in my constituency but there is not even a single tree on this land. Trees have been shown in papers whereas in reality there is no tree in this land. The Government can undertake plantation under the N.R.E.P. and R.L.E.G.P. This work can be undertaken under the Maharashtra Employment Guarantee Scheme. Water is required for the vacant land because plants cannot grow without it. Erosion of land cannot be controlled if there are no forests. No restriction should be imposed on the small size ponds and percolation tanks. Thousands of hectares of land gets submerged due to the construction of big projects. The Government is spending money in bringing up forests in the catchment area but not even a single tree is being planted there. If forests are not developed near the banks of the rivers in those areas, where the flow of the dam, erosion of land in the areas adjacent to river cannot be controlled. This soil erosion is harmful for the farmers and mere flood control measures will not help in this direction. How can we stop soil erosion which takes place due to floods. When there is storm in Rajasthan Delhi too is affected by it. How can this storm be controlled? This can be done only by planting trees and constructing small tanks and dams. My submission is simply that the states should at least be given some rights. The State Government should be empowered to dispose off 10-15 hectares of forest land in public interest. How far can it be practical if everyone approaches you. This was a practice in the railways. When late Shri Sukhadia and Shri Sukhadia and Naik were the Chief Ministers they used to say that we have to oblige the railway board so that our goods are lifted earlier. We should not suppose everyone to rush to the centre. If the chief engineer or chief secretary sends a recommendation, a clerk here rejects it. A clerk thus enjoys a higher position than the

officer. Some changes need to be brought in the bureaucracy. Just as the Government sends a team to the areas affected by floods and drought to assess the extent of loss incurred there. Similarly efforts should be made to send officers to assess whether the assistance demanded for the project is in the real sense meant for conservation of the forest or not. At least two meetings, of the team constituted by the Government should be held in a year and officers of both the Centre and the State should be included in it who should see as to how many of the schemes sent by the State to the Centre have been implemented and have proved successful. All this should be considered by them in the meeting. When a farmer submits an application to the tehsildar and he asks about the action taken on it he is told that it has been sent to the circle officer and when he approaches there he is told that it has been sent back to the tehsildar, who on being asked in this regard replies that it has again been sent to the circle officer. Thus the poor farmer simply gets harassed in moving from one person to another. The same is the case here regarding the schemes. On being investigated it is said that the scheme has been sent to the department which in turn says that it has been sent to the State and the State replies that it has been sent to the Central Government in Delhi. The officers in Delhi say that it has been sent to the State and the State officers reply that it has been sent to the Collector, whereas the response of the Collector is that it has been sent to the concerned department. You have told me twice in your reply that 78 per cent of the schemes sent by the State have been given clearance by the Government. Why does not the Government empower the states with the rights. The Government should think about this seriously. The law should rather accelerate our country's growth instead of slowing it down. But what is happening is just its opposite and the speed of development is going down.

\*SHRI R. ANNANAMBI (Pollachi) :  
Hon'ble Chairman Sir, I thank you very much

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\* Translation of the speech originally delivered in Tamil.

for providing me opportunity to speak on the Forest Conservation (Amendment) Bill, 1988 on behalf of the AIADMK-II. The Bill seeks to provide that prior approval of the Central Government is necessary before clearing forests for the purpose of cultivating cash crops. The Bill says that prior approval is to be accorded by the Central Government, but I would like to point out that such powers should belong to the State Governments. However, that is not possible, I would like to urge upon the Government that the Central Government should give prior approval after receiving recommendations of the State Governments concerned. When Dr. M.G. Ramachandran was the Chief Minister of the State, the State Government sent to the Central Government certain proposals for rehabilitation of tribal people living in forests areas. The proposals were designed to serve the interests of the tribal people when the forests in which the tribals lives are sought to be cleared. Even after the lapse of a long years these proposals are still pending clearance by the Central Government. This is a sorry state of affairs. That scheme for the development of western ghats which has been sent by the State Government must be given approval without any further delay.

Today all over India green tress are being felled by private contractors after obtaining cutting permits. The cutting permits allow the felling of dried trees and aged trees but the contractors go on indiscriminately felling the green trees. This is happening in Tamil Nadu as well as in many other states. These deforestation activities must be checked. Even the sandal wood and other costly trees are not spared. I wish to draw the attention of the Central Government to the activities of these private contractors who violate the laws regarding forest conservation. The private contractors encroach upon the forests and cut trees worth crores of rupees and this is happening under the very nose of Central and State Govt. officials. For awarding the contract for cutting trees a committee is constituted. The District Collector and other officials constitute the Committee. And thus corruption starts with

the officials. There is no place in the committee for Members of Parliament and Members of Legislative Assembly of the districts concerned. I urge upon the Government to reconstitute the Committees by providing membership for M.Ps and M.L.As so that malpractices by officials can be monitored and checked.

There are many villages in and around forests and the hills nearby. It is essential in the interest of the development of the area to connect the villages in different remote parts by roads but the Act does not provide for expeditious construction of roads as it would require a long drawn procedure for obtaining clearance by the Central Government. I, therefore, request that State Governments should be empowered to give clearance in place of central Government. Hundreds of such proposals for construction of roads in forest areas connecting remote parts for the purpose of development are pending with the Central Government. But the Central Government has not so far acted on all these proposals.

While we talk of forest conservation I must not fail to refer to protection of wild life. Rajas and the other people of royal lineage still hunt wild animals after obtaining licence for possession of fire arms. And these persons take to hunting of wild animals as a leisurely pursuit. This is within the knowledge of the Central Government. These condemnable acts of destroying rare species of wild life should be stopped and for checking hunting of wild animals a special task force should be formed. With these words I conclude.

SHRI AZIZ QURESHI (Satna): "Mr. Chairman, Sir, I rise to support the Bill which seeks to amend the Forest Conservation Act 1980. Mr. Chairman, Sir, out hon. Forest Minister is a man of fascinating personality and this is evident from the large number of speakers who have taken part which is debate. It goes to show that they have special regards for him and attachment with his Department. They have high aspirations from him.(Interruptions)

[Shri Aziz Qureshi]

I do not know what do you feel about him. Mr. Chairman, Sir, I am grateful to you for having given me time to speak. Due to the limitation of the time I would like to present only 2-3 points for his consideration.

During the last session also I had invited the attention of the House to this fact that where on one hand the construction work of national highway, of roads, of dams and laying of electricity cables etc. could not be carried out due to non falling of trees. There, on the other hand, N.D.M.C. Officers have been responsible for cutting down a number of 40-50 years old trees in Connaught Lane running between Janpath and Kasturba Gandhi Marg in the Delhi, the capital of India. Certain of my colleagues have expressed the same views. I have requested the hon. Minister to take action against the persons responsible for this. Not only this, they even got a power house constructed at that place which was reserved for the construction of playground for the children. Are there no rules and regulations applicable to the N.D.M.C. officials? No action has been taken till date against officials who are involved in such activities in the capital of India under your very nose. I would like to ask this from the hon. Minister and his department and urge again that strict action should be taken against them so that others may take a lesson and avoid the repetition of such acts in future. Just now one of my colleagues said that the Central Government has given directions that the 25 percent contribution being given to the State Governments under N.R.E.P. should be spent on forestation. Money has been spent in the past and is being spent at present also but no trees are being planted. So I would like to request the hon. Minister through you that his Ministry should get the monitoring done at its own level regarding the forestation work being undertaken with the help of funds given under N.R.E.P. or any other scheme of Government D.F.O., officers in Indian Forest Service, are posted almost in the entire country. They should be made responsible and their responsibility should be fixed if

there is any bungling found taking place. The monitoring should be done through the teams constituted of the representatives of 2-3 different States and investigation should be carried out in coordination with the Member of Lok Sabha of that constituency as well as strict action should be taken against the guilty

Mr. Chairman, Sir, another point I would like to make to the hon. Minister is regarding my Parliamentary constituency, Santa which is extremely backward and poverty ridden Ban Sagar, which is a very big project there has been under construction since many years. Thousand of rupees are being spent on it but the Ministry has stopped the work of the Ban Sagar project. That is a different matter. Has the Madhya Pradesh Government sent the rehabilitation and reforestation scheme to the Central Government? If it has not sent the scheme then my submission is that the Government should make this rule strict so that strict action may be taken against those state Governments which do not send complete rehabilitation and reaf forestation scheme in time and they should be deprived of central Government's assistance.

The Government should find some way out to complete this work. In this connection I would like to draw your attention to Ban Sagar area where the Government has to rehabilitate the entire population of 1 lakh. But it is very unfortunate that all the doors of development have been closed for this area. No development work is being undertaken there. All developmental activities like supply of electricity construction of roads and school buildings, development in the blocks, providing various facilities to agriculture have been closed for the area. The Government is treating Ban Sagar area as a submerged area and that is why they are reluctant to take up any developmental work there. I would, therefore, like to submit that if the Ban Sagar project is not likely to meet the approval of the Government for the time being they should, at least be kind enough to approve the Tamas Barrage Project which is a scheme of the Madhya Pradesh Electricity

Board. It will be very helpful to our backward area.

Similarly, Mr. Chairman, Sir, the Bandhogarh area can be converted into the most beautiful national park of the country. Some work has been undertaken there and financial assistance has also been provided. But I would like that the hon. Minister should depute a special team to study as to how a fullfledged development of the Bandhogarh area could be ensured. Besides, I request the Government to provide special assistance and required technical help to Bandhogarh so that it could be converted into a magnificent park.

Mr. Chairman, Sir, through you I would like to say one thing more. I have come to know that there is a proposal under the consideration of your Ministry to give all the waste lands in the country to big industrialists and industrial houses. If it is done, I would like to warn you that we will revolt against any such more. We will have to resort to mass agitation. There handful of capitalists have been sucking the blood of people in this country for centuries. Now we cannot allow the Government to hand over these waste lands to them and thereby provide them an opportunity to suck the blood of our poor people. Instead I would like to suggest that co-operative societies of the unemployed and educated youths should be formed who can undertake some work in these wastelands. They should be associated with Government schemes like plantation of eucalyptus and acacia trees. They should be provided loans and technical assistance and engaged in wasteland development work if unemployment is to be removed from this country.

With regard to afforestation I would like to point out to the hon. Minister that lakhs of acres of land has been given on lease to the owners near the big cement factories but they are misutilising it. They have not only extracted stones from these forests but also destroyed it completely. For example Birla paper factory consumes bamboo grown on lakhs of acres of forest land. The Govern-

ment should therefore make it obligatory on the factory owners, big capitalists and industrial houses to grow forests on the land that has been given to them on lease in lieu of the forest wealth that they are using. Then only this problem could be solved.

I am grateful to you for providing me time to speak.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Chairman, Sir, I wholeheartedly support the Bill. This Bill is a step in the right direction. You know that according to our forest policy formulated in 1952, we should have one-third of the land of our country as a whole under forest cover. But what is the real situation today? Leave apart that one-third. I think, less than 19 per cent of the entire area is under forest cover.

While speaking about this 19 per cent, I would like to lay all the emphasis at my disposal on one point. This figure is quite wrong. I can prove this. I humbly present this before the Minister because this leads to a lot of confusion and misunderstanding between the State Governments and the Central Government, misunderstanding between the MPs, MLAs, representatives of the people on the one hand and the people themselves on the other. Why do I say so? I tell you that a member of towns and villages are recorded as forest land. This thing we find in records. But in reality it is something different. I request the Minister to verify whether I am wrong. I am hundred per cent correct. Deogarh is a town in Sambalpur district in Orissa. Almost the entire town is recorded as forest area in the Government records. There are many instances like this. Rourkela city is known not only in India but also all over the world for a huge steel plant located there. If you look at the records, the circuit house area-which is a posh area - in that town has been shown as forest area. What an irony. The unfortunate part of it is that our Forest Officers go by such erroneous records and they come up with objections when something is going to be con-

[Shri Sriballav Panigrahi]

structed there. Then, they would say that this is a reserve area .

17.05 hrs.

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

I give you some more examples. On 30th October 1984, that is, a day before to her cruel assassination, Madam Indira Gandhi was in Orissa. That day, she addressed a public meeting at Deogarh. I am referring to Deogarh because it is in my constituency. She had addressed a huge gathering in a field. What we are intending to do is to convert that field into a park or a stadium to be named after Shrimati Indira Gandhi, but the Forest Department is coming forward with an objection, that we cannot touch that because this is a reserved forest. What kind of objection is this?

Then, in the Pallahara Assembly constituency in my area, there is a village Mahabirod; it is a tribal village in the forest area and there a public call office was sanctioned in 1984, but we have not been able to draw overhead lines, because the Forest Department says that the trees cannot be cut.

Then, there is a national highway No. 23, connecting national highway No.6 and national highway No. 42, and that commences from Pitari and goes up to Pallahara. This is a backward area with tribal population and as such this is of a lot of economic consequence, but this has been held up because forest clearance has been pending in the Ministry of Environment and Forests here. What for? They want alternative non-forest land for growing compensatory forests. The Government of Orissa has complied with the requirement, but now they say that you have to give 500 hectares of land in one patch. How is it possible to find such a patch of land at one place? Why can not we become realistic? They should accept land in different patches.

We will whole-heartedly support the

Government of India for taking measures to protect forests, to grow forests. But where to protect forests? It can only be where there are forests. After all, we have to cater to developmental requirements also. Can we close our eyes to that aspect? There has to be a happy blending of the two, developmental activities and the environmental efforts. They would have to go side by side. Environmental effort should not jeopardise the progress and pace of development in this country.

This is a very naughty problem. As you know, already in the name of State versus Centre, different things have been going on and this is adding to that.

As I said, we want to strengthen and improve our environment, but some Officers after having been armed with powers instead of judiciously applying them are misusing the same. That should not be there.

At the same time, the Bill aims at enlarging the scope for non-forest purposes and also making it mandatory for the State to obtain prior approval of the Centre in case of afforestation projects. The Bill also stipulates a penal provision for, among others, the Government officials contravening the provisions of the proposed legislation. These are very welcome features, because the officers and others were hitherto getting away even after contravening the provisions.

Some State Governments like Kerala and West Bengal are also diverting forest land for other purposes like for growing cash crops, tea, coffee, cashew nuts etc. The Centre's directives were being violated in an intelligent way. It is good on the part of the Government to come out with clearcut provisions by amending the Act.

At the initiative of the late Prime Minister, Shrimati Indira Gandhi, we had passed this law in 1980. Recently also, the Government in the Ministry of Forests and Environment had appointed some regional groups on forestry and I was fortunate enough to

serve on such a group as a member for eastern India consisting of West Bengal, Orissa, Bihar and A & N Islands. We have taken a lot of pains to study the problem and submit a report.

I myself have chaired two or three sittings. But what happened to these things? We have come out with very useful suggestions and recommendations but we do not know as to what happened to them. You are now going to formulate the new Forest Policy. While formulating the new Forest Policy, all these things should be taken care of. Mr. Panika also knows about these things. If the coal projects are delayed if mining is held up, how will we speed up our developmental programmes? I suggest that the Minister himself along with the Secretary of his Department should at least visit the regional centre in Calcutta, Madras, Bombay and Bhubaneswar and he should hold discussions with the State Governments about all these things so that much of the bitterness would disappear.

With these words, I request the hon. Minister to kindly give due consideration to these points. Of course we are all one with him because we do know the disastrous consequences if our forests are depleted.

[Translation]

SHRI RAM PYARE PANIKA (Robertsganj): Mr. Deputy speaker, Sir, first of all I welcome the Forest Conservation (Amendment) Bill, 1988 which has been introduced in the House by the hon. Minister of Environment and Forests and also strongly support this Bill.

It gives me pleasure to say that when the Forest conservation Act was first introduced in the House, it was accepted by all the hon. Members. It is a fact that there should be forest on 33 percent of the total land for the balanced development of the country, but the present situation is alarming. I do not want to go in to figures, because several of my hon. colleagues have already quoted them. But I would like to mention here

that the spirit in which the law was enacted, is not being implemented at the lower level by the State Governments. Several of the hon. colleagues also said that funds released for afforestation are not being utilised properly. Corruption has reached alarming proportions in the Forest Department. Even one tenth of the funds being released for afforestation particularly, social forestry is not being utilised. I therefore, request the Government to deal with the situation with a firm hand and make some arrangements to monitor the funds.

The Central Government looks after Forest Services etc. I would, therefore, like that the Government should convene a meeting of all the I.F.S. officers and issue them guidelines how to protect the forests. I came from a tribal area and I am in the know of things. I have travelled through the tribal areas and forests of the country. I have seen for myself that corruption has reached such an optimum point that I.F.S. Officers and Rangers are earning 2 to 5 lakh rupees every year in connivance with which other. They compete with each other in accumulating illegal money. Every where people loot large sums of money. The officials of the forest department misuse the Act which was enacted by the Government for the conservation of the forests in exploiting the Adivasis. Now they are snatching the rights and concessions available to the Adivasis under the pretext of this Act. I agree that shifting cultivation cannot be undertaken these days. I also agree that new forests cannot be denuded. But how far is it justified that the forest official should harass the Adivasis on their land where they have been living for years, undertaking cultivation and where bunds have been raised and fields have been carved and where they irrigate their land. I know a case in Mirzapur where the forest officials have filed a case against 5000 Adivasi families with view to harassing them and perpetuating their hegemony over them. As a result of that, conformation takes place between takes place between the Adivasis and forest officials. In order to avert such a situation I request the Government to give the Advises their rights and conces-

[Sh. Ram Pyare Panika]

sions. Until and unless you get co-operation from local people, it will not be possible for you to conserve the forests properly. Yesterday also our hon. Colleagues said that developmental works have been stalled due to forests. The M.G.R. project of NTPC has been held up for last 2 years due to 39 hectares of forest land in the area. As a result of that Rs.1600 crores project is getting delayed. I am afraid further delay in the implementation of the project may raise its estimated cost to Rs. 3200 crores of Rs. 4000 crores. This is what is happening today. Not only that, work on the power house of N.C.F. which was awarded prize for best performance throughout the country, has been held up due to 50 to 60 hectares of forest land. In addition work on 3130 MW capacity Thermal power station at Anupura in Uttar Pradesh, which is the biggest power house in the country has been held up. The work cannot proceed further because the forest department raises objection after objection and the State Government goes on replying to them and the files shuttle between one department and other. Nobody knows why this is happening? The forest department is very vigilant in filing cases against the N.T.P.C. but it cannot provide land to them. When the N.T.P.C. fulfills all the conditions laid down by the Forest Department, why is there so much delay to give clearance to the above project?

Besides all the plans scheduled to be executed in tribal areas during the sixth and Seventh Five Year Plans whether it is electrification, constructions of road or bridges, irrigation schemes are held up. How much the cost of the projects is increasing? That is why the Government should ensure that clearance will be given within a specific period. Suitable instructions may be issued to the States that they should not start any project till such time forest clearance has been received from the Central Government. Government does not execute the development works in time, all the laws will become ineffective and we will not be able to undertake development works in accordance with

our aspirations. In my area projects worth crores of rupees are going to lapse for want of clearance from the Central Government. For example, 10 kilometres of road is constructed and on one side of the forest and 8 kilometers on the other end of the forest but the entire road is of no use because of 4 furlong of forest in between. You will find similar example all over the country. Similar example will be found in Uttar Pradesh, Bihar, Orissa, Madhya Pradesh, the hill-areas, forest areas and everywhere else in the country. Therefore, I would like to appeal to the hon. minister to get a synopsis prepared of the sentiments expressed by the hon. Members and after discussing the matter with the hon. Prime Minister, bring forward a Bill accordingly in the coming Budget session. There is considerable restlessness among the people on account of it. The hon. Members can also feel this restlessness. Therefore, it is essential to enact a law accordingly. You should not make any relaxation in the conditions imposed by you but after these are fulfilled, no procedural niceties should come in the way.

With these words, I welcome this Bill but along with it I urge upon you to make amendments in the Bill once again according to the wishes of the people and bring it here and then we shall welcome it.

SHRI C. JANGA REDDY (Hanamkonda): Mr. Deputy Speaker, Sir, I support this Bill. Along with it, I would like to offer some suggestions. May I know for whom the forest Conservation (Amendment) Bill has been brought forward? Bills are formulated for the benefit of the people. These bills should benefit them and not harm them in any way. Forests should be preserved for the welfare of the people. But if this Bill becomes an implements in the implementation of the public welfare schemes, then it has to be considered whom to give more importance the provisions of this Bill for schemes meant for public welfare. Just now the hon. Members of the Congress Party and other parties have emphasised that if the Forest Conservation Act impedes the implementation of some irrigation project,

hydro- electric projects, construction of new electric lines. roads and other such welfare schemes. It should be ensured that this does not happen. This Act should not impede any developmental work. This is the gist of what the hon. Members have submitted here. I also want to make one or two points there. For example, the Telegu-Ganga project was not given clearance initially but subsequently it was cleared. As two hon. Members from Madhya Pradesh were saying about the N.T.P.C. and the Narmada Project where work is being done without your prior approval. With completion of projects, land gets submerged which results in automatic destruction of forests. There is no need for your approval. Therefore, I want that the demands of the State and the Planning Commission should be accepted without delay. Besides, there should be monitoring of the afforestation work by the Centre. In the Telegu-Ganga project, 40 thousand acres of land were cleared. You can take money for it. If you do not have confidence in the State Government you can yourself invest money, acquire land and increase the forest area. If you want you can bring it under the Central Government, there can be no objection to that, But the impediments from social point of view should be removed. There are some villages on the banks of the Godavari River which always submerge in floods water. The floods are caused due to a reserve forest land situated at the ridge of the villages. You will have to consider as to what to do with the land, where there are little forests. Just now our friend from Orissa had stated that a demarkation of reserved forest has been made around the Indira Gandhi Ground. Similarly in Andhra Pradesh, were there are no forest but boards indicating Reserved Forests have been put there also. As regard the rehabilitation of the flood affected people residing in the villages on the banks of river Godavari, 20 villages are to be rehabilitated and for which at least 30 acres of land have to be acquired. But the Government has not yet cleared the proposal, the work is not progressing. The population of these villages is about 10 thousand and they were completely submerged every year. Financial assistance was provided by the Centre,

but these areas were flooded once again. I want to submit that instead of providing relief assistance every year, powers should be delegated to the State Governments for disposing of such trivial matters. If reserved forests measuring 8 to 50 acres are to be cleared, powers can be delegated to the State Governments in order to get the work done at the earliest. I have submitted just now that we can do it even without your prior approval. This is going on and I reiterate here also. You have no control over the Forest Officers, the State Governments have control over them. They are appointed through the UPSC but they are under the administrative control of the State Governments. If trees are felled, no one protests. Therefore, I want to suggest that a state level machinery should be there to monitor it. There is a need for deputing more watchmen for big and dense forests. One watchman is required for a forest land measuring 200 and 400 acres. We get forest wealth worth crores of rupees from forests. We should not destroy our forests as it is very necessary for ecological balance. Forest Guards do not have police powers. Neither do they possess any rifle nor do any wireless set. It seems to me as if pilferage takes place as far as 200 kms. in the interior. The Naxalits are operating in the forests and the forest officers have little control over the situation. Even if they try to stop them from doing so, they are threatened with dire consequences. This has happened. If some watchmen or forests guards stop them from felling trees. Their limbs are amputated. Therefore, it is essential to make them equipped with wireless sets. At present, one forest guard has been provided for every 1000 acres of forests. They are not in a position to control the situation because the area is very vast. You should increase the number of forest guards and enhance their salaries as well. They should be provided with necessary arms to protect themselves.

The funds provided under social forestry programme for planing eucalyptus trees on both sides of the roads has not brought any goos because water level is going down due to it.

[Sh. C. Janga Reddy]

Government has allotted 2000 to 3000 acres to forest land to rayon paper industries and other big capitalists. This sort of allotment of forests land should be stopped.

There can be no objection to leasing out of mines, But more and trees should be planted and maximum afforestation work should be taken in areas which are under constant drought conditions. There is a dire need to plant trees in the districts of Mahboobnagar and Nalgonda in my State. Forests are important for causing more rainfall. Trees can grow properly if constant watering is available for 2 to 3 years.

You should undertake social forestry work in the ponds. Acasia trees should be planted around ponds to check soil erosion. There can be two types of benefits from it.

An Officer should be deputed by the Central Government to check deforestation in the States. The D.F.Os do not stop people from felling trees and the concerned state Governments also do not take any action against them. I hope that the Government will pay due attention to my suggestions.

[English]

SHRI N.DENNIS (Nagercoil): Mr. Deputy-Speaker sir, while supporting the Bill, I wish to make some points. To make The Act more effective and purposeful, this amendment has been brought.

Sir, the forest area in our country is gravely reduced and it has become a concern of the nation. Preservation of forest has assumed special significance all over the world in recent years because of reduction of forest area. The forest area in our country is reduced and it is assessed that the area of forest is about twenty per cent. It ought to be one third of the total land. If felling of trees is allowed to continue for some more years, our country would lose ecological balance. Massive afforestation has to be undertaken for keeping the forest area.

During the course of the implementation of the Act for the past eight years, some lacunae or drawback are found out in the Act. One drawback is absence of a penal provision and another is that certain officers who are responsible for felling of trees escape from the clutches of the law and the poor persons who are instigated by them are caught and punished. It is a welcome step to see that the erring officers are to be punished by this amendment.

Only with the knowledge, assistance and cooperation of the officers, theft is committed in the forests. It is a progressive and correct step that the officers are punished. The protection of the forest property vests in the concerned officers. And when they fail to protect the forest property, it is proper and just to punish them as they would feel there responsibility and protect the forests. Naturally in the years to come, this amendment would reduce felling of trees as the officers in general are responsible for inducing the ordinary people to cut more trees.

The punishment provided in the amending Bill is nominal. But the Indian Forest Act will take cognisance of the punishment in a general way. This Bill is concerned with the punishment to the erring officers only. Since there is a prima facie case against those officers who have committed the crime or intigrated in committing the crime of cutting and removing the trees, departmental action also should be taken against them.

Regarding the implementation of the projects, I wish to point out that balance of advantage in this aspect has to be taken in to consideration. If the benefit that would accrue from the implementation of the project would be more and more benefit would ensue by the implementation of the project, such projects should be given permission at the earliest without causing any delay. At the same time, protection of environment should be taken into consideration. The balance of advantage should be the yardstick in deciding these matters. There should

be harmony between protection of environment and welfare schemes.

The target for afforestation which is provided in the seventh Plan should be implemented effectively and it has to be achieved. The land reserved for forests should be utilised. Either it should be used as forests or it should be set apart for some useful purpose.

[Translation]

There are instances in which lands set apart for forests are not used. Such lands should be utilised for other purposes like implementation of other schemes.

Another point that I would like to make is regarding clearing of projects. Long delay is caused in clearing a number of projects.

Another point is that when forest lands are diverted for non-forest use, there are several persons, particularly tribals, who are effected and who are displaced. They should be given alternative sites. On certain occasions they face lot of difficulties and inconveniences. Generally tribals are booked for forest felling. So the contractors and those who are instigating the felling of trees are not caught. With these words, I support the Bill.

SHRI KALI PRASAD PANDEY (Gopalganj): Mr. Deputy Speaker, Sir, I welcome the Forest Conservation (Amendment) Bill with the hope that the hon. Minister will keep in view the suggestions of the hon. Ministers and bring forward a more comprehensive bill during the next session. The National Highways Authority (Amendment) Bill was passed a few days back. The hon. Minister had stated that the funds allocated to the States are not being utilised properly. While replying to the debate, the hon. Minister is requested to provide the data of the afforestation work undertaken in different States. What is the extent of work done in Himachal Pradesh, Rajasthan and Bihar? Until this is made clear, the real objective of this bill will not be fulfilled. Growth of forests is essential

for human life. Similarly, it has an important role to play in maintaining the ecological balance and in ensuring adequate precipitation. The scientists are also of the opinion that forests are absolutely essential for survival of mankind. I want to know as to what arrangement has been made for providing protection get the forests rangers living in forests? We cannot get away by merely blaming the officers. Today, the demand for a separate Jharkand State in Bihar is on the full swing. As the unemployment problem increases, a leader comes on the scene and starts agitation to establish his leadership. I myself went to Ranchi and made a study of the situation prevailing there. As Mafia exists in Dhanbad so dose in the cooperatives sector and the forest contractors. The poor adivasi who are dependent on forest resources for their livelihood have been deprived of there livelihood have been deprived of their livelihood. As I am an Independent candidate, I want to submit in a unbiased way that not one but several bills have been passed by this House. When a bill is brought, all the hon. Members make their submissions on it and expect the provisions of the bill to be implemented. But I can say with guarantee that whatever opinions we put forward here, have little effect outside. As truth is bitter, so the hon. Minister may feel offended. The Hon. Prime Minister had announced during his visit to Punjab that Panchayats should be given more power. The Hon. Prime Minister has reiterated several times that rural development is possible only when the panchayats are given more powers. So far as the forests are concerned, you can observe that afforestation programme is limited to the cities only. This programme has not received much emphasis in the rural areas where maximum of our population resides.

[English]

SHRI K.P. SINGH DEO: Sir, we are concerned with the Environment Minister, sometimes he is replaced by the Science & Technology Minister sometimes by the Commerce Minister, sometimes by the Labour Minister and some times by the Home Minister.

MR. DEPUTY SPEAKER: No, no it is like that.

*[Translation]*

SHRI KALI PRASAD PANDEY: I am making my submission to invite your attention. The hon. Minister is not present here. In the next Budget session, you should make provisions to ensure that the afforestations work is entrusted to panchayats. The unemployed youths who are struggling to find a job should be entrusted this responsibility. As per your data, the 30 lakh hectares of land have been brought under afforestation. I want to know honestly, whether this was the actual target of the scheme? If a proper evaluation is made, we will find that we have not even achieved half of this target. I have observed in the rural areas that for the work undertaken for planting trees along the railway lines, duplicate registers are maintained for the labourers engaged there. Minimum wages have been fixed by the Central Government but two registers are maintained for the labourers who work here. In the duplicate register the real amount of wages which are in the ranges of Rs. 200 to Rs. 250 is shown, whereas in the original register wages are shown at the Government rates of Rs 500 to 600 a month which are shown to the state Government for verification. Until you bring radical change in this matter, we will not be able to provide peace to Shrimati Indira Gandhi's soul. Therefore, the Government should get it properly implemented. The people of our country had welcomed this Bill when it was introduced by her in the House. If it is a mere formal welcome then I also welcome it, the District boards and the P.W.D. are indulging in the business of setting trees. Old trees which give shadow and fruits are being hewed and sold for Rs. five hundred to Rs. one thousand. Now, the business of illegal felling of trees is extending from villages to cities. There should be two objects of preservation of forests. We get medicinal herbs from them. Our ancient sages had observed that the persons of primitive ages used to subsist on the fruits of trees, water of rivers and sea but the modern man have entered

a new world and that it is why our age old values, civilisation and culture have been vanishing. Government should feel sorry for this state of affairs. Instead of planting eucalyptus trees, other useful trees such as mango, guava etc. Can be planted on both sides of the road, Government can earn crores of rupees by getting this work done on contract basis.

Mr. Deputy speaker, Sir, these things were about environment. But now I would like to draw the attention of the Government towards my own constituency, Gopalganj. In the Gopalganj the sugar mills have polluted the atmosphere of the area. I had written a letter to the Minister of Forest and Environment and in response to that, a team was sent by the Centre to my constituency. Mr. Deputy Speaker, Sir, but you will be astonished to know that after visiting the area that team recommended a machine costing Rs. 10 lakhs, but later on, the mill owners created such a situation that even after a lapse of three years the orders of the Government have remained on papers only and no action has been taken in this regard. I think that we want to protect the environment against pollution. We can do it by developing our villages. With these words I support this Bill.

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17.52 hrs.

STATEMENT *RE* DAMAGE FROM CYCLONE IN WEST BENGAL, ORISSA AND ANDAMAN AND NICOBAR ISLANDS ON 29.11.1988 AND RELIEF MEASURES UNDERTAKEN

*[English]*

THE MINISTER OF STATE IN THE DEPARTMENT OF AGRICULTURE AND COOPERATION IN THE MINISTRY OF AGRICULTURE (SHRI. SHYAM LAL YADAV): Sir, A cyclonic storm formed in South Andaman Sea on 23rd November, 1988 and moved northwards and transformed into a severe cyclonic storm with a core of hurricane wind with a sustained wind