

Bill No. 60 of 2024

THE CONSTITUTION (AMENDMENT) BILL, 2024

By

SHRI RAJIV PRATAP RUDY, M.P.

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further to amend the Constitution of India.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2024.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. For article 48A of the Constitution, the following article shall be substituted, namely:—

Substitution of new article for article 48A.

10 “48A. (1) The State shall endeavour to protect and improve the environment so as to ensure a pollution-free environment for its citizens and to safeguard the forests and wild life of the country.

Protection and improvement of environment and safeguarding of forests and wild life.

(2) The State shall, through such enforcement agencies as it consider necessary, strive hard to ensure that forty per cent. of the total geographical area of the country be covered under forest or areas covered by trees.”.

Amendment of
article 51A.

3. In article 51A of the Constitution, for clause (g), the following clause shall be substituted, namely:—

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“(g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures and to actively participate in the State’s endeavour to promote the forest cover in the country to forty per cent. of the total geographical area.”.

STATEMENT OF OBJECTS AND REASONS

Forests are key to all forms of life. They provide for the continuity of the world's biodiversity which is necessary for economic development, human livelihood, medical discoveries, and to provide environmental adaptive responses. Forests are also important because they stabilize climate, prevent soil erosion, watershed protection and provides habitat to thousands of life forms. Despite our dependence on forests, we are still allowing them to disappear.

India accounts for about 2.4 per cent. of the total geographical area of the world and is also home to 17 per cent. of the world population. India is one of the richest countries in the world in terms of biodiversity making it one of the Mega-diverse countries accounting for nearly 8 per cent. of the species of the world. It is estimated that nearly 1/3rd of Indian plants are endemic, being found nowhere else in the world.

To promote this diversity and economic growth the National Forest Policy, 1952 emphasized on the extension of forest and tree cover by proposing that 33% of the total geographical area should be under forest tree cover. The National Forest Policy, 1988 which was formulated four years before the Earth Summit 1992 embodies the principles of sustainable forest management and mandated an increase in the forest/tree cover in the country to 33 per cent. of the land area. However, according to the India State of Forest Report (ISFR) 2017, the total forest cover is 7,08,273 Sq. Km. which is only 21.54 per cent. of the total geographical area of the country. Forest and tree cover combined is 8,02,088 Sq. Km. and is 24.39 per cent. of the total geographical area.

The Bill proposes to conserve the natural heritage of the country by preserving the remaining natural forests and at the same time also promote the increase in the forest cover with the vast variety of flora and fauna by ensuring that the State with active participation of the citizens will be able to preserve and promote the remarkable biological diversity and genetic resources of the country. It also enable the country to meet our climate change targets without any binding obligations.

Hence this Bill.

NEW DELHI;
June 18, 2024.

RAJIV PRATAP RUDY

ANNEXURE

[EXTRACTS FROM THE CONSTITUTION OF INDIA, 1950]

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48A. The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.					Protection and improvement of environment and safeguarding of forests and wild life.
*	*	*	*	*	
51A. It shall be the duty of every citizen of India—					Fundamental duties.
(g) To protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures;					
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(Shri Rajiv Pratap Rudy, M.P.)