

AS INTRODUCED IN THE RAJYA SABHA
ON 6TH DECEMBER, 2019

Bill No. VIII of 2018

THE CONSTITUTION (AMENDMENT) BILL, 2018

A

BILL

further to amend the Constitution of India.

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

1. (1) This Act may be called the Constitution (Amendment) Act, 2018.

Short title and
commencement.

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

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

Protection and improvement of environment and safeguarding forests and wild life. "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. 5

(2) The State shall strive hard to ensure that thirty-five per cent. of the total geographical area of the country be covered under forest or trees."

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

"(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 of the country to thirty-five per cent. of the total geographical area." 10

STATEMENT OF OBJECTS AND REASONS

Forest is a biological entity in the fascinating web of nature and always in a state of dynamic equilibrium. Forestry sector is an important ingredient in the economic and social fabrics of a country. The role of forests is significant in maintaining ecological balance. They provide for the continuity of the world's biodiversity which is necessary for economic development, human livelihood, medical discoveries, and to provide environment adaptive responses. Forests are also important because they stabilize climate, prevent soil erosion, watershed protection and provides habitat to thousands of life forms.

India accounts for about 24 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 megadiverse 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.

The National Forest Policy, 1988 embodies the principles of sustainable forest management and mandated an increase in the forest or tree cover in the country to 33 per cent. of the land area. However, according to the India State of Forest Report (ISFR) 2015, the total forest and tree cover is 79.42 million hectare, which is only 24.16 of the total geographical area of the country. The over-exploitation of forest products to meet the various demands, including unrecorded removal, overgrazing and encroachments have led to poor productivity and degradation of forests.

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.

Hence this Bill.

DR. T. SUBBARAMI REDDY

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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

48A. The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

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Fundamental
duties.

51A. It shall be the duty of every citizen of India—

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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;

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further to amend the Constitution of India.

(Dr. T. Subbarami Reddy, M.P.)