

# For a better GOA

**O HERALDO**

the time of Liberation and later, which was now 20 years later. I was stunned and saddened at the extent by which the forest coverage had dropped in Goa.

In drafting the Bill I was helped by Mrs Deshpande who was working in the Legislature Department. I brought the Bill to the House on a Friday, it being Private Member's Day. The date was March 31, 1982. The Chief Minister, after going through the Bill called me aside and explained that while my Bill was excellent, he could not allow it to be passed because in a democratic setup with a Legislature, allowing a Private Members' Bill amounted to the defeat of the government.

I was not ready to backtrack and countered saying, that it was because he could not manage the MLAs that I had brought this bill. He asked me to withdraw it but I was adamant and refused to do so. There was no way that I was going to withdraw the Bill, I was determined to get it passed. At that time, though the Congress was in power, the party was quite a divided house. I told Mr Rane that I would get Dr Wilfred de Souza and Mr Babu Naik to support me and the Bill.

At this, there was an impasse but we soon came to an understanding. Mr Rane said that he would send my bill to the House Select Committee. What we agreed upon was that when my Bill was brought to the House, it would be opposed and then it would be sent to the Select Committee and the government would draft its own Bill for the Select Committee. I would be appointed as a member of the Select Committee and the Bill that the Select Committee approved would be brought to the House and passed as a government Bill. How could I object to this?

Accordingly, The Goa Daman and Diu Preservation of Trees Act 1984 was passed by the House. This Act is basically the bill that I brought to the House. If there is an Act that protects trees in Goa, it was because of the Private Member's Bill that I moved in the House in 1982. It was a meritorious Bill and it is pertinent to read through the 'Statement of Objects and Reasons' of the Bill as it was introduced in the Assembly, for this provides us today a very definable picture of the situation at that time. It stated:

"Goa, Dman and Diu is perhaps the only territory in the Country where the private forests are still in existence while in other states the private forests have been taken over by the Government, long back. Though as per the old statistics the forest area in this Union Territory is shown as 1053 sq. kms. provisionally, figures given by the Land Survey Department indicate that the Government forest cover only about 888 sq. kms. which is hardly about 24% of the geographical area. Large chunks of these forests too have been encroached upon or brought under cumeri cultivation. Thus, the ef-

fective forest area is still less. Besides, 250 sq kms. of forests are lying under the control of private parties and Comunidades in this Union territory, most of which are in badly degraded state for want of proper management and care."

"Considering the situation arising out of mining activity, topographical features, rainfall etc., the forests are found to be vital for this Union Territory to conserve soil, water, environment and last but not the least to meet the timber and firewood needs of the local people."

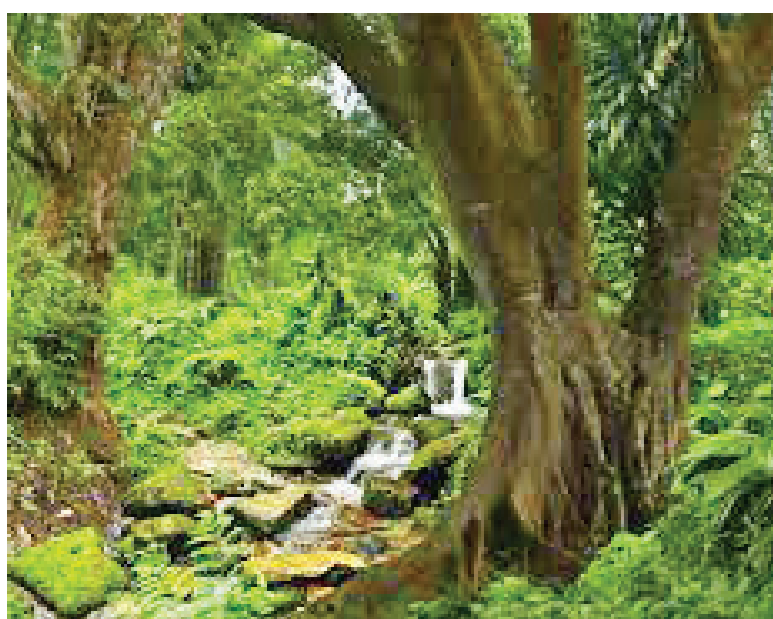
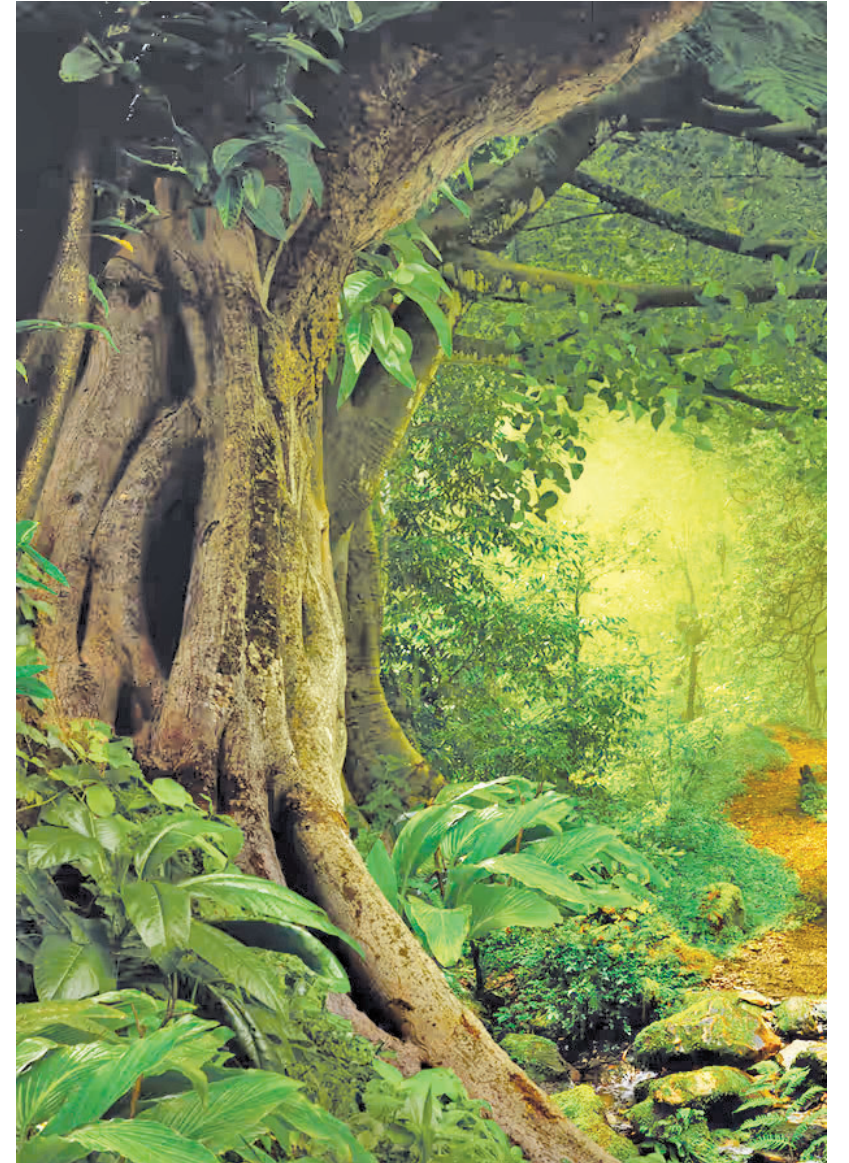
"Goa, Daman and Diu Forest Rules, 1964 as well as the Land Revenue Code, 1968 provide that felling of trees in private lands can be done only with the permission of the Forest Department and Collector but there is nothing in these Rules/Code to refuse such permission even when it is felt that such felling of trees will be against the larger interest of the territory. In view of the soaring prices of the timber and firewood coupled with the fear in the public mind that large tracts of the private forests may be taken over by the Government under the proposed Land Ceiling Act, there is tremendous rush for issue of licences for felling of trees from the private properties."

"If wanton destruction of God given natural forests/trees with or without formal permission continues at the present rate speed, it will not be long before Goa will have no vegetation worth the name outside Government forests. The lands which are being cleared in the name of extending cultivation/horticulture too will be rendered useless as a result of soil erosion and intense laterisation which are quick to follow, if adequate measures to develop the land are not taken immediately after the vegetation is broken."

"Under these circumstances it is necessary that the felling of trees in private forests which are mainly confined to the natural forests existing in this Union territory from time immemorial, is halted and more trees grown in the larger interests of the local populace. The Goa, Daman and Diu Preservation of Trees Bill, 1982' seeks to achieve this purpose."

The important points to note from the above are:

- Private forests were in existence in Goa, while in other states they had been taken over by the Government
- Forest area had been shown as 1053 sq kms, while current provisional figures indicated that Government forest cover was about 888 sq kms, about 24% of the geographical area
- Forests under the control of private parties and Comunidades were in badly degraded state
- No provision in the Goa, Daman and Diu Forest Rules, 1964, Land Revenue Code, 1968 to refuse such permission for felling



- If wanton destruction of forests/trees continued at the present rate, it would not be long before Goa will have no vegetation outside Government forests

From 1961 to 1982, in two decades, in the name of development and political exigency of course, we had reduced the forest cover of Goa substantially. If we were to allow that to continue, without bringing in legislation to control the felling of trees, we would perhaps have no forest cover today. Till today, I feel gratified that I was able to make this big differ-

ence to Goa, for though it emerged a Government Bill and essentially all the sections that were in my Private Member's Bill were incorporated and brought to the House. When the Bill came up for discussion and passing on August 31, 1982, I supported it.

## OUTCOME OF THE PRESERVATION OF TREES BILL

Briefly, here are some vital sections of the Bill that became an Act. The most important section in the Bill was Section 8 which read: "Notwithstanding anything contained in any

other law for the time being in force or in any custom or usage or contract and except as provided in this Act or the rules made thereunder, no person shall fell or remove or dispose of any tree or forest produce in any land, whether in his ownership or occupancy or otherwise, except with the previous permission of the Tree Officer; provided that if the tree is not immediately felled, there would be grave danger to life or property or traffic, the owner of the land may take immediate action to fell such tree

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