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(83)
"Section 3(1)(c) right of ownership, access to collect, use and dispose of minor forest produce which has been traditionally collected within or outside village boundaries."

The said provision permits commercial exploitation of forest produce from the PA's which is expressly prohibited by the provisions of Sec. 29 and sub section (6) of Section 35 in the national parks and sanctuaries respectively of the Wild Life (Protection) Act, 1972.

Section 3(1) (c) of the Impugned Act is also in direct conflict the order dated 14.2.2000 passed by this Hon'ble Court in I.A. No. 548 in WP (C) 202/ 1995 in the Forest Matter (T. N. Godavarman Thirumalpad VS. Union of India & Ors.). Thus the very purpose of declaring National Parks and Sanctuaries under the Wild Life (Protection Act), 1972 which imposed restrictions on such commercial harvest and sale of forest produce, would thus be defeated. It is further submitted that Section 2 (i) of Impugned Act defines Minor Forest Produce (MFP) as "all Non Timber Forest Produce of plant origin including ... cocoons, honey, wax..." However, Section 2(12-B) of Wildlife Act read with Section 2(4) (b) (iii) of Indian Forest Act defines honey as produce of animals. The said Section reads -

"wild animals and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and..."

Clause (b) of sub section (31) of Section 2 of the Wildlife Act defines "honeycomb" as a Trophy. The commercial exploitation of any wildlife /