

**Ministry of Environment and Forests
Wildlife Division**

In pursuance to the decision taken by the Standing Committee of National Board for Wildlife (NBWL) held on 13th December 2011, the comments and suggestions of the members received with respect to the minutes of the Standing Committee of NBWL held on 14th October 2011 are being accordingly incorporated in a separate paragraph at the end of the recorded minutes of the agenda item. The revised minutes of the Standing Committee of NBWL held on 14th October 2011 are as under:

Revised minutes of the 23rd Meeting of the Standing Committee of National Board for Wildlife held on 14th October 2011 in Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi.

The 23rd Meeting of the Standing Committee (SC) of the National Board for Wildlife (NBWL) was held on 14th October 2011 in Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi under the chairpersonship of Shrimati Jayanthi Natarajan, Hon'ble Minister of State (Independent Charge) for Environment and Forests.

List of participants who attended the meeting is given at Annexure-1. Leave of absence was granted to Dr P. J. Dilip Kumar, DG Forests and Special Secretary, Shri Brijendra Singh and Dr M. K. Ranjitsinh, all members of the SC as they could not attend the meeting due to unavoidable circumstances.

Meeting started with Member Secretary of the Standing Committee of the NBWL welcoming the Hon'ble Chairperson, the members and all other delegates and officials who were present in the meeting. Echoing the sentiments of the participants, Member Secretary expressed full confidence in the ability, experience and pragmatism of the Chairperson to purposefully guide the Committee in all its deliberations and decisions right from her first meeting of the Standing Committee. Welcoming the members, he expressed that all of them were experts in their field with exemplary commitment and dedication to the cause of conservation of wildlife, and sought their continued guidance and cooperation in debates and deliberations of the Committee. This was followed by a round of introduction by the participants.

Hon'ble Minister for Environment and Forests and Chairperson of the SC, NBWL in her address to the committee welcomed all the members and other officials to the meeting of the Standing Committee of NBWL. She stated that she accorded highest importance to the Standing Committee as each and every decision of this apex Committee had a bearing and consequence on the status of wildlife conservation and the development process of the country, and, therefore every single decision should be taken in good faith and in the best interest of the country. She also expressed that her determination and commitment to conservation of natural resources was absolute and complete, and expected all the participants to give her strength to remain steadfast on her resolve by rendering expert and impartial advice. Hon'ble Chairperson reiterated her belief in the saying that "*the Planet Earth is not inherited from our ancestors, but we have borrowed it from our next generation*", and, therefore, were duty-bound to take all steps to protect the natural wealth of our country for the next generation. She expressed her confidence in the commitment and

performance of the members to protect the rich flora and fauna of the country. She also invited the members of the Committee to meet and discuss with her separately any pressing issue relating to wildlife conservation.

Non-official members specifically Ms. Perna Bindra, Dr Madhusudan, Dr Kishore Rithe and Dr Divyabhanusinh Chavda raised a number of issues including the one relating to recording of the minutes of the meetings of the SC. According to many of them, the procedure being followed by the SC for recording of minutes was quite ad-hoc, and they, therefore, wanted the procedure being followed in Forest Advisory Committee (FAC) meetings to be followed by the SC also in respect of its meetings. They also complained that the copies of the detailed proposals as received from the States were not being made available to them on time. Member Secretary submitted that it would be incorrect to say that no proper procedure was being followed in recording the minutes of the meetings of the SC. He pointed out that even at present procedure as laid down in the Notification issued by the Ministry of Environment and Forests (MoEF) vide F. No. 6-1/2006 WL-I dated 14th September 2010 was being followed in letter and spirit for recording of minutes. However, he stated that there was always scope for improving the procedure further based on relevant suggestions of the non-official members. He assured that the copies of the detailed proposals received from the State Governments/CWLWs would be made available to the non-official members at their place of residence 15 days in advance of the meeting of the SC.

The non-official members opined that the extant rules and procedures prescribed for the Standing Committee of NBWL, were inadequate, and, therefore, required a review with a view to making suitable amendments therein to make the functioning of the Committee more transparent and effective.

Chairperson assured to further look into the issue personally, and to explore the possible ways and means for effecting improvement in the functioning of the Committee including the procedure of recording of minutes of the SC meetings based on the suggestions of the non-official members.

Agenda Item No. 1: Confirmation of the minutes of the 22nd meeting of the Standing Committee of NBWL held on 25th April 2011

Member Secretary informed that comments from some members, viz, Dr M. K. Ranjitsinh, Dr Shankar Raman, Ms. Perna Bindra, Dr Kaustubh Sharma and Dr Divyabhanusinh Chavda on different agenda items of the 22nd SC, NBWL Meeting had been received, which had already been incorporated in the minutes of the meeting. However, additional comments had also been received from Dr M. K. Ranjitsinh, Ms Perna Bindra and Dr Kishore Rithe. The committee decided that the additional comments received from the members should also be appropriately incorporated in the minutes of the 22nd SC Meeting. In compliance, these comments are incorporated as under:

Dr M. K. Ranjitsinh:

Agenda Item 4.1(6): Permission for 330MW Dholpur Gas based combined cycle thermal power project stage – II

Following shall be added and read in conjunction with the minutes already recorded:

“Dr M. K. Ranjitsinh, supported by some other members insisted on the rejection of the proposal in view of the findings contained in the report of the Wildlife Institute of India. The Chairman, however, stated that this was an ongoing project, and so should be allowed. Dr Ranjitsinh further wanted the status of the project ‘as ongoing’ to be confirmed.”

Agenda Item 4.1(3): Proposal for denotification of Trikuta Wildlife Sanctuary and Agenda Item 4.1(4): Bahu Conservation Reserve

Following shall be added and read in conjunction with the already recorded minutes:

“Committee supported the suggestion of Dr Ranjitsinh and Ms. Purna Bindra to advise the State Government to identify and notify new sanctuary for markhor comprising areas of Kalamund-Tatakuti in Poonch Forest Division instead of Kharra Gali area in the same Division as proposed at present by the State Government. Committee desired the State Government to act accordingly.”

Agenda Item 5.1: Diversion of 21.132 ha of forest land from Hazaribagh Wildlife Sanctuary Diversion

Following shall be added and read in conjunction with the already recorded minutes:

“Dr Ranjitsinh insisted for a site inspection as a very large number of trees (11,808) would be felled. However, the Committee decided to recommend the project.”

Agenda Item 5.15: Maintenance and Repair of roads passing through National Parks/ Sanctuaries in Madhya Pradesh

Following general conditions shall be added and read in conjunction with the 14 conditions already incorporated in the minutes:

“(a) No widening of existing roads shall be permitted, and the status of finishing of the surface of the repaired road(s) shall remain same as that of the original road(s), i.e., untarred roads shall remain untarred after repairs, and only originally tarred roads shall be repaired and tarred.”

Agenda Item 5.18: Permission for Kanera Lift Irrigation and Aisah Lift Irrigation, Madhya Pradesh

Following shall be added and read in conjunction with the already recorded minutes:

“The Chairman stated that in view of the report of the WII, no new proposal for water diversion from the Chambal will henceforth be approved.”

Agenda Item 5.29: Permission for laying underground water supply

Following shall be added and read in conjunction with the already recorded minutes:

“Dr Ranjitsinh drew the attention of the committee to the fact that a large number of trees (6,137) would be felled in a sparsely forested landscape. However, the committee decided to recommend the project.”

Ms. Prerna Bindra:

Agenda Item 4.1 (2): Diversion of 79.474 ha of forest land in Kutch Desert Wildlife Sanctuary and Wild Ass Sanctuary for Construction of Gaduli to Hajipir-Odma-Khavda-Kunriya-Dholavira-Maovana-Gadakbet-Santalpur Road (S.H. Road) Gujarat

Following shall be added and read in conjunction with the already recorded minutes:

“The non-official members notably Ms Prerna Bindra, Dr Ranjitsinh and Dr Divyabhanusinh did not favour the construction of the proposed road as according to them, the construction of road would have adverse impact on Kutch Desert Wildlife Sanctuary and Wild Ass Sanctuary. They also stated that the road was in close proximity to the only wild ass habitat and also the Flamingo City, the only breeding site of Greater Flamingo in the country. The availability of an alternate alignment was also suggested.”

Dr Kishore Rithe:

Agenda Item 2[4.2(5)]: Diversion of 879.666 ha (840.00 ha of forest land and 39.666 ha of revenue forest land) for Mandla North underground mining coal block in respect of M/s Jaiprakash Associates Ltd, Distt. Chhindwara, Madhya Pradesh

Following shall be added and read in conjunction with the already recorded minutes:

“Dr Rithe did not want the proposal to be cleared as it fell in the tiger corridor connecting Pench, and Satpura Tiger Reserves.”

Dr T. R. Shankar Raman:

Agenda Item 2 [4.1(9)]: Construction and upgradation of 12 existing rural roads under PMGSY to provide all weather road connectivity to the villages in Bagdara Wildlife Sanctuary, M. P.

Following shall be added and read in conjunction with the already recorded minutes:

“Conditions recommended in the report of Dr Shankar Raman and Dr Kishore Rithe that are not included in the 15 conditions already recorded in the minutes, shall also be incorporated in the minutes.”

All non-official members:

Agenda Item 5: Any other item with the permission of the Chair

Following shall be added and read in conjunction with the already recorded minutes:

“The non-official members insisted that the agenda items proposed by them, many of which were urgent for wildlife protection and conservation should also be discussed. Agreeing with the members, the Chairperson assured that a separate exclusive meeting would be held only to discuss the agenda items and suggestions proposed by the non-official members.”

Ms. Prerna Bindra pointed out that comments/objections raised in the meeting are not recorded meticulously and precisely. Also, since the proposals are rushed through leaving little time for discussion, due to inadequate time, it is requested that comments and objections raised during the meeting by all members, and those sent immediately thereafter should be officially recorded.

2.[4(B)(12): Proposal for denotification from Radhanagari Sanctuary for Savarde minor irrigation project, Maharashtra.

The Member-Secretary informed the Committee that the proposal was for denotification of 14.12 ha area (10.98 ha for submergence and 3.14 ha for dam construction) from Radhanagri Sanctuary for Savarde minor irrigation project. He also informed that Dr Asad Rahmani had conducted the site inspection, report whereof had been circulated amongst the members, and that the acceptance of conditions proposed by Dr Rahmani in his report was still awaited from the State Government. The Chief Wildlife Warden, Maharashtra was requested to comment on the recommendations of Dr Rahmani which are reproduced below:

- “(a) A cumulative impact study, of all major and minor irrigation projects in and around Radhanagri Wildlife Sanctuary, should be conducted first to know the total ecological impact of all such schemes on ecology of the region and biodiversity therein.*
- (b) As the area falls under the Western Ghats, and the Government of India has constituted Western Ghats Ecology Expert Panel under Prof. Madhav Gadgil, views of this Committee should be taken into consideration before final permission is given.*
- (c) No new proposal will be entertained in future which will impact directly or indirectly the Radhanagari Wildlife Sanctuary. The Irrigation Department has to give this assurance in writing.*
- (d) The whole area, including the Sanctuary and adjoining reserved forests and eco-sensitive areas, should be declared as an Ecological Sensitive Zone. On this, the views of the Western Ghats Ecology Expert Panel should also be taken.*
- (e) In case the Expert Panel also approves this project, the Irrigation Department will follow the following conditions:*
 - i) During construction, unskilled labourers of local area will be employed.*
 - ii) The Government of Maharashtra will see that benefits of this irrigation project will go only to the local farmers and outside farmers /developers shall not be allowed to purchase land or use the irrigation water for any other purpose than traditional farming.*
 - iii) The dam will be constructed within minimum time limits of 2 years with working period of 12 months or less (No work is possible during monsoon – 15 May to end October).*
 - iv) All debris will be removed by the irrigation department.*
 - v) The land tenure will remain with the Forest Department*
 - vi) No fishing will be allowed in the whole reservoir whether it falls within the Sanctuary boundary or outside.*
 - vii) It is to be ensured by the irrigation and forest department that the dam and the catchment area will not become a tourist spot. No boating will be allowed.*
 - viii) Appropriate plantations of local forest tree varieties to be undertaken in the vicinity of the dam to maintain the ecological harmony as near natural. The forest trees from the submergence under the dam should not be removed as it provides habitats for aquatic as well as terrestrial wildlife.*

- ix) *The Irrigation Department will pay the Forest Department for the conservation, restoration of the habitat and construction of a Forest Chowki in Savarde village.*
- x) *Land for land as compensation to forest land used for dam should be made available by the irrigation department in the Western Ghats region, preferably an adjoining forest area to the forest department before commencing the project. It is to be confirmed that the compliance of transfer of land to the forest in respect of the Dhamani Irrigation dam, on the border of Radhanagari Wildlife Sanctuary, is done."*

However, the Chief Wildlife Warden, Maharashtra informed that final consent from the State Government was yet to be issued and communicated to the Ministry of Environment and Forests (MoEF).

The Chief Wildlife Warden, Maharashtra, also informed the Committee that the State Government had reservations on one of the conditions recommended by the Member of Committee, i.e, condition [(e)(ii)] above stipulating that only local people should be benefitted from the project and that outside farmers/developers should not be benefitted. He added that the State Government was in agreement with the rest of the conditions. In view of this, the Committee, after discussion, decided to recommend the proposal subject to all other conditions as stipulated by Dr Asad Rahmani in his site inspection report and with the modified condition [(e) (ii)] that the project should give first priority to meeting the water needs of the local people.

Ms. Purna Bindra, however, did not agree with the Members of the Committee in approving the project proposal, and desired her concern to be officially recorded. Text of her dissent as subsequently received through e.mail is reproduced below:

"I record my dissent on this clearance given the harmful ecological impacts, which were also discussed in the meeting. It is understood that the area to be submerged is under very good forest cover which will be destroyed irreplaceably."

The viewpoint expressed by Mr. Kishor Rithe on the above minutes is added below:

"Mr. Kishor Rithe strongly objected to the proposal and submitted that it would affect the Critical Wildlife Habitat process and resettlement work in the sanctuary as per the Government of Maharashtra's affidavit in the Hon'ble High court, Nagpur Bench. A cumulative impact study, of all major and minor irrigation projects in and around Radhanagari Wildlife Sanctuary, should be conducted first to know the total ecological impact of all such schemes on ecology of the region and biodiversity therein. Mr Rithe also wrote a letter to the then Chairman dated 5th February 2011 expressing these concerns and requested to reject the project."

5.15 --Maintenance and Repair of roads passing through National Parks/Sanctuaries in Madhya Pradesh.

The Member Secretary informed that the proposal pertains to repair/maintenance of existing National Highway roads passing through various National Parks and Sanctuaries. He also informed that the proposal had been recommended by the State Board for Wildlife and the Chief Wildlife Warden. The proposal was recommended by the Committee subject to the following conditions:

- (i) *Adequate number of speed breakers at suitable distance for safety of wildlife shall be provided on all the roads.*
- (ii) *5 % of the project cost corresponding to the project area falling within the Protected Areas would be paid by the user agency for the development of the concerned National Park/Wildlife Sanctuary.*
- (iii) *The road development shall be carried out with utmost care so as to cause least impact on wildlife.*
- (iv) *It shall be ensured that no damage is caused to the wildlife and its habitats.*

- (v) No realignment shall be permissible.
- (vi) For movement of runoff water and wildlife, minimum of one subway per 3 kms and culverts at appropriate distances for maintaining continuity of water flow shall be constructed by the user agency.
- (vii) Speed limit for the stretch of road passing through the National Park/Sanctuary should be restricted to 20 Kms/hr.
- (viii) All construction material and other material will be brought from outside the sanctuary and no digging for extraction material will be done in the Protected Areas.
- (ix) All the conditions laid down by Government of Madhya Pradesh or any agency shall be binding on the user agency.
- (x) No other works would be approved on the above roads.
- (xi) All vehicles will enter sanctuary area after sunrise and shall exit the sanctuary before sunset.
- (xii) Heavy vehicular traffic should be avoided as it may cause permanent disturbance inside the sanctuary.
- (xiii) NPV and compensatory afforestation fund charges will be paid by the user agency to the Chief Wildlife Warden as per norms.
- (xiv) The user agency should also abide by any other conditions that may be prescribed by the Chief Wildlife Warden.
- (xv) The Chief Wildlife Warden would submit a compliance report on the implementation of the conditions specified, to the Standing Committee of NBWL after completion of the project.

The viewpoint of Ms. Prerna Bindra on the above minutes is added below:

"However, the letter Vide No/DM/1918 dated 2/5/2011, from TR Sharma, APCCF (wildlife) states: in principle approval was given for the up gradation of 12 roads passing through Protected Area of Madhya Pradesh. It may kindly be recalled, and also pointed out in my mail—and previous letter—dated October 5, 2011 that in principle approval was not accorded. Information was sought on maps, the kind of work for which permission was required and it was decided that no gravel road in PAs should be converted to black top, though existing roads, can be repaired as long as they remain in the same form—with no widening, new construction or diversion. The rest—especially, of construction / widening was to be deferred till information on the same came in, and a final view on individual proposals would be taken on receipt of the information.

The information provided by the state details that the work proposed is upgradation from WBM/Murram roads to concrete cement and tarred roads—which, it may be pointed out, is against a Supreme Court order."

Agenda Item No. 2: Action Taken Report on the decisions taken during the 22nd Meeting of the Standing Committee of NBWL held on 25th April 2011

The action taken report (ATR) on the decisions of the 22nd and previous meetings of the SC could not be discussed due to paucity of time.

Agenda Item No. 3: Items proposed by the members of the Standing Committee:

Agenda items and suggestions proposed by non-official members could not be discussed due to paucity of time. However, the Chairperson assured that a separate and exclusive meeting shall be organized in December 2011 to discuss and deliberate only upon the agenda items and issues raised by the non-official members.

"Dr Divyabhanusinh Chavda stated that he wanted to bring to the Hon'ble Chairperson's attention certain things that had happened in the past and added that the concerns of the non-official members had not received the due attention. A special meeting was to be held to address these, but the meeting had not taken place. We had for all practical purposes become a clearing house for development projects in protected areas. Surely, this was not the

intent of the Wildlife Protection Act. Its intention is that we protect the flora and fauna whereas, the development proposals lead only to their destruction.

The Hon'ble Chairperson appreciated Dr Divyabhanusinh Chavda's concerns and said that she would hold a meeting in the first half of December to take up the non-official members' agenda items. "

Agenda Item No. 4: Proposals located within, and outside in the Eco-sensitive Zone of National Parks and Wildlife Sanctuaries

Agenda Item 4.1: Proposals for diversion of forest land of National Parks and Sanctuaries

4.1 (1): Proposal involving erection of 2m x 2m structure within Tillanchang Sanctuary, Andaman and Nicobar Islands for temporary use of test firing of dummy missile from submarine by Indian Navy

Member Secretary informed the Committee that this proposal was for the temporary use of forest land in Tillanchang Island by the Indian Navy for missile testing and involved erection of temporary structure of 2m x 2m as target for testing accuracy of missiles fired from submarines. The test firing is proposed to be carried out once every year for a duration of 7 to 10 days.

Dr Asad Rahmani opined that Tillanchang Sanctuary was the home for the Nicobar Megapode, and test firing was likely to have an impact on the life cycle of the Megapode. He said Megapodes are ground birds found only in the Andaman and Nicobar Islands, population whereof had dramatically declined in recent years. He added that it was a Schedule I species under the Wild Life Protection Act. Although very little was known about the ecology of the bird, some studies conducted by the Wildlife Institute of India and the SACON, Coimbatore, he added, indicated that Megapodes come back to the same place for nesting. He also mentioned that even the dummy firing, as proposed by the Navy, would have an impact on the bird. The time and season of firing would be the critical elements in assessing the impact of such firing on the species.

The Chief Wildlife Warden, Andaman and Nicobar Islands explained that the Indian Navy had explored the option of test firing on many other islands of the area, and had found the proposed area as the most suitable from the point of view of the least disturbance to the wildlife and human habitation. He reiterated the commitment of the Navy to undertake the test firing for only 7 to 10 days in a year.

Dr Divyabhanusinh Chavda agreeing with Dr Rahmani favoured that no decision on allowing the test firing should be taken in absence of a study to assess its impact on the bird. He opined that even the sound of firing could disturb the bird.

The Committee, after hearing the members and the Chief Wildlife Warden decided to have a site inspection by Dr Asad Rahmani and the Chief Wildlife Warden, Andaman and Nicobar Islands, and requested them to submit a joint report for consideration of the Committee in its next meeting.

"Ms Prerna Bindra pointed out that this area was the only refuge of the endangered and endemic Nicobar Megapode, population of which had declined dramatically in recent years. Tillanchang Island is of deep historical and cultural significance to the indigenous communities from Trinket and Kamorta Islands. The use of armaments and the debris that will accumulate from the test firing will be detrimental to the persistence of wildlife and the continuance of customary practices of communities."

4.1 (2): Proposal for taking up reconnaissance survey and investigation in the Galathea National Park by Border Roads Organization for construction of road from Shastri Nagar to Indira Point, Andaman and Nicobar Islands

Member Secretary informed the Committee that the proposal was for carrying out a reconnaissance survey for construction of the proposed road and an area of 5.25 ha of forest land of the National Park was required for the purpose. The earlier road was damaged and partly submerged during the 2004 Tsunami, and was an important artery connecting the communities. The proposed road would also improve the management of the Galathea National Park because at present there was no easy access to the park due to absence of road connectivity.

It was pointed out by the members that this was the nesting site of the leatherback turtle and that the construction and new alignment of the road may prove to be detrimental to the turtle.

The Committee, after discussion, decided that the joint team of Dr Asad Rahamani and the Chief Wildlife Warden, Andaman and Nicobar Islands tasked to carry out site inspection of Tillanchang Sanctuary would also visit and inspect the proposed site in Galathea National Park, and submit a report for consideration of the Committee in its next meeting.

"Ms. Prerna Bindra pointed out that the Galathea National Park also marks the beginning of the Tribal Protected Area of the Greater Nicobarese. The Galathea National Park is globally recognised as a key nesting site for the endangered leatherback sea turtle.

The earlier road used to pass along the former coastline, and was subject to continual erosion and landslips. The alignment of this road will need careful examination given the regeneration of this ravaged coastline post tsunami, and thus allowing stability rather than inducing erosion or such damage that can ensue from new construction."

4.1 (3): Proposal for installation of coastal surveillance RADAR and power supply source in Narcondam Island Sanctuary, Andaman and Nicobar Islands

Member Secretary informed the Committee that the proposal for installation of static RADAR with its power supply source, and other ancillary establishment required diversion of 0.6736 ha of forest land of Narcondam Island Sanctuary. He added that the proposal had been moved by the Indian Coast Guard to monitor the movement of vessels in the sea waters along the Indian Coast. He also mentioned that Narcondam Island was situated at a strategically important location offering opportunity for keeping a close watch on the poachers and intruders frequenting the open waters in the area. Installation of RADAR by the Indian Coast Guard besides securing the open waters around the Island, would also benefit the wildlife by keeping a check on activities of poachers. He also informed that recently, the MoEF had submitted a report to the Planning Commission suggesting, inter-alia, measures for control of poaching in the sea waters of Andaman and Nicobar Islands. The

recommendations of the report also included strengthening anti-poaching measures using surveillance with the help of the Indian Coast Guard.

Dr Madhusudan, Nature Conservation Foundation, supported by Dr Rahmani opined that Narcondam Island was the only home for the critically endangered Narcondam Hornbill and, therefore, any activity that had an impact on this species should be viewed with utmost caution. He suggested that the Indian Coast Guard could harmonize their requirement of installing the RADAR within the existing establishment of the police outpost on the Island.

Ms. Prerna Bindra pointed out that the Andaman and Nicobar Islands were ecologically fragile and home to rare and endemic species found nowhere else in the world and was also home to unique cultures and practices of the local indigenous people.

The Chief Wildlife Warden informed that only a very small area of 0.67 ha of land was required for the purpose and that the RADAR system could also be effectively used in the anti-poaching activities as the site was frequented by foreign poachers for illegal fishing including sea cucumbers.

The Committee after detailed discussions decided that the same joint committee of Dr Asad Rahamani and the Chief Wildlife Warden, Andaman and Nicobar Islands would carry out a site inspection of Narcondam Island Sanctuary also, and submit a report for consideration of the Committee in its next meeting.

"Ms Prerna Bindra pointed out that the Narcondam Island was an extremely small island of about 6.28 sq. Km. area and was susceptible to environment disturbances. It was known for, and was the only habitat for population of Narcondam Hornbills that were endemic to the island. She stressed that the A&N islands were ecologically fragile and home to rare and endemic species found nowhere else in the world and also home to unique cultures and practices for indigenous people. Therefore, the impacts of any proposed project/activity needed to be very carefully assessed."

4.1(4): Requirement of 0.2583 ha of forest land of Periyar Tiger Reserve for conversion of Ariel High Tension Power Line to underground cable for power supply to Mullaperiyar Dam, Kerala

Member Secretary informed the Committee that the proposal was for replacing the existing overhead high tension line with an underground cable. He added that laying of 5.165 Km long 11 KV underground cable involved digging of a trench of 1m depth and 50 cm width, and leveling the same with earth after the cable was laid. The area proposed for digging the trench was along the edge of the existing road from Vallakkadavu-4th Mile to Mullaperiyar Dam and had no vegetation except a few eucalyptus stands. He mentioned that the proposal had been recommended by the CWLW, SBWL and the National Tiger Conservation Authority (NTCA).

Dr Madhusudan, Nature Conservation Foundation suggested for a presentation of maps of the location on the screen in such cases so as to facilitate consideration of such proposals by the Committee. However, he agreed that the proposal was a positive one as it involved conversion of the existing overhead line into an underground cable.

Member Secretary, NTCA, informed the Committee that no tree felling was involved in the case and that the line was being laid on the same alignment and, therefore, the proposal would have least impact on the wildlife of the area.

The Committee, after discussions decided to recommend the proposal subject to the conditions as suggested by the Chief Wildlife Warden, Kerala, which are reproduced below:

- (i) *Instruments/machinery that cause noise shall be avoided so as not to disturb the wildlife.*
- (ii) *The work should remain suspended between 5.00 PM and 8.00 AM on all days and workers should leave the place before 6.00 PM every day after work.*
- (iii) *Camping of the workers shall not be permitted inside the Protected Area/work site and it shall be illegal to cook food/making fire/collecting firewood or any other resources from the Protected Area.*
- (iv) *The supervisory staff shall comply with Section 27 of the Wild Life (Protection) Act, 1972.*
- (v) *The Government Department executing the work shall comply with all provisions of the Wild Life (Protection) Act, 1972.*
- (vi) *The work shall be completed within the specified timeframe.*
- (vii) *The trenching and filling would be done simultaneously.*
- (viii) *Kerala Forest Department will not be responsible for any untoward incident due to wildlife attack or otherwise.*
- (ix) *Overhead light at the dam site should be minimum, and lights will be allowed in houses and inside the camp.*
- (x) *Once the work is completed, road will be closed and will not be open for inspection or regular entry.*
- (xi) *Any kind of littering at the work site shall be avoided.*
- (xii) *Care should be taken that the workers should abstain from using loud musical instruments, liquor etc. in the camp site.*
- (xiii) *The line should be laid on the existing alignment with least disturbance to the wildlife.*

4.1 (5): Proposal for development of skywalk for promotion of wildlife tourism at Bhalleydhunga involving 2.10 ha of Maenam Wildlife Sanctuary in South Sikkim

Member Secretary briefed about the proposal, and stated that it was essentially an ecotourism proposal with participation of the local community and was to be implemented by the Tourism and Civil Aviation Department of the State. The proposal had been recommended by

the SBWL and the CWLW with certain conditions. One of the unique conditions suggested by the CWLW, Sikkim was apportioning of revenue from the proposed venture in the ratio of 70:30 for the local community and for management and development of Maenam Wildlife Sanctuary, respectively. PCCF/Secretary Forest Department and CWLW gave further minute details of the project proposal. Member Secretary further informed the Committee that the proposal was for development of skywalk and ropeway for promotion of wildlife ecotourism at Bhalleydhunga in Maenam Wildlife Sanctuary, South Sikkim and involved 2.10 ha of forest land of Maenam Wildlife Sanctuary. The proposal involved construction of an environment friendly glass bottom cantilever skywalk beyond the edge of Bhalleydhunga steep face with rain shelter and public conveniences. An area of 0.90 ha of land in the sanctuary would be required for this purpose. Further, an eco-friendly ropeway had also been proposed for access to Bhalleydhunga peak from the base area called Mahadeo Than, requiring an area of 1.20 ha of sanctuary land for its construction. He also informed the Committee that the proposal was considered by the Standing Committee of NBWL in its meeting held on 13th October 2010. Since the Committee did not find merit in the proposal from the point of view of wildlife conservation and also since the proposal was not site specific, it was rejected. Subsequently, the PCCF cum Secretary had resubmitted this revised proposal for development of skywalk for promotion of wildlife ecotourism at Bhalleydhunga, Maenam Wildlife Sanctuary, South Sikkim for reconsideration of the same by the Standing Committee of NBWL as the project promoted the concept of ecotourism benefiting the local communities.

Shri Kishore Rithe, Satpuda Foundation mentioned that this project was not a site specific activity and, therefore, had been rejected by the Standing Committee earlier. He added that the activity did not have any ecological benefits and would adversely impact the fragile ecosystem of the region. He argued that there were good as well as bad examples of developmental projects inside Protected Areas, and a transparent consideration and dispensation was required to ensure that the project would not have any adverse ecological impact, and that the revenue generated would benefit the local people.

Ms. Prerna Bindra mentioned that the Red Panda, the State Animal of Sikkim was found in the area and this project could have an impact on the species, and other rare wildlife of this biodiversity hotspot. The impact of the skywalk on the sanctuary would be much larger than the actual sanctuary area of 2.10 ha proposed for diversion as this project involves tourism inside the PA. She also mentioned that understandably, permission had already been accorded by the FAC for allied activities quite close to the sanctuary area. She said that this was a multimillion project and that wildlife needed protected habitat and not money.

Dr Madhusudan, Nature Conservation Foundation opined that the ecological costs cannot be compensated by revenue generation.

Dr A. J. T. Johnsingh, Member, SC intimated that he had seen the project site, and would recommend the same as according to him the implementation and operationalization of the project was likely to have no adverse impact on the wildlife habitat of the Maenam Sanctuary. He was of the opinion that if the area was small and if there was very little impact on the wildlife, the Committee could consider recommending the project.

The Principal Chief Conservator of Forests and Secretary (Forests), Government of Sikkim, informed that the earlier proposal had envisaged diversion of an area of 7.2 ha which had

been brought down to 2.10 ha in the revised project. The project was planned in a degraded strip of fringe area of the sanctuary having least impact on the wildlife therein.

The Chief Wildlife Warden, Sikkim informed the Committee that 81% of area of Sikkim was under forest cover, and 37% of which was under Protected Area coverage, highest in the country. The project would not have any restrictions on the movement of wildlife and was intended to provide a clear and unobstructed view of the Kangchendzonga peak to the visitors. As far as the allied activities including cafeteria outside the sanctuary were concerned, these were existing on the private land. He also mentioned that even a University was functioning in the vicinity of the sanctuary since long.

The Addl. Resident Commissioner, Sikkim House, New Delhi added that only tourism, tea and cardamom were the major revenue earners for Sikkim. He said that Sikkim received about 3,000 foreign visitors every year, and this project would be good revenue generator for the State. He further stated that 30% of the revenue generated from the project would be set aside for wildlife conservation activities, and remaining 70% would be provided to the local communities in the area.

After detailed discussions, the Committee decided that Shri Kishore Rithe would conduct a site inspection and submit a report for consideration of the Committee in its next meeting.

"Ms Prerna Bindra said that the Red Panda, the State Animal of Sikkim is found in the area and this project would have an impact on the species, and other rare wildlife of this biodiversity hotspot. Though the area asked for diversion from the sanctuary has been reduced to some extent as compared to the last meeting the disturbance caused by such an activity will go far beyond the actual physical area of the project. Such a project opposes the ethos of a PA.

Also, it has been brought to the notice of this member that permission for allied activities has been sought-and granted under FCA in the Yang Yang Reserve forest which is adjacent to the sanctuary and is within the 10 km radius of the sanctuary. The details of this were requested, and the point also raised why this was not brought before the Standing Committee as it fell within 10 km of the sanctuary.

She said that this was a multimillion project and that wildlife needed protected, pristine habitat and not money."

4.1 (6): Proposal for repair of Rawatbhata-Jawahar Nagar Road (periphery road) with 20 MM PMC and seal coat under PMGSY (for 24 Km)

Member Secretary informed the Committee that the proposal was for repair of the Rawatbhata-Jawahar Nagar Road and an area of 15.60 ha of the Bhainsroadgarh Sanctuary was involved in this proposal. It was also informed that the road was badly damaged and required urgent repairing. He also informed that the proposal had been recommended by the SBWL and the CWLW, and that it did not entail any tree felling.

The Chief Wildlife Warden, Rajasthan informed that the road was an existing one, and no additional diversion of sanctuary land was proposed. He also mentioned that the villagers of this area had created several kutchha paths through the PA which was disturbing the wildlife and its habitat, and that proposed repair of the road would reduce the disturbance from villages as the katchha paths crisscrossing the PA presently, would be closed after the repairs to the existing road are completed.

Dr Divyabhanusinh Chavda mentioned that no black topping of road should be allowed if it was a gravel road. He also insisted that the materials for repairing the road should be brought from outside the sanctuary.

Dr Madhusudan, Nature Conservation Foundation was of the opinion that only indigenous and ecologically suitable plantations should be encouraged alongside the road to avoid negative impact on wildlife.

Shri Kishore Rithe, Satpuda Foundation mentioned that he along with Dr T. R. Shankar Raman of Nature Conservation Foundation had carried out site inspection of PMGSY Roads in Madhya Pradesh and had found that most of the roads were for expansion of existing roads. The Chief Wildlife Wardens should give clear guidance to the concerned authorities that while already existing roads could be maintained, no further expansion or black topping of roads across the PAs would be encouraged.

After discussions, the Committee decided to recommend the proposal subject to the conditions laid down by the Chief Wildlife Warden, Rajasthan, which are reproduced below:

- i. No night camping for the construction workers shall be allowed in the forest area during the construction of road, and the construction activity will be permitted only during day time.*
- ii. No construction material should be stored within the sanctuary boundary.*
- iii. No construction material, like stone, sand, etc shall be procured from the sanctuary or forest area.*
- iv. To check the speed of the vehicles, speed breakers will be constructed at an interval of 500 mt in sanctuary area by the user agency.*
- v. The underpass shall be constructed by user agency at an interval of 1 km along the road.*
- vi. The user agency will put and maintain signboards on both sides of the road mentioning that the road is passing through sanctuary.*
- vii. Plantations in three rows on both sides along the road shall be established and maintained by the user agency.*
- viii. No tree felling will be allowed.*
- ix. The user agency will not create barrow pit in sanctuary area for the construction of road.*
- x. User agency will clear all the debris left after construction activity.*

4.1 (7): Proposal for covering of diversion channel from Kushalipura Nallah to Mansarovar Dam (length 2,010 m) from RD 210m to 2,220 m

Member Secretary informed the Committee that the proposal was for construction of a diversion channel from Kushalipura Nallah to Mansarovar Dam so as to provide irrigation facilities to farmers by improving water storage capacity in Mansarovar Dam by diverting the water from Kushalipura Nallah presently flowing to Chambal River, to the Mansarovar Dam. He also intimated that the major portion of the channel was proposed to be covered, and that the proposal had been recommended by the SBWL, the CWLW with certain conditions, and the NTCA.

Dr Divyabhanusinh Chavda mentioned that this proposal was considered earlier and rejected by the Standing Committee of NBWL after a site visit. He also mentioned that the Government had gone ahead with cutting of trees without the prior approval of the Standing Committee of NBWL which amounted to violation of law, and needed to be viewed very seriously.

Ms. Prerna Bindra mentioned that this channel would cut and sever the corridor between the Ranthambhore National Park and Sawai Mansingh Sanctuary as mentioned in the site inspection report of the NTCA Board Member, Shri P. K. Sen. She added that the Sawai Mansingh Sanctuary was of late seeing the signs of a breeding tigress after a long period. She said that the State Government stopped cutting of trees, and the construction only after intervention of the NBWL and the NTCA Members. She said that the reasons for by-passing the NBWL needed to be probed.

The Chief Wildlife Warden, Rajasthan stated that the proposal had received 'in principle' approval under the Forest (Conservation) Act, 1980 on 14.11.2005, and the final approval under the Act on 24.09.2008. The work had started in April 2011 and 598 trees out of 892 trees were felled and approx. 1.2 Km of channel had been dug by the Irrigation Department. The area fell within the Critical Tiger Habitat and was also a Reserved Forest. The existing Kushalipura Nallah flows through the Sawai Mansingh Sanctuary on the right side of the highway. He also informed that as soon as the information regarding cutting of trees was received by the Wildlife wing of the State Forest Department, the work was immediately stopped. Thereafter, approval of SBWL was obtained, and subsequently the proposal had now been submitted for consideration of the Standing Committee of NBWL. He also informed that the proposed channel would be constructed as per following specifications:

- i. *Chainage 60 m to 210 m: All along this part of the channel, there is a hill on one side and a road on the other. The user agency shall construct a masonry retaining wall having a height of 6` along the length of the channel towards the roadside.*
- ii. *Chainage 210 m to 2,220 m: The diversion channel will be constructed underground and covered by an arch shape. The channel shall be covered by a layer of soil with a minimum depth of 60 cm to present a natural look. Moderately tapering slopes will be maintained on both side of the arch cover between 210 m to 870 m to facilitate easy movement of wild animals.*
- iii. *Chainage 2,220 m to 2,700 m: The diversion channel will be an open channel with a side slope of 1:1.*

Member Secretary, NTCA informed that the area falls under the core area of Ranthambhore Critical Tiger Habitat. During 2004 and 2005, the Standing Committee of NBWL had rejected the proposal after a site inspection in which he was also one of the members of the inspecting team. He also mentioned that there were 4 critical areas of the 'Core Critical Tiger Habitat of Ranthambhore Tiger Reserve' which included the Ranthambhore National Park, Sawai Mansingh Sanctuary, Mansinghdeo Sanctuary and the Keladevi Sanctuary. The proposed canal is designed all along the existing road. In 2008, the Ministry's Regional Office had granted 'in principle' approval for the project and the trees were cut. He said that although no approval was sought from the NTCA, there would be a lot of resentment from the local people if the project was stopped now.

After discussion, the Hon'ble Chairperson said that it was needed to be seen as to why the work was given a start, before the proposal was brought for consideration of the Standing Committee of NBWL. She said she understood local sentiments and that it was of extreme importance, but at the same time it was not proper to present the members with a *fait accompli*.

Based on the aforesaid discussions, the Committee decided that a detailed report on this matter should be sought from the Regional Office of the Ministry, and the same shall be placed before the Standing Committee for consideration in its next meeting.

4.1 (8): Proposal for diversion of 19.503 ha of forest land from Rajaji National Park for the use of Shri Raghavendra Sewashram Samiti for construction of a hospital

Member Secretary informed the Committee that the proposal was for diversion and exchange of 19.503 ha of forest land from Rajaji National Park for the use of Shri Raghavendra Sewashram Samiti, and for addition of an equal extent of private land to the park. He also mentioned that the proposal had been considered four times earlier by the Standing Committee and had been rejected. Now, the Chief Minister of Uttarakhand had written for reconsideration of the proposal by the Standing Committee of NBWL as according to him the 19.503 ha of forest land proposed for diversion would be utilized for construction of a hospital to provide much needed medical facilities to the local people. According to the CM, Raghavendra Sewashram Samiti had proposed erection of a 4 Km fence on north side of Rajaji National Park to check the accidents of elephants coming towards, and crossing the railway track.

Dr Divyabhanusinh Chavda opined that this particular proposal was being considered again and again several times in spite of being rejected. He also mentioned that Shri Ravi Singh, Secretary General, WWF-India and Member, NBWL had earlier conducted the site inspection and had recommended rejection of the proposal. He said that the decision of the Standing Committee was based on wisdom, and sound ecological concerns, and that it was of no merit in bringing it up again before the committee.

Dr A. J. T. Johnsingh mentioned that Haridwar was having several hospitals and there was no need for construction of another hospital on the land of Rajaji National Park, which was already facing huge anthropogenic pressures. He added that Rajaji National Park was very stressed and under various pressures from existing canal, railway line, highway, ammunition dump, and *deras* inside the Park, and that the implementation of any new project in the same area should be avoided.

The CWLW, Uttarakhand informed the Committee that presently there were no hospital facility available in the area for the local people and that all the Chief Ministers of the State had from time to time recommended the proposal. The site inspection conducted by Shrimati Maya Singh, Member of Parliament and Member SC had also recommended the proposal. He also informed that an EIA study conducted in 2006 reported that there would apparently be no impact on the fauna as a result of execution of this project. He also mentioned that there was a strident demand from the locals for establishment of this hospital. He also pointed out that the land in question was only a very narrow strip of land on the periphery of the park and thus would not have any impact on the wildlife of the PA.

The Director, Rajaji National Park informed that the land in question was only a small strip between the park and the community land. The project proponents had also proposed construction of a wall to prevent movement of animals coming out of the park, and also to stop people from entering the park. He also pointed out that the local people perceived Rajaji National Park as a hurdle in the developmental activities.

After detailed discussions, the Committee decided that Dr A. J. T. Johnsingh would visit the site and submit a report to the Standing Committee of NBWL for consideration in its next meeting.

4.1 (9): Proposal for diversion of 0.204 ha of forest land from Gantala Autranghat Sanctuary, Maharashtra for laying water pipeline

Member Secretary briefed about the proposal, and intimated that the said proposal was for providing drinking water to the inhabitants of the Kolsawadi Village in Aurangabad District. He further intimated that the entire water pipeline was underground, and involved diversion of 0.204 ha of forest land from Gantala Autranghat Wildlife Sanctuary, Maharashtra. He stated that since the water pipeline was underground, it would not have any adverse impact on the habitat and the movement of the wildlife, and also that the proposal had been recommended by the SBWL and the CWLW with certain conditions. He further added that the proposal required digging a linear strip 3,400 mt in length and 0.60 mt in width along the alignment of the existing road.

Ms. Prerna Bindra opined that when such proposals were being forwarded for consideration of Standing Committee of NBWL, alternatives should have also been indicated as was mandated.

The members were of the opinion that since this proposal was for laying an underground drinking water pipeline along the existing road and was likely to cause only temporary disturbance, it could be recommended.

The Committee after discussions, decided to recommend the proposal subject to the conditions as specified by the Chief Wildlife Warden, Maharashtra, which are reproduced below:

- i. The project authorities shall provide funds for vegetation restoration over restored ditch surface as will be communicated by the Chief Wildlife Warden.*
- ii. The project implementing agency shall construct 5 waterholes, as designed and communicated by wildlife authorities.*
- iii. The agency shall also provide water for filling up these waterholes free of cost as per the schedule given by the sanctuary authorities ever year.*

4.1 (10): Proposal for renovation of 220 KV old electricity transmission line passing through Tungareshwar Sanctuary and Sanjay Gandhi National Park, Borivili, Maharashtra

Member Secretary briefed about the proposal, and intimated that the said proposal was for replacing the old 1964 overhead 220 KV electric transmission line with a new line, and the old towers with new improved towers. He also intimated that the proposal did not envisage any change in the present alignment of the transmission line, and, therefore, neither additional land, nor tree felling was required. He further stated that the proposal had been recommended by the SBWL and the CWLW with certain conditions. On a query from a non-official member of the SC, the CWLW, Maharashtra confirmed that the new line and towers were to follow the alignment of the existing transmission line proposed to be replaced, and, therefore, the new line would not have any additional impact on the habitat and the movement of the wildlife. The committee after discussions recommended the proposal with the conditions proposed by the CWLW, Maharashtra.

Shri Kishore Rithe, Satpuda Foundation mentioned that there were similar proposals in the pipeline relating to the transmission lines passing through PAs. He informed that in this connection, the Hon'ble High Court had directed the State Government to remove the encroachments in Sanjay Gandhi National Park and also to construct a boundary wall around the park. He requested that the State Government should comply with the court orders without delay. The Chief Wildlife Warden, Maharashtra informed that the work on the boundary wall was already going on, and the department was in the process of removing the encroachments.

After discussions, the Committee recommended the proposal in view of the fact that it was for replacement of the existing transmission line, and also that it did not require additional land for the purpose. The Committee also recommended that the conditions as suggested by the Chief Wildlife Warden, Maharashtra shall be complied with by the user agency. The conditions proposed by the CWLW, Maharashtra are reproduced below:

- i. No blasting or excavation or taking away of material from the work site shall be permitted.*
- ii. No construction activities shall be carried out during night time.*
- iii. Clearing and proper maintenance of fireline below transmission line shall be undertaken regularly by the user agency.*
- iv. All construction material to be used shall be brought from outside, and no material from within the national park/sanctuary shall be used.*
- v. Any excavated area for laying foundation, etc. shall be properly fenced so as to avoid injury to, or death of wild animals.*

4.1 (11): Proposal for converting earthen shoulders into hard shoulders of existing NH-8 in Bewar (Km 58.245) to Gomti Chauraha (Km 177.00) Section, from Km 58/245 to Km 177/000 in Todgarh Raoli Sanctuary

Member Secretary informed the Committee that the proposal pertained to conversion of the earthen shoulders into hard shoulders of the existing NH-8 from Bewar to Gomti Chauraha

Section. He also mentioned that the proposal was earlier considered by the Standing Committee of NBWL in its 21st meeting held on 24th January 2011 wherein the Committee had decided not to permit any widening of the road. The decision of the Standing Committee as per the minutes of the 21st Meeting for this proposal is reproduced below:

“The Committee decided not to permit any widening of the road. However, measures for improving the road safety could be undertaken including strengthening of the shoulders with gravel”.

The Chief Wildlife Warden, Rajasthan informed that the strengthening work of the shoulders was essential for safety of the vehicles and passengers. For this purpose, he said that construction of 2.5 m high shoulders had been proposed, and that the project proponent had also submitted a detailed presentation in this regard.

Dr Divyabhanusinh Chavda stated that the presentation should have been made available to the members earlier so that they could have studied it carefully in advance to enable them to arrive at an informed decision. He added that it was not appropriate to hand over the presentation during the meeting, and seek a decision in the matter.

In view of the aforesaid, the Committee decided to defer the agenda. The Committee also requested the Chief Wildlife Warden to make available all relevant additional documents/details/presentation on this proposal to the members of the Standing Committee of NBWL to enable them to take an informed decision in the matter in the next meeting of the Committee.

4.1 (12): Proposal for rehabilitation and upgradation of NH-69 to ‘lane configuration’ in Obaidullahganj to Betul Section passing through Ratapani Sanctuary, Madhya Pradesh

Member Secretary informed the Committee that the proposed project was for improving the connectivity between Bhopal and Nagpur. He also mentioned that there were around 100 families including 14 SC and 9 ST families residing in the area that would get displaced because of the execution of the project. The proposal was also tabled in the last NBWL meeting, and was deferred for consideration in this meeting of the Standing Committee.

Member Secretary, NTCA intimated that the State Government of Madhya Pradesh had submitted a proposal for creation of Ratapani Tiger Reserve and the proposal had already been given ‘in principle’ approval by the NTCA.

The Addl. Principal Chief Conservator of Forests, Madhya Pradesh informed the Committee that a flyover would be constructed in 10 % of the total length of the road passing through the Ratapani Sanctuary so as to provide underpass to facilitate free movement of wild animals. The remaining length of road passing through the Ratapani Sanctuary would be fenced on both sides with chain link fencing.

After discussions, the Committee decided that Ms. Prerna Bindra along with one NTCA member would conduct a site inspection, and submit a joint report to the Standing Committee of NBWL for consideration in its next meeting.

Agenda item No. 4.2: Proposals within 10 Km from the boundaries (Eco-Sensitive Zone) of National Parks and Wildlife Sanctuaries

4.2 (1): Proposal for diversion of 477.03 ha of forest land in Kondapuram RF of Paloncha Division for Kondapuram underground coal mine by Singareni Collieries Company Limited.

Member Secretary informed the Committee that the proposal was for diversion of 477.03 ha of forest land in Kondapuram RF of Paloncha Division for Kondapuram underground Coal Mine Project at Manuguru in favour of SCCL-Singareni Collieries Company Limited, a State Government PSU. The proposed mine site was located 4.7 Km away from the boundary of the Kinnerasani Wildlife Sanctuary. The Environmental Clearance for the project had been accorded on 5th March 2010 with the specific condition that mining would not be undertaken until the approval of the Standing Committee of NBWL had been obtained as the proposed mine fell within 5 Km distance from Kinnerasani Wildlife Sanctuary.

The CCF Wildlife, Andhra Pradesh informed that the proposal was for a new, totally underground mine adjacent to other existing operational mines, and was located far away from the Kinnerasani Wildlife Sanctuary. He also informed that wildlife habitat amelioration plan would be prepared by the user agency with the approval of Chief Wildlife Warden at a cost not less than the one calculated @ Rs.10 per tonne of coal removed by the user agency.

Ms. Prerna Bindra mentioned that the Andhra Pradesh State Forest website mentioned tigers as the fauna of the sanctuary and that they were found in this area and that in 2009, a tiger skin was also seized from an area near to the project site which was later traced belonging to a tiger in this particular sanctuary. In view of this, and the fact that the diversion involved large area of nearly 500 hectares, she said, it was necessary to first ascertain the corridor connectivity for tigers, and also to place the FAC findings before the Standing Committee of NBWL.

After discussions, the Committee decided that the Wildlife Institute of India and the NTCA would jointly carry out a field inspection for a study to ascertain the tiger corridor connectivity in respect of the Kinnerasani Sanctuary and the adjoining areas, and submit a joint report before the Standing Committee of NBWL for consideration along with the FAC findings in its next meeting.

"Ms Prerna Bindra further pointed out that the website of Kinnerasani Wildlife Sanctuary records the presence of tigers. As regards report of case of 24th March 2009 a tiger skin from the nearby area of Kothagudem, the information indicated that the tiger was killed near Gangaram Village of Warangal District."

4.2 (2): Proposal for construction of 1,750 MW Demwe Lower Hydro Electric Project in Lohit District, Arunachal Pradesh located outside the boundaries of Kamlang Wildlife Sanctuary.

Member Secretary informed the Committee that the 1,750 MW Demwe Lower Hydroelectric Project was planned to be executed in joint sector by M/s Demwe and the Government of Arunachal Pradesh. The Ministry of Power had scheduled the project for commissioning in

the 12th Five Year Plan. The project would contribute green energy of about 6,322 million units (MU) per annum. After 40 years, the project would be handed over to the State Government. He further informed that this was a run-of-the-river project with daily impounding of water, and was ready to be implemented with all major statutory clearances in place. He also mentioned that the project involves felling of a large number of trees (43,000) but outside the Kamlang Wildlife Sanctuary. Environment Clearance had also been granted, and FAC also had cleared the project. He intimated that the proposal also stood recommended by the SBWL and the CWLW, Arunachal Pradesh with certain conditions.

Dr Madhusudan, Nature Conservation Foundation, mentioned that the impounding area was just adjoining the Kamlang Sanctuary, and birds were regularly seen in this area. He said that while impacts of the project will be downstream and much beyond the physical area of the project, the main impact would be dependent on the manner in which the release of impounded water in the river would be regulated. The water flows from Tibet and travels about 144 Km to reach Arunachal Pradesh. Due to flooding in monsoon period, there would not be any problem of water level fluctuation, but during the remaining 8 months, daily variations in the river flow fluctuating from as much as 35 cumecs during peak hours to 17-29 cumecs for the remaining hours everyday could have adverse impact on the riverine vegetation and fauna. Thus fishing, riverine agriculture, river transportation, and livestock rearing might get adversely impacted by the project.

He also mentioned that the Ministry of Water Resources had carried out an EIA bringing out these huge flow variations as a result of the project execution. Additionally, he said, it would be desirable to have a detailed EIA on the impacts of the project downstream of the river.

Dr Asad Rahmani pointed out the proposed dam would have significant negative impact on at least two important wildlife habitats: the 'chapories' of the Lohit River and the Dibru-Saikhowa National Park. He added that both of these were designated as Important Bird Areas, and also supported populations of some 'critically endangered' bird species, including the Bengal Florican, which was a Schedule I species under the WL Protection Act with about a surviving population of less than 500.

Ms. Perna Bindra pointed out that the development of the State, as indicated by the State, did not rest on this project alone, and that there were 147 hydropower projects coming up in Arunachal Pradesh with Lohit Basin having at least 9 of these, and 7 being on the Lohit River itself. It was, therefore, essential that a cumulative impact assessment study was conducted. She also said that the projected aerial distance of 8.5 Km from the Kamlang Sanctuary was the distance from the proposed dam site, and that the distance of the reservoir created as part of the project would be just 50 mt from the sanctuary. She also mentioned the downstream impact on the Dibru-Saikhowa National Park.

The Principal Chief Conservator of Forests and Forest Secretary, Arunachal Pradesh, mentioned that in the State of Arunachal Pradesh, 82% of land was under forest cover and 20.12% under the Protected Area. He informed that an impact assessment study had been done by the State Wildlife Department on the downstream stretch of the Lohit River. The study found that there would be very minimal impact on the wild fauna downstream. He also mentioned that there were several hydroelectric projects in pipeline for consideration in Arunachal Pradesh but not all the projects were likely to get clearance. He also mentioned that the minimum flow available subsequent to the operationalization of the hydroelectric project would be maintained at 20% level even during the lean season. He also mentioned

that before and after entering Assam, the river is met by several tributaries adding to the river flow, and the project under consideration was unlikely to have an adverse impact on the water flow in Assam. He said that the Chief Minister of Arunachal Pradesh had also expressed his concern for having this important project operationalized early.

Hon'ble Minister and the Chairperson appreciated the concern of both- the non-official members of the SC as also the State Government officers, and underlined the strategic importance of such projects not only for the development of the State, but also in the larger national interest to make optimum usage of the water resource with due environmental safeguards to stake, assert and institutionalize our national claim on the transnational water resources. However, to get a clear and balanced picture of the possible impact on the aquatic and other fauna downstream of Lohit River, the Committee decided to constitute a team of Dr Asad Rahmani, Director, BNHS, and Dr Pratap Singh, CCF Wildlife, Arunachal Pradesh Forest Department, and depute the same to the project area to make a firsthand assessment of the possible impacts on wildlife in the project area as well as the area downstream of the project likely to be impacted due to implementation of the project proposal, and submit a report to the Committee on the feasibility of the proposal. The SC would consider the proposal in its next meeting and take a view in the matter based on the findings and recommendations contained in the joint report of Dr Asad Rahmani and Dr Pratap Singh. The Chairperson desired to convene a separate meeting to discuss this important project proposal after the submission of the report by the two member team possibly in November 2011.

"Ms Prerna Bindra further said that the distance from the site was misrepresented in the proposal. Though mentioned at a projected aerial distance of 8.5 Km from the Kamlang Sanctuary, this is only the distance from the dam and not the distance from the closest component of the project—the reservoir, which is only 50 meters from the sanctuary (as mentioned in the Forest Clearance application by the state government). She said that unlike what the state said, the development of the state surely was not dependent on this project alone, and that there were about 147 hydropower projects coming up in Arunachal Pradesh of which 13 were in the Lohit river basin. "It was, therefore, essential that a cumulative impact assessment study was conducted."

She also pointed out that the National Environmental Appellate Authority (NEAA) passed an interim order dated May 3, 2010 whereby it directed the MoEF to ask the NBWL Standing Committee to examine downstream impacts on river dolphins and Important Bird Areas, which was not mentioned in the proposal put before the committee.

She also pointed out that it is erroneously stated that Forest Clearance has been granted for the proposed project. The FAC has only sought the opinion of the NBWL Standing Committee as per the letter dated March 2011. This proposal received environmental clearance during the tenure of the then MEF Shri Jairam Ramesh, wrote to the PM, and Ms Bindra quoted from the letter, "The 1750 MW Lohit Demwe hydel project on the Lohit River will have serious downstream impacts till Dibrugarh in Assam and should not be given forest clearance, although environment clearance has already been given for the project..."

Mr Kishor Rithe stressed that the matter was not limited to this one project, but given the huge number of projects i.e. over ten in the Lohit Basin itself, and 147 hydro-electric projects in the state, a cumulative impact study was necessary. He said the downstream impacts must be considered. He further said that the Hon'ble chairperson should personally call a separate meeting to discuss the project on this given the serious repercussions."

4.2 (3): Proposal for mining 124000 TPA high grade Magnesite deposit at Chipprian Hills and setting up of 30000 TPA Dead burnt Magnesia Plant at Panthal near Trikuta Sanctuary in Jammu and Kashmir

Member Secretary gave a brief about the proposal, and stated that the proposal was for mining of 0.124 million TPA of magnesite deposit located about 3 Km away from Trikuta Wildlife Sanctuary, and for setting up of 30,000 TPA dead burnt magnesia plant about 4.5 Km away from the same sanctuary. He informed that mining was to be confined to non-forest private land under the ownership of Mata Vaishno Devi Shrine Board. Mining of magnesite would take place in only 17.92 ha out of a total mine lease area of 485.30 ha of private land. He also informed that the proposal had been recommended by the SBWL, and the CWLW, Jammu and Kashmir with certain conditions, and it did not involve any tree felling. The project proposal was to be implemented by J&K Mineral Development Corporation Limited, a State Government PSU. He also mentioned that the Standing Committee in its last meeting had recommended for denotification of the Trikuta Sanctuary with certain conditions.

Ms. Prerna Bindra mentioned that as per the decision of the Standing Committee of NBWL, the denotification of Trikuta Sanctuary was to be done simultaneously while notifying equal or twice the denotified area as Sanctuary and that State Government should abide by this decision.

The Chief Wildlife Warden, Jammu and Kashmir informed that the State Government had already started the process of identification of areas to be notified as new sanctuary as per suggestion of, and in consultation with Dr M. K. Ranjitsinh, Member, Standing Committee.

The committee after discussions recommended the proposal with the conditions proposed by the SBWL/CWLW, Jammu and Kashmir. The conditions proposed by the Chief Wildlife Warden, Jammu and Kashmir in respect of the proposal are reproduced below:

- i. *The general protection measures and the specific conservation measures prescribed in the Wildlife Conservation Plan, including soil and moisture conservation, management of grasslands and meadows, activation of anti poaching squad and awareness activities, eco development works shall be carried out through the State Wildlife Department in the buffer zone at a cost of Rs.25.00 lakhs per annum for a period of 5 years, i.e., Rs.125.00 lakhs over a period of 5 years, or with the financial dispensation proposed by the SBWL, whichever is higher.*
- ii. *The progressive mine closure plan will be prepared and implemented by the user agency under the supervision of the State Wildlife Department.*
- iii. *The user agency while implementing the magnesite mining project will abide by the stipulations under Environment Protection Act, 1986 prescribed by the Ministry of Environment and Forests.*

"Ms. Prerna Bindra mentioned that in context of the Trikuta sanctuary, this had come up for denotification in the last meeting of the SC-NBWL. In this context, as per the decision taken at the last meeting of the Standing Committee of NBWL, the denotification of Trikuta Sanctuary was to be permitted only after area exceeding or equaling the proposed denotified area is first notified as a Wildlife Sanctuary or National Park."

Agenda item No.5: Any other item with the permission of the Chair

Hon'ble Chairperson stated that because of a pre-committed meeting, she would have to leave, and, therefore, desired if any of the participants would like to raise any important matter for consideration of the Committee.

(1). The Secretary Forests, Government of Uttar Pradesh requested the Standing Committee for consideration of the proposal for development of 8 lane access controlled expressway on the right bank of Upper Ganga canal near Purkazi included in the ATR Agenda of the meeting.

Member Secretary informed that the matter had been referred to the FAC, who in turn had recommended for a site inspection by the Regional CCF with all concerned stakeholders including wildlife experts as the proposed project was close to Hastinapur Wildlife Sanctuary. Once the report was received from FAC, the matter would be placed before the Standing Committee of NBWL for consideration.

(2). The Chief Wildlife Warden, Karnataka mentioned that he had sent a proposal for addition of area to the seven existing Protected Areas in the State. He mentioned that the Wild Life (Protection) Act, 1972 provided that any alteration of boundaries of National Parks and Sanctuaries should be placed before the NBWL. Since this provision was also applicable to addition of areas in the National Parks and Sanctuaries, Government of Karnataka had submitted this proposal for addition of areas to its existing National Parks and Sanctuaries. He gave the following details of area to be added to 7 existing National Parks and Sanctuaries in Karnataka and sought approval of the Committee for permitting the addition to the existing extent of the Protected Areas as proposed:

(Figs in Km²)

S.No.	Name of Protected Area	Existing Area	Area Proposed to be Added	Total Area
1	Bannerghatta National Park	102.74	157.77	260.51
2	Kudremukh National Park	600.57	201.69	802.26
3	Mookambika Sanctuary	247.00	123.37	370.37
4	Someshwara Sanctuary	88.40	225.85	314.25
5	Cauvery Sanctuary	526.95	500.58	1027.53
6	Bhadra Sanctuary	500.16	348.43	848.59
7	Dandeli Sanctuary	638.34	248.06	886.40
	TOTAL	2704.16	1805.75	4509.91

The proposal was warmly welcomed by all the members, and the Standing Committee of NBWL unanimously recommended the proposal for addition of areas to the existing 7 National Parks and Sanctuaries in Karnataka as per the details provided above. The members also requested other State Governments to come forward with similar proposal for adding more area to the existing Protected Area network.

Hon'ble Chairperson, thereafter reminded the members that a separate meeting would be convened sometime during mid-December 2011 to discuss the agenda items and issues raised by the non-official members.

This was followed by a vote of thanks by the Inspector General of Forests (WL) to the Chair.

Annexure-1

**LIST OF PARTICIPANTS OF THE 23RD MEETING OF STANDING COMMITTEE
OF NBWL HELD ON 14TH OCTOBER 2011.**

1	Smt.Jayanthi Natarajan Hon'ble Minister of State (Independent Charge) for Environment and Forests	Chairperson
2	Shri P.R. Sinha Director, Wildlife Institute of India, Dehradun	Member
3	Dr Divyabhanusinh Chavda	Member
4	Dr. A.J.T. Johnsingh	Member
5	Ms. Prerna Bindra	Member
6	Dr Asad Rahmani, Bombay Natural History Society, Mumbai.	Member
7	Shri M.D. Madhusudan, Nature Conservation Foundation, Mysore	Member
8	Shri Kishor Rithe, Satpuda Foundation, Amravati.	Member
9	Shri Biswajit Mohanty, Member, NBWL	Invitee
10	Shri Jagdish Kishwan Addl. Director General of Forests (WL) and Director, Wildlife Preservation.	Member- Secretary
11	Dr Rajesh Gopal, Member Secretary (NTCA).	Invitee
12	Shri A.K. Srivastava, Inspector General of Forests (WL)	Invitee
13	Shri Pawan Kumar, Secretary Forests, U.P.	Invitee
14	Shri Nari Tshaing Bhutia, Secretary, Forests, Sikkim	
15	Shri Rabindra Singh, Pr. Secretary to CM and PWD, U.P.	Invitee
16	Shri Arvind Kumar, Principal Resident Commissioner, Sikkim.	Invitee
17	Dr. S.K. Khetrapal, PCCF and Chief Wildlife Warden, Maharashtra.	Invitee

18	Shri B.K. Singh, Pr. Chief Conservator of Forests (WL), Karnataka.	Invitee
19	Shri B.K. Patnaik, PCCF (WL) and Chief Wildlife Warden, Uttar Pradesh.	Invitee
20	Shri S.S. Sharma, Pr. Chief Conservator of Forests (WL), Uttarakhand.	Invitee
21	Shri S.K. Goyal, Pr. Chief Conservator of Forests (WL), Gujarat.	Invitee
22	Shri D.V. Negi, PCCF(WL) and Chief Wildlife Warden, Andaman and Nicobar Islands.	Invitee
23	Principal Chief Conservator of Forests, Arunachal Pradesh.	Invitee
24	Shri T.R. Sharma, Addl. PCCF (WL), Madhya Pradesh.	Invitee
25	Shri S.K. Srivastava, Addl. PCCF (WL), Rajasthan.	Invitee
26	Shri K.S. Reddy, Addl. PCCF (WL), Andhra Pradesh.	Invitee
27	Shri Manjit Singh, Chief Wildlife Warden, Sikkim.	Invitee
28	Shri A.K. Singh, Chief Wildlife Warden, Jammu and Kashmir.	Invitee
29	Shri S.S. Rasaily, Director, Rajaji National Park.	Invitee
30	Ms. Prakriti Srivastava, Deputy Inspector General (WL).	Invitee
31	Smt. Gitanjali, Joint Director (WL).	Invitee
32	Shri Yogendra Pal Singh, Deputy Director (WL)	Invitee
