

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003
Dated: 24th July, 2020

To
The Principal Secretary (Forests),
All State/UT Governments

Sub: Clarifications on projects requiring prior approval of Standing Committee of NBWL (SC-NBWL) under the provisions of Wildlife (Protection) Act, 1972 - regarding

Sir,

I am directed to refer to the para 12.5 of the Handbook of Forest (Conservation) Act, 1980. In this regard some states have sought clarification regarding requirement of permission of SC-NBWL for the projects falling within ESZs.

The matter of requirement of wildlife clearance in ESZs has been examined in the Ministry and a clarification has been issued vide letter no. 6-60/2020WL Part (I) dt. 16.07.2020. Accordingly the para-12.5 of the Handbook of Forest (Conservation) Act, 1980, is modified and may be read as:

'12.5 Prior recommendation of Standing Committee of NBWL under the provisions of Wildlife (Protection) Act, 1972 shall be obtained, if required, for taking developmental activities in/over an area falling within eco sensitive zones around notified PAs in addition to prior approval of diversion of forest land for non-forest purposes if such area involved is "Forests" as defined by Hon'ble Supreme Court in their order of 12.12.96'.

Yours faithfully,

Sd/-
(Sandeep Sharma)
Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All State/UT Governments
2. The Dy Director General of Forests (Central), All Regional Offices, MoEF&CC
3. Addl. PCCF & Nodal Officer (FCA), Office of the PCCF, All States/UTs
4. Monitoring Cell, FC Division, MoEF, New Delhi

F. No. 6-60/2020WL Part (1)
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

1st Floor, Agni Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road,
Aliganj,
New Delhi — 1 10003

Dated: 16 July, 2020

To
The Chief Secretary
All States/ UTs

Subject: Procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary by Standing Committee of the National Board for Wild Life seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 - regarding.

The Ministry has received letters from States/UTs seeking clarifications regarding applicability of consideration by Standing Committee of the National Board for Wild Life for developmental projects/activities which do not require environmental clearance and are located outside the National Parks and Wildlife Sanctuaries.

2. This Ministry vide O.M. F. No. 22-43/ 2018-IA. III dated 08.08.2019 lays out detailed procedure to be adopted for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the EIA Notification, 2006.

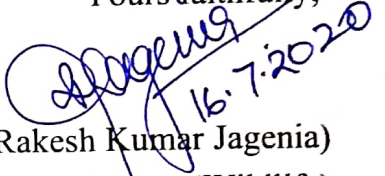
3. After careful consideration of the matter, it is clarified that prior clearance from the Standing Committee of the National Board of Wild Life will be required outside Protected Area in the following cases:

- i. Proposals involving project/ activity located within the notified ESZ (not being draft notification) and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.
- ii. Proposals involving activity/project located within 10 km of National Park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.
- iii. Proposals involving activity/project, falling outside the protected areas linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wild

Life as per the section 38 O(1)(g) of the Wild Life (Protection) Act, 1972 will be required.

4. Para 4(ii) and para 4(iv) of the OM dated 08.08.2019 supra shall however continue to apply.
5. State Governments are requested not to insist upon wildlife clearance for such developmental projects outside Protected Areas that are not covered under para 3 above.
6. This issues with the approval of the Competent Authority.

Yours faithfully,


(Rakesh Kumar Jagenia)
Deputy Inspector General of Forests (Wildlife)
E-mail – digwl-mefcc@gov.in

Copy to

- (1) Addl. Chief Secretary/ Principal Secretary / Secretary, Forest and Wildlife Department (All States/ UTs)
- (2) Principal Chief Conservator of Forests & HoFF (All States/ UTs)/ Chief Wild Life Wardens (All States/UTs)
- (3) Dy. Director General (Central), Regional Office, MoEFCC (All)
- (4) Sr. PPS to Secretary MoEFCC/Sr. PPS to DGF&SS/Sr.PPS to ADG (FC)/ Sr PPS to ADG(WL)/ Sr. PPS to MS (NTCA) / Sr PPS to AS (RA)/ Sr. PPS to IGF (FC)/ Sr. PPS to IGF(WL)/Sr. PPS to IGF (FC)/ Sr. PPS to Adv (SCG)/ Sr. PPS to DIG (WL)/ Guard File