

Government of India
Ministry of Environment and Forests
(Wildlife Division)

Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi-110003

F. No. 6-43/2007 WL-1 (28th Meeting)

Dated: 11th March 2013

The Chief Wildlife Warden,
Government of Sikkim,
Gangtok-737 102.

Sub: 28th Meeting of the Standing Committee of NBWL.

Sir,

The 28th Meeting of the Standing Committee of NBWL would be convened on 20th March 2013 at 11:00 A.M in Room No. 403, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi, under the chairpersonship of Hon'ble Minister of State (Independent Charge) for Environment and Forests. The following proposals pertaining to the State of Sikkim would be taken up for discussion during the said meeting:

1. Proposal for construction of road from Sopakha village to Chewabhanjyang via Jorbotay in West Sikkim by the Roads & Bridges Department, Government of Sikkim for connecting the Police & SSB Out Posts at Chewabhanjyang."
2. Diversion of 0.30 ha of forest land from Barsey Rhododendron Sanctuary for augmentation of Soreng & Chakung Water Supply Schemes from Ringyang Khola (River), in West Sikkim by the Water Security & PHE Department, Government of Sikkim.
3. Diversion of 0.01 ha of forest land from Fambonglho Wildlife Sanctuary for augmentation of Rural Water Supply Scheme (RWSS) from Palay Khola, by Rural Management and Development, Deptt, Sikkim.
4. Diversion of 01 ha of forest land from Pangolakha Wildlife Sanctuary for establishment of Border Out Post of Sashastra Seema Bal at Hathicherey, East Sikkim
5. Proposal for 520 MW Hydroelectric Power Project Teesta Stage-IV on river Teesta in North Sikkim by NHPC Ltd., Sikkim (outside the Khangchandang NP).

I am directed to request you to kindly make it convenient to attend the above meeting. The concerned user agencies may also be requested to be present for the meeting.

Yours faithfully,

(Vivek Saxena)

Deputy Inspector General of Forests (WL)

Telefax: 011-24361727

Copy to: The Principal Secretary (Forests), Department of Forests, Government of Sikkim, Deorali, Gangtok-737102.

✓ 4.2 (34) Diversion of 0.30 ha of forest land from Barsey Rhododendron Sanctuary for augmentation of Soreng & Chakung Water Supply Schemes from Ringyang Khola (River), in West Sikkim by the Water Security & PHE Department, Government of Sikkim.

4.2 (35) Diversion of 0.01 ha of forest land from Fambonglho Wildlife Sanctuary for augmentation of Rural Water Supply Scheme (RWSS) from Palay Khola, by Rural Management and Development, Deptt, Sikkim.

The committee decided to consider these two proposals together as they were of similar nature. The Member Secretary briefed the committee on the proposals.

The Committee, after discussion decided to recommend the proposals subject to the following conditions, as stipulated by the Chief Wildlife Warden:

- i. *Labour camps will not be permitted to be set up inside the sanctuary.*
- ii. *All workers need to obtain permits for working in the project site inside the sanctuary.*
- iii. *Construction materials should be stored in the identified area.*
- iv. *No felling of trees or destruction of wildlife habitat, exploitation or removal of any wildlife including forest produce from the sanctuary should take place.*
- v. *Authorized sanctuary personnel will check the construction sites as and when required.*
- vi. *The project implementing authorities and workers will obey Dos and Don'ts of the sanctuary.*

II. MATTERS RELATING TO NATIONAL PARKS AND WILDLIFE SANCTUARIES:

Now we come to matters relating to National Parks and Wildlife Sanctuaries.

At the time of hearing on the aforesaid subject, certain suggestions are made by the learned amicus curiae and other senior counsels. By incorporating them, we pass the following order(s):

All matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, including rationalization of boundaries etc. will be considered by the Standing Committee of the National Board for Wildlife ("NBWL") on its own merits and in conformity with the orders and directions passed by this Court from time to time, i.e. on 14.02.2000, 16.12.2002, 13.11.2000, 9.5.2002, 25.11.2005 and 14.09.2007 and other subsequent clarificatory orders/judgment(s) passed by this Court including the Goa Foundation Judgment, i.e. Goa Foundation Vs. Union of India & Ors. reported in (2014) 6 SCC 590.

We request the NBWL to furnish a copy of the orders passed by it within 30 days' time to the C.E.C. The C.E.C. is at liberty, if, for any reason, they are aggrieved by the decision of the Standing Committee of NBWL to approach this Court by filing an appropriate petition/application.

In all those matters where there is already decision of the Standing Committee of the NBWL shall abide the parties with all the conditions imposed therein.