

Proposal seeking permission for construction of fencing and patrol road along the Indo-Bangladesh border in the Dampa Tiger Reserve, Mizoram.

Site Inspection Report

By

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The above proposal had come up for discussion in the 19th meeting of the Standing Committee of National Board for Wildlife, in May 2010. However, the site inspection could only be carried out on April 8th and 9th, 2011. The joint report is submitted herewith.

As a part of the project to fence India's international boundaries with our eastern neighbours, it is proposed by the Ministry of Home Affairs to also fence the 62kms (approx) portion where the Dampa Wildlife Sanctuary & Wildlife Reserve in Mizoram, where it abuts upon the boundary with Bangladesh and which has so far been kept open as it is a Sanctuary, for which prior permission of the Standing Committee of the National Board for Wild Life (NBWL) is required. The Ministry of Environment and Forest (MoEF) has given permission in November 2002, amending it again in 2006, for the construction of the fencing and patrol road along the Bangladesh border, permitting a total width of 22 ft to 65 ft, in areas of the forest other than the 62km length along the Dampa Sanctuary. 7271 trees were proposed to be felled.

It is pertinent to point out that the requisite permission under the Forest Conservation Act for the construction of this 62km segment is yet to be obtained.

The Dampa Wildlife Sanctuary, covering an area of 500sq.kms was brought under Project Tiger in 1994 and has been identified as a Critical Tiger Habitat by the National Tiger Conservation Authority (NTCA) under the Wild Life (Protection) Act, 1972. Keeping in view the great significance of

the Sanctuary and Tiger Reserve as a center for biodiversity and the habitat of a large number of species listed under Schedule I of the Wild Life (Protection) Act (1972), the Chief Wildlife Warden and Principal Secretary (Forest) of Mizoram have not recommended the project, since it would affect the free movement of animals between the Tiger Reserve and the neighbouring forests of Bangladesh. The Mizoram State Wildlife Advisory Board has recommended the proposed construction of the fencing 'Reluctantly'. However, in view of the requirements of national security, the proposal has been brought up for a decision.

The matter had been placed before the Central Empowered Committee (CEC), which in its report to the Hon Supreme Court dated 30.3.2009 has recommended the proposal of permitting the use of 69.26 ha. of the forest area falling within the Dampa Tiger Reserve for the construction of the fencing and the patrol road along the Indo-Bangladesh border, subject to certain conditions.

The assumption in the CEC report that the loss of forest land will be restricted to 69.26 ha., is not valid. This is only the size of the land which will come under the occupation of the proposed fencing and road, together with the area to be occupied by the seven Border Out Posts (BoPs) that will be set up to man the stretch of 62kms length of the proposed fencing, the Border Security Force having agreed to reduce the number to seven from the original demand of 13 BoPs. However, what must be kept in view and what has been in fact been mentioned in the opinion of the Chief Wildlife Warden of Mizoram on page 28 of the Agenda Notes of the 19th Meeting of the Standing Committee, is that the loss will be the entire stretch from the road and the fencing to the Indo-Bangladesh boundary, to which the Dampa Tiger Reserve now extends upto. This entire strip of land 62kms long that would be between the road and the fencing upto the international boundary, would be fenced off and even if there are openings, would not be of any worthwhile value as a protected area.

As regards width of this strip of land, we were informed that no infrastructure, not even the road, could be constructed within a radius of a minimum of 150 yards of the international boundary, and the width could be as much as 1500 yards from the boundary depending upon the topography of the terrain. In certain stretches of the hill portion which are steep and where crossing of nullas is involved, the alignment may go up to a distance of 750 yards from the border. As of now, an alignment has not been decided upon

the ground as no survey has been done on the site for this purpose. Therefore, the precise area that would be lost to Dampa cannot be ascertained at the moment. If a mean average of a width of 500 meters (half a kilometer) is taken, the loss would be $62 \times 0.5 = 31$ sq.kms. If a mean average of a width of 250 meters (quarter of a kilometer) is taken, which may well be an underestimate, the loss would be $62 \times 0.25 = 15.50$ sq.kms.

After visiting the Dampa Tiger Reserve and Sanctuary, seeing the construction of the wire-fencing upto the edge of the Reserve and after detailed discussions with the State Government Authorities in charge of wildlife and the Dampa TR, officers of the BSF and the agency entrusted with the task of constructing the fencing, the undersigned would wish to recommend the following:

Keeping in view the interests of national security, the undersigned would wish to recommend the construction of the 62kms fencing proposed along the Bangladesh boundary, adjacent to the Dampa Tiger Reserve. However, at the same time it is essential to also safeguard to the extent possible the security of this very important protected area and precious repository of national biodiversity. With that objective in view, the following prerequisites and conditions are recommended:

1. *It is imperative that a detailed survey on the spot is conducted along the entire 62kms stretch of the boundary, to determine the precise alignment of the fencing and the patrolling road. Since rains are imminent and due to commence in middle May, this work has to start immediately. Only thereafter the exact extent of loss to the Dampa Tiger Reserve can be ascertained. The representatives of the State Govt./Dampa TR must be involved in the entire process. Needless to say, the alignment should be as close as possible along the international boundary to minimize the loss of habitat of the protected area. In the survey, the team may reconsider the selection of the seven corridors already identified and consider the streams and riverine areas that would not be fenced, including the size of the gaps in the fencing that would be kept open. Here it may be kept in view that since there would be bridges for the road that would be parallel to the gaps in the fencing and which may act as a barrier to animal movement, the size and placement of these gaps may be such as to enable animal movement. The location of the seven BoPs may also be reconsidered and wherever possible they should be situated on*

promontories projecting westwards, jutting out towards the river which is the international boundary.

2. Once the exact area is worked out following the survey, the requisite permission under the Forest Conservation Act maybe obtained.
3. The present proposal is to construct a 3-line wire fencing (2 main fence lines with overhanging barbed wire fencing with a third lower wire fencing in between, separated by rolls of razor-wire, all on cement flooring) This would be at a minimum distance of 150 yards and could extend upto 1500 yards from the international boundary, as mentioned earlier. Behind this, running the full length of the 62km stretch, would be the patrol road. At seven places, again behind the wire fencing, would be the seven BoPs. What this would amount to in effect is that while the Dampa Tiger Reserve would be cordoned off and would lose contact with the neighbouring forests of Bangladesh despite the provision of some corridors whose efficacy is in doubt, the impact on the eastern side of the fence which would be the remaining portion of the rather narrow Tiger Reserve, would be constant and considerable. Firstly, there would be the patrol road along the inner side of the fencing, which would be operated all the time to provide for the transport and other needs of the seven BoPs and the seven BoPs would also be on the same inner side of the fencing. Each of these BoPs would have a strength of 25-50 personnel and would have access to the wildlife and other resources of the TR, which could be illegally exploited and the personnel of the TR could do little to stop this. Besides, the local personnel attached to these BoPs would pass through the presently pristine forests of the TR on their way to and from their places of residence and the BoPs themselves may wish to make tracks through the TR to reach other points on the roads to the east in the State. The disturbance factor, thus, would be very significant. *It is, therefore, proposed that the patrol road and the BoPs should be on the Bangladesh side (western side) of the three-line fencing, which could be marginally taken westwards to accommodate the minimum requirement of a distance of 150 yards from the international boundary and more where the alignment requires it. This would ensure that the hinterland of the remaining Dampa TR inside of the fencing, remains sacrosanct and free of disturbance.* As mentioned before, there would be no purpose served in retaining the land between the fencing and the international boundary, as a Tiger Reserve. If the Ministry of Home Affairs (MHA) agrees to the proposal of having the patrol roads and the BoPs

westwards of the three-line fencing, the MoEF could agree to denotify the concerned strip of land from the TR and which would enable the MHA to utilize that land for whatever security purposes that it wishes for. If, on the other hand, this land remains as a part of the TR, any movement and activity not connected with conservation and without permission would be illegal. During discussions with the authorities of the user agencies, it was pointed out to us that the road and the BoPs were always on the inner side of the fencing. However, along the very long international boundary fencing that has been constructed, there have been some exceptions to meet with special situations. In some places, the fencing is less than a width of 150 yards and in some cases there is no fencing at all, etc. MHA could therefore be requested to make an exception in view of the exceptional situation here and have the patrol road and the BoPs outside of the three-line fencing. If a fencing is indeed required between the international boundary and the patrol road and BoPs, another fencing may have to be put up beyond. However, the main fencing should be between the TR and the patrol road and BoPs so that the TR is effectively cordoned off.

4. Once the exact figure of the land that would be denotified from the Dampa TR in pursuance of the approval of this proposal is ascertained, *an equivalent amount should be added to the Dampa TR elsewhere, and if this is not at all feasible, to another park or sanctuary in Mizoram.*
5. *The other mitigative measures and conditions including no stone quarrying and dumping of malba, laid down by the State Govt and Chief Wildlife Warden of Mizoram and the CEC, would have to be complied with.*

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