

F. No. 6-30/2019-WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

3rd Floor, Jal Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi 110003.

06 May, 2022

To

1. The Principal Secretary (Forests)

All States/UTs

2. The Chief Wild Life warden

All States/UTs

3. The PCCF, All States/UTs

Sub: Guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas - reg.

Sir/Madam,

Reference is invited to the subject mentioned above. This Ministry since has received complaints regarding consideration of Wild Life Clearance in protected areas. The Mater has been examined in Wild Life Division of the Ministry. Accordingly, guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas have been revised.

2. In this context, I have been directed to enclosed herewith revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas for ready reference.

3. This issues with the approval of the competent authority.

Yours faithfully,



(Dr. Rajendra Kumar)

Scientist 'C'

Email: kumar.rajendra@gov.in

Encl: as above

Copy to:

1. PPS to DFG&SS, MoEF&CC
2. PPS to ADG(WL), MoEF&CC
3. PPS to IGF(WL)/IGF(PE)/IGF(NTCA), MoEF&CC
4. PS to DIG(WL)/DIG(FC), MoEF&CC
5. Guard File

GUIDELINES FOR SEEKING RECOMMENDATIONS OF STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE

Areas of ecological, faunal, floral, geomorphological, natural or zoological significance and reserve forests are notified as Sanctuaries and National Parks for the purpose of protecting, propagating or developing wildlife or its environment. Such areas are extremely important for conservation of biodiversity and for ensuring the survival of its floral and faunal components, not only for the present but also for the future. However, the rising human population and growing demand for socio- economic development have placed tremendous stress on such areas. Since a balance has to be struck between development and conservation, any activity involving use or diversion of any part of a notified protected area should be permitted only under exceptional circumstances and after taking into account the likely impact of the activity on the protected area.

The Ministry has issued clarifications/guidelines from time to time for seeking recommendations of the National Board for Wild Life(NBWL)/Standing Committee of the National Board for Wild Life (SCNBWL). These guidelines are being issued in supersession of the earlier guidelines.

1.	ACTIVITIES INSIDE PROTECTED AREAS
	Consideration and recommendation of NBWL/SCNBWL is required in the following cases:
1.1	WILDLIFE SANCTUARIES: In view of the provisions of section 29 of WLPA , consultation with the State Board for Wild Life (SBWL) is required before permitting any activity mentioned in this section within a sanctuary. In view of the directions dated 9 th May 2002 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 337/1995 and order dated 5.10.2015 in W.P. (C) No. 202/1995, all such proposals also require recommendation of the SCNBWL.
1.2	NATIONAL PARKS: Section 35 (6) of WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within a National Park. In view of section 35(8), the proviso to section 33(a) is applicable in relation to a National Park as it applies in relation to a sanctuary.
1.3	OTHER PROVISIONS: Section 33 (a) of the WLPA provides for prior approval of the National Board for construction of commercial tourist lodges, hotels, zoos and safari parks inside a sanctuary. This proviso is also applicable on National Parks as per Section 35 (8) of the WLPA.
1.4	ACTIVITIES WITHIN TIGER RESERVES AND LINKING AREAS:

	<p>The Protected Areas constituting a Tiger Reserve attract all the provisions applicable for National Parks or Sanctuaries. In addition, as per section 38-O (1) (g) of the Act, approval of NBWL and advice of the National Tiger Conservation Authority (NTCA) are required for activities within tiger reserves and in areas linking one Protected Area or tiger reserve with another Protected Area or tiger reserve for ecologically unsustainable uses, except in public interest.</p>
1.5	<p>ALTERATION OF BOUNDARIES:</p> <p>In view of sections 26A (3) and 35 (5) of WLPA, no alteration of the boundaries of a Sanctuary/National Park by the State Government can be made except on a recommendation of the NBWL/SCNBWL. Further, in view of section 38 W of the WLPA, no alteration in the boundaries of a Tiger Reserve can be made except on a recommendation of the NTCA and the approval of the NBWL.</p>
1.6	<p>ACTIVITIES INSIDE ECO-SENSITIVE ZONES:</p> <p>Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries, if ESZ has not been notified, prior approval of the NBWL/SCNBWL shall be required if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.</p>
1.7	<p>ACTIVITIES REFERRED BY OTHER AGENCIES:</p> <p>There may be cases where chairperson of NBWL/SCNBWL or Hon'ble Supreme Court of India or any other statutory agency may desire examination of a proposal by the NBWL/SCNBWL. Such cases may be submitted by the State Government/UT Administration for consideration of NBWL/SCNBWL along with the recommendations of the SBWL.</p>
2.	<p>PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE:</p> <ol style="list-style-type: none"> The User Agency can submit the proposal online on PARIVESH portal of the Ministry as provided in the User Manual of Online Submission and Monitoring of Environmental, Forests and Wild Life Clearance – a Single Window Clearance System, uploaded on the website. http://www.moef.nic.in/division/orders-and-releases). No proposal submitted for consideration of the SCNBWL in physical form shall be entertained by the Ministry. The user agency can also track the movement of the proposal through different stages of processing through the online clearance system. The roles of various agencies involved in the process and actions required to be taken are provided in the manual. In case of difficulty, the details of concerned to be contacted have also been provided.

3.

TIME LINES TO BE FOLLOWED BY VARIOUS AGENCIES INVOLVED IN PROCESSING THE PROPOSALS

Following time lines will be adhered by all the officials responsible for the activities indicated

1	DFO/Wild Life Warden	i. Initial scrutiny in 5 days of receipt of the proposal
		ii. 15 days after receipt of complete proposal for site inspection, consultation with Conservator of Forests/Chief Conservator of Forests/Addl. Principal Chief Conservator of Forests and forwarding to the Chief Wild Life Warden
2	Chief Wild Life Warden	15 days from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wild Life.
3	Consultation with State Board for Wild Life and recommendation of State Government	The activity involves decision of the State Government, consultation with State Board for Wild Life and thereafter, recommendation of State Government to Ministry of Environment, Forest and Climate Change enclosing the copy of the minutes of the State Board for Wild Life. Therefore, this stage may take up to 45 days (one and half months) , as the State Board for Wild Life is chaired by Hon'ble Chief Minister
4	Ministry of Environment, Forest and Climate Change	i. Initial scrutiny in 10 days of receipt of the proposal
5	Consultation with Standing Committee of National Board for Wild Life	ii. In the upcoming Meeting of Standing Committee of National Board for Wild Life which are ordinarily convened once in 3 months .

4.

PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:

	<p>State Governments/Union Territory Administrations may consider prescribing Rules under section 28 of the WLPA for application and safeguards to be followed for grant of permission to enter Protected Areas for survey/ investigation if no physical disturbance in the PA is contemplated. In view of section 35(8) of the Act, the provisions of section 28 apply in relation to a National Park as they apply in relation to a sanctuary.</p> <p>It may also be noted that when invasive activities (such as destruction, exploitation, removal etc from PA) are involved, the permit for survey and investigation can be issued only after consideration by the SCNBWL. In case any kind of survey work and/or Environment Impact Assessment (EIA) studies are to be taken up in areas involving a Protected Area, and are covered under section 29 or 35(6) of WLPA, then also the entire procedure, as prescribed in paragraph 3 above would need to be followed.</p>
5.	<p>MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS</p> <p>A guidance document, namely, 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.</p>
6.	<p>COST OF MITIGATION MEASURES:</p> <p>A guidance document titled 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.</p>
7.	<p>MANAGEMENT PLANS FOR AREAS UNDER TRANSMISSION LINES:</p> <p>Proposals for transmission lines shall be accompanied with a management plan for the area below the transmission line. The management plan should prescribe the species to be planted and maintained below the transmission line, periodicity of maintenance etc.</p>
8.	<p>BIO-DIVERSITY IMPACT ASSESSMENT REPORT</p> <p>Proposals for use of an area exceeding 50 ha within a sanctuary/national park shall be accompanied with a bio-diversity impact assessment study report and it suggested mitigation measures prepared by an agency accredited by the Government of India.</p>

9.	MINING PROPOSALS:
	In view of the direction of the Hon'ble Supreme Court of India in its order dated 04.08.2006 in I.A. 1000 in W.P. 202/95, no proposal for mining in a sanctuary/National Park or within one km from the boundary of a sanctuary/ National Park should be forwarded to the Ministry for consideration of the SCNBWL.
10	Use of innovative Technology in mitigation of impacts- State/UT Government shall endeavour to encourage the user agency for use of innovative technology and modern scientific tools while prescribing mitigation measures and monitoring the impacts due to developmental activities in wildlife habitats for seeking recommendations of SCNBWL.

F. No. 6-45/2022 - WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

3rd Floor, Jal Wing,
Indira Paryavaran Bhawan,
Jor Bag Road, New Delhi-110003.
Tel: 011-20819306

23rd May, 2022

To,
The Principal Secretary,
Forest Department, Wan Bhavan,
Ramgiri Road, Civil Lines,
Nagpur - 440001.

Sub: Proposal for use of 28.6 ha of forest land from Mamdapur Conservation Reserve for construction of water storage tank Mamdapur, Taluka-Yeola, Distt-Nasik, Maharashtra -regarding.

Ref: FP/MH/IRRIG/37261/2018.

Sir,

Kind attention is invited to the online proposal mentioned in the reference cited above for use of 28.6 ha of forest land from Mamdapur Conservation Reserve for construction of water storage tank Mamdapur, Taluka-Yeola, Distt-Nasik.

2. In this context, the undersigned is directed to mention that since the project is proposed to be located in a Conservation Reserve, it does not require consideration by Standing Committee of the National Board for Wild Life as per Ministry's guidelines dated 6th May, 2022.

3. This issues with the approval of competent authority.

Yours faithfully,



(Dr. Rajendra Kumar)
Scientist 'C'

Email: kumar.rajendra@gov.in

Copy to:

1. Chief Wild Life Warden, Government of Maharashtra, Nagpur.
2. PSO to ADGF (WL)/PPS to IGF(WL)/Sr. PPS to DIG(WL), MoEF&CC.



वन विभाग

प्रधान मुख्य वनसंरक्षक (वन बल प्रमुख) महाराष्ट्र राज्य, यांचे कार्यालय

O/o Principal Chief Conservator of Forests (HoFF), Maharashtra State

Phone No.- 0712-2560953

E-mail - pccfwlmgp@mahaforest.gov.in

Website - www.mahaforest.gov.in

प्रधान मुख्य वनसंरक्षक (वन्यजीव) महाराष्ट्र राज्य,

Principal Chief Conservator of Forest (Wildlife) Maharashtra State

"Van Bhavan", 3rd Floor, Ramgiri Road, Civil Lines, Nagpur - 440 001.

क्रमांक कक्ष-२३(२)/वजी/सर्व्हे/प्र.क्र.१७९/ **E03** /२०२२-२३, दिनांक **02/06/2022**

प्रति,

मुख्य वनसंरक्षक (प्रादेशिक),

नाशिक.

विषय - Proposal for use of 28.6 ha. of forest land from Mamdapur Conservation Reserve for construction of water storage tank Mamdapur, Taluka-Yeola, Dist. Nashik, Maharashtra - regarding .

- संदर्भ - १. या कार्यालयाचे पत्र क्रमांक कक्ष-२३(२)/वजी/सर्व्हे/प्र.क्र.१७९/२४०१, दिनांक १७/१२/२०२२.
 २. महाराष्ट्र शासन पत्र क्रमांक डब्ल्युएलपी-०३.२२/प्र.क्र.७९/फ१, दिनांक २२/०३/२०२२.
 ३. केंद्र शासन, पर्यावरण वने व हवामान बदल, मंत्रालय, (वन्यजीव विभाग) नवी दिल्ली यांचे कडील पत्र क्रमांक F.No.6-30/2019-WL, दिनांक ०६/०५/२०२२.

विषयांकित प्रकरणीचा प्रस्तावास राज्य वन्यजीव मंडळाच्या दिनांक ०४/१२/२०२० रोजीचे १६ व्या बैठकीत मंडळाने शिफारस केलेली होती. सदर शिफारसीचे अनुषंगाने, प्रकल्प यंत्रणेने प्रकल्प किंमतीच्या २ % रक्कम रु. १२.९१ लक्ष वन्यजीव संरक्षण आणि संवर्धन तसेच वन्यजीव अधिवास विकासासाठी उपवनसंरक्षक, पुर्व, नाशिक विभागाच्या बँक खाते (कॅम्पा) क्र. ३९६८१६४४८६१ मध्ये दिनांक २७/१०/२०२१ रोजी NEFT द्वारे जमा केल्यामुळे प्रस्तुत प्रस्ताव राष्ट्रीय वन्यजीव मंडळाचे निर्णयार्थ सादर करण्यासाठी संदर्भ पत्र १ अन्वये राज्य शासनास विनंती करण्यात आलेली होती.

राज्य शासनाने प्रस्तुत प्रस्ताव राष्ट्रीय वन्यजीव मंडळाचे निर्णयार्थ ठेवण्यासाठी संदर्भ पत्र २ अन्वये केंद्र शासनास सादर केलेला होता. सदर प्रस्तावाचे अनुषंगाने, केंद्र शासनाने संदर्भ पत्र ३ अन्वये खालील प्रमाणे कळविले आहे.

"In this context, the undersigned is directed to mention that since the project is proposed to be located in a Conservation Reserve, it does not require consideration by Standing Committee of the National Board for Wildlife as per Ministry's guidelines dated 06th May, 2022."

त्यामूळे, केंद्र शासनाचे दिनांक ०६/०५/२०२२ रोजीच्या मार्गदर्शक सूचनेप्रमाणे ममदापूर संवर्धन राखीव क्षेत्रामध्ये प्रस्तावित साठवण तलावास राष्ट्रीय वन्यजीव मंडळाचे स्थायी समितीच्या मान्यतेची आवश्यकता नाही. (प्रत सहपत्रीत)

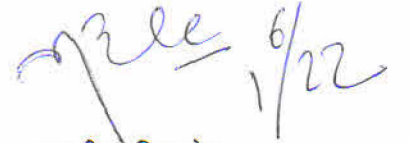
केंद्र शासनाचे वरील निर्देशानुसार राज्य वन्यजीव मंडळाने प्रस्तुत प्रस्तावास १६ व्या बैठकीमध्ये घालून दिलेल्या खालील अटींवर वन्यजीव मान्यता प्रदान करण्यात येत आहे.

अटी :

१. सदर कामाकरीता आवश्यक असलेले साहित्य सदर संवर्धन राखीव क्षेत्राच्या बाहेरून आणण्यात यावे.
२. सदर कामाकरीता आवश्यक मजूर संवर्धन राखीव क्षेत्राच्या आत मुक्काम करणार नाहीत आणि सूर्यास्त ते सूर्योदय या कालावधीत कोणत्याही कामाला परवानगी राहणार नाही.
३. प्रकल्प यंत्रणेकडून भारतीय वन अधिनियम, १९२७, वन्यजीव (संरक्षण), अधिनियम १९७२ व वन (संवर्धन) अधिनियम, १९८० च्या तरतूदीचे पालन करणे अनिवार्य राहिल आणि सदर कायद्यांचे व त्या अनुषंगाने तयार करण्यात आलेल्या नियमांचे उल्लंघन प्रकल्प यंत्रणेकडून होणार नाही.
४. प्रकल्प यंत्रणेने सदर संवर्धन राखीव क्षेत्रातील प्रकल्पाच्या भागाच्या प्रकल्प किंमतीच्या २ % रक्कम राज्यातील वन्यजीव व्यवस्थापनासाठी उपवनसंरक्षक (प्रादेशिक), पूर्व नाशिक यांचेकडे जमा करावी.

वरील अटीपैकी अट क्रमांक ४ ची पूर्तता झाली असून, अट क्रमांक १ ते ३ ची पूर्तता क्षेत्रीय स्तरावरून करावी.

सहपत्र- वरील प्रमाणे



(सुनील लिमये)

प्रधान मुख्य वनसंरक्षक (वन्यजीव)
महाराष्ट्र राज्य

- प्रतिलिपी :-
१. अपर प्रधान मुख्य वनसंरक्षक (वन्यजीव), पश्चिम, मुंबई यांना माहिती व योग्य त्या कार्यवाहीस अग्रेषित.
 २. उप वनसंरक्षक, पूर्व भाग, नाशिक यांना माहिती व योग्य त्या कार्यवाहीस अग्रेषित.
 ३. जिल्हा जलसंधारण अधिकारी, मृद व जलसंधारण विभाग, नाशिक यांना माहिती व योग्य त्या कार्यवाहीस अग्रेषित.

Email : ssiwednnsk@gmail.com