

F.No.6-166/2022 WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

2nd Floor, Vayu Wing,
Indira Paryavaran Bhawan,
Jor Bag Road, New Delhi-110003.

Dated: 5th January, 2023

To,
The Principal Secretary,
Department of Environment and Forests,
Government of Uttarakhand,
Dehradun.

Sub: Proposal for use of 3.645 ha of forest land from Binsar Wildlife Sanctuary for construction of Kasar Bend to Timuri Link Motor Road, Uttarakhand. The proposed site is 2.00 km away from the Binar Wildlife Sanctuary.

Ref: FP/UK/ROAD/156491/2022

Sir,

Reference is invited to the proposal mentioned above. The proposal was examined in the Ministry.


2. Para 1.6 of the "Revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas" issued vide letter No.6-30/2019-WL dated 21st July 2022 is reproduced below for ready reference:

"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."

3. As per the above para only those projects require the prior approval of the NBWL/SCNBWL if the activity/project is listed in the schedule of the EIA Notification 2006. Since, the instant proposal is located inside the Eco-Sensitive Zone and doesn't attract EIA, 2006 Notification, it is informed that the proposal doesn't require the consideration by the Standing Committee of National Board for Wild Life.

4. This issues with the approval of competent authority.

Yours faithfully,


(Dr. Sudheer Chintalapati)
Scientist 'E'

Email: ddwlme@gmail.com

Copy to:

1. Chief Wild Life Warden, Government of Uttarakhand, Dehradun.
2. PSO to ADGF (WL)/PPS to IGF(WL)/Sr. PPS to DIG(WL).



(Dr. Sudheer Chintalapati)

Scientist 'E'

Email: ddwlme@gmail.com

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.

21st July, 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: Revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas - reg.

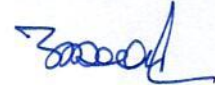
Sir/Madam,

In pursuance to this Ministry's earlier letter of even number dated 06.05.2022, I have been directed to enclose herewith **revised guidelines** for seeking recommendations of Standing Committee of National Board for Wild Life for ready reference.

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

Yours faithfully,

Encl: as above



(Dr. Rajendra Kumar)

Scientist 'C'

Email: kumar.rajendra@gov.in

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 WILD LIFE

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 ensuring the survival of its floral and faunal components. Activities involving use or diversion of any part of a notified protected area should therefore be permitted only 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 submission of proposals for consideration 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 the Wild Life (Protection) Act, 1972 (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.
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 to National Parks as per Section 35 (8) of the WLPA.
1.4	ACTIVITIES WITHIN TIGER RESERVES AND LINKING AREAS:

	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.
1.5	ALTERATION OF BOUNDARIES:
	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.
1.6	ACTIVITIES INSIDE ECO-SENSITIVE ZONES:
	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.
1.7	ACTIVITIES REFERRED BY OTHER AGENCIES:
	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.
2.	PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE:

	<p>i. The User Agency shall submit the proposal online on the PARIVESH portal of the Ministry. A User Manual for online submission and monitoring of Environmental, Forest and Wild Life Clearance is available at https://parivesh.nic.in. No proposal submitted for consideration of the SCNBWL in physical form shall be entertained by the Ministry.</p> <p>ii. The user agency can also track the movement of the proposal through different stages of processing through the online clearance system.</p> <p>iii. 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.</p>	
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	<p>i. Initial scrutiny in 5 days of receipt of the proposal</p> <p>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</p>
	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 Meetings 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 regarding safeguards to be followed while entering Protected Areas for survey/ investigation. 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 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 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 2 above needs to be followed.</p>
5.	MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS:
	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.
6.	COST OF MITIGATION MEASURES:
	Measures to mitigate impacts of projects in protected areas and eco-sensitive zones should be part of project proposals. Instead of imposing a fixed cost, mitigation measures and costs associated with such measures should be prescribed while recommending project proposals.
7.	MANAGEMENT PLANS FOR AREAS UNDER TRANSMISSION LINES:
	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.
8.	BIO-DIVERSITY IMPACT ASSESSMENT REPORT:
	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 prepared by an agency accredited by the Government of India.
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 Governments shall endeavor to encourage user agencies to use innovative technologies and modern scientific tools while prescribing mitigation measures and monitoring the impact of developmental activities on wildlife habitats.
