

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 192/2024/EZ**

**IN THE MATTER OF:**

PRADEEP SINGH SHEKHAWAT ...APPLICANT

VERSUS

STATE OF ASSAM & ORS ...RESPONDENTS

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**DATE: 14.02.2025**

**PLACE: KOLKATA**

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**REJOINDER ON BEHALF OF THE PETITIONER TO THE  
COUNTER AFFIDAVIT DATED 05.12.2024 FILED BY THE  
RESPONDENT NO. 1 – STATE OF ASSAM**

1. That the Applicant has gone through the contents of the Counter Affidavit dated 05.12.2024 filed on behalf of the Respondent No. 1 - State of Assam, and in response thereto, is filing the present Rejoinder.
2. At the outset, the Applicant denies each and every statement, allegation, averment and contention made by the Respondent No. 1 in its counter affidavit which is contrary to or inconsistent with what is stated in the original application. The Applicant prays that nothing should be deemed to be admitted by the Applicant by virtue of not having been specifically denied herein.
3. The present application is filed under Section 14(1) of the NGT Act, 2010 to bring to the notice of this Hon'ble Tribunal the environmental damage caused to Barak Bhuban Reserve Forest and Barak Bhuban Wildlife Sanctuary in Cachar District, Assam, due to the illegal diversion of 15 hectares of forest land which has been illegally diverted for non forest purpose of road construction leading to the top of Bhuban Mahadev Temple on Bhuban Hill. It is submitted that this illegal diversion violates the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 ("Act" hereinafter), and the Consolidated Guidelines issued by the Central Government on

29.12.2023 (“**Guidelines**” hereinafter). The application also invoked Section 15 of the NGT Act, seeking restitution of the damaged area and compensation commensurate with the environmental and ecological harm caused.

4. That the contents of the Original Application are not being repeated herein for the sake of brevity. That the Applicant reaffirms and reiterates the averments made, the grounds and contentions raised in the O.A, and the same are not being repeated herein for the sake of brevity. That the Applicant craves leave of this Hon'ble Tribunal to treat the same as having being incorporated herein and to rely upon the same at the time of urging the present Rejoinder.

#### **PRELIMINARY SUBMISSIONS**

5. That the gist of the Response made by Respondent No. 1 in its Counter Affidavit can be summarized as under:
  - 5.1 Firstly, that the case of Respondent No. 1 is allegedly covered by the Notification F. No. 11-48/2002-FC dated 29.04.2005, according to which no prior permission is required by the Respondent No. 1 from the Central Government under the act;
  - 5.2 Secondly, that Barak Bhuban is merely a proposed National Park in view of the Notification dated 25.07.2022, and therefore no permission is required from the National Board of Wild Life.
6. That the applicant seeks leave of this Hon’ble Court to make preliminary submissions/objections to the above responses of Respondent No. 1 in its Counter Affidavit.

**A. Prior permission was required by the Respondent No. 1 from the Central Government**

7. That in Para 7(ix) of the Counter Affidavit, the case of the Respondent No. 1 has been extracted as under,

*“(ix) Nature of the Road: The forest road in question is made of Paver blocks and this is how the rural roads are constructed as per the Pradhan Mantri Gram Sarak Yojna (PMGSY) guidelines.*

*Moreover, upgradation of old 'Kutchha' roads in forest areas to 'Pucca' road is governed by notification F.No.11-48/2002-FC dated 29/04/2005 of the Govt. of India in the Ministry of Environment, Forest & Climate Change (MoEF&CC) New Delhi, which requires the following conditions to be met for construction of 'Kutchha' road to 'Pucca' road:-*

- a) The 'Kutchha' road must be existing prior to 1980 'Pucca'.*
- b) If the road is not black topped/tarred, the upgradation is allowed without any permission.*
- c) If the 'Pucca' road is tarred, it would need prior Environmental Clearance (EC)*
- d) As black topped 'Pucca' road would require prior EC, the permission of the National Board of Wildlife (NBWL) would be required as well.*

*Thus in view of the above, it is just and proper to say that, there is no violation of any guideline, either of the Wildlife (Protection) Act, 1972 or Forest (Conservation Act), 1980 and The Van (Sanrakshan Evam Samvardhan) Adhiniyam, 2023, as the upgraded forest road is only a pver block road.”*

8. A perusal of the above-mentioned paragraph would show that the contention of Respondent No. 1 is that since the project was carried on merely to upgrade a road which was constructed prior to 1980, and no widening or black topping/tarring of the road was done, and the said road was merely a ‘paver block road’ no prior approval was required from the Central Government.

9. In this respect, it is submitted that the said contentions are completely false and misleading. The Applicant submits that in the present case large-scale tree felling was done along with widening of roads, and thus the said Notification F. No. 11-48/2002-FC dated 29.04.2005 would not be applicable to the present case at all.

A true copy of the Notification F. No. 11-48/2002-FC dated 29.04.2005 is annexed herewith and marked as **Annexure A/12**

**Clear Felling of Trees in Violation of the Van Adhiniyam, 1980**

10. A comparison of the satellite imagery taken from Google Earth from 2013 to 2024 would show that extensive deforestation has taken place in the area including large felling of trees, which is a direct violation of the Act. A comparative analysis of these images over time clearly depicts a progressive reduction in the canopy density and tree cover, confirming that the construction and widening of the road has resulted in the clear felling of trees and breaking up of new ground (hill cutting) inside the Barak Bhubhan Reserve Forest and Barak Bhuban Wildlife Sanctuary.

A true copy of the satellite imagery taken from Google Earth for various angles and year for the Barak Bhuban Region is annexed herewith and marked as **Annexure A/13 (Colly)**

11. That the Applicant submits that the removal of vegetation is not limited to selective trimming or minor clearing for maintenance. The images clearly reveal that entire stretch of forest along the road leading up top of Bhuban Mahadev temple on Bhuban Hill have been cleared, particularly along the newly constructed or widened stretches of the road. It is submitted that this large clearing of trees is itself a violation of Clause 6 of the Notification F. No. 11-48/2002-FC dated 29.04.2005, which is extracted herein for the convenience of this Hon'ble Tribunal as under,

*“6. No tree felling shall be allowed”*

**Widening of Road in the Barak Bhuban Region**

12. A perusal of the satellite imagery taken from Google Earth clearly shows that large-scale widening of the road has also been done, which is contravention of the Notification F. No. 11-48/2002-FC dated 29.04.2005 as well as the Act and Clarifications issued thereunder. In this respect, Clause 7 of the Notification F. No. 11-48/2002-FC dated 29.04.2005 specifically stipulates as under,

*“7. No widening of road shall be undertaken without permission of the Central government under Forest (Conservation) Act, 1980”*

A true copy of the satellite imagery taken from Google Earth showing the clear widening of roads in the Barak Bhuban Region is annexed herewith and marked as **Annexure A/14 (Colly)**

13. The Applicant reiterates that the widening of the road in the Barak Bhuban Region and extensive tree felling without taking prior approval from the Central Government under Section 2 of the Act is a grave violation of the Act and the Clarifications issued thereunder. The failure to obtain mandatory permissions before clearing forest land and breaking of fresh forest ground makes the entire project unauthorized and illegal. The substantial felling of trees further reinforces that this is not a mere case of road repair or maintenance but an instance of forest land being diverted for non-forest purposes in complete violation of statutory safeguards.

**B. Prior permission was mandatory from the National Board of Wildlife**

14. That in response to the averments made in the original application, the Respondent No. 1 has submitted that since a preliminary notification dated 25.07.2022 has been issued with respect to Barak Bhubhan, the said area would not be governed by the Wildlife (Protection) Act, 1972 as no final

notification has been issued with respect to the said region. The relevant from the counter affidavit of the Respondent No. 1 is as under,

*“7...(i) “The Government of Assam declared its intention to constitute the area described in the Preliminary Notification dated 25th July 2022, as the Barak Bhuban Wildlife Sanctuary. The proposed Barak Bhuban Wildlife Sanctuary comprises of parts of Barak Reserve Forest (hereinafter referred to as Barak RF) and Inner Line Reserve Forest (hereinafter referred to as ILRF). Be it mentioned that, as per provision 18 A(1) of the Wildlife Protection Act, 1972, the said areas as on date are legally a Reserve Forest, pending the final notification as a Wildlife Sanctuary. Therefore, the area under question is not governed the Wildlife (Protection), 1972. The area so notified is to be addressed as Proposed Barak Bhuban Wildlife Sanctuary and not as Barak Bhuban Wildlife Sanctuary, as because the final notification of the Sanctuary is yet to be issued. To this extent the averments made by the petitioner/ Applicant herein, and his claim that the area under question is a Wildlife Sanctuary is not borne by facts.*

*The notification dated 25th July, 2022 and the Map of the said area are annexed herewith and marked as Annexure -I.”*

15. In this respect, it is submitted that Section 35 of the Wildlife (Protection) Act, 1972 provides for the procedure for ‘Declaration of National Parks’. Section 35 reads as under,

*35. Declaration of National Parks.—(1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological or zoological association or importance, needed to be constituted as a National Park for the purpose of protecting, propagating or developing wild life therein or its environment, it may,*

*by notification, declare its intention to constitute such area as a National Park:*

*Provided that where any part of the territorial waters is proposed to be included in such National Park, the provisions of Section 26-A shall, as far as may be, apply in relation to the declaration of a National Park as they apply in relation to the declaration of a sanctuary.*

*(2) The notification referred to in sub-section (1) shall define the limits of the area which is intended to be declared as a National Park.*

*(3) Where any area is intended to be declared as a National Park, the provisions of Sections 19 to 26-A [both inclusive except clause (c) of sub-section (2) of Section 24)] shall, as far as may be, apply to the investigation and determination of claims, and extinguishment of rights, in relation to any land in such area as they apply to the said matters in relation to any land in a sanctuary.*

*(3-A) When the State Government declares its intention under sub-section (1) to constitute any area as a National Park, the provisions of Sections 27 to 33-A (both inclusive), shall come into effect forthwith, until the publication of the notification declaring such National Park under sub-section (4).*

*(3-B) Till such time as the rights of the affected persons are finally settled under Sections 19 to 26-A [both inclusive except clause (c) of sub-section (2) of Section 24], the State Government shall make alternative arrangements required for making available fuel, fodder and other forest produce to the persons affected, in terms of their rights as per the Government records.*

*(4) When the following events have occurred, namely,—*

*(a) the period for preferring claims has elapsed, and all claims, if any, made in relation to any land in an area*

*intended to be declared as a National Park, have been disposed of by the State Government, and*

*(b) all rights in respect of lands proposed to be included in the National Park have become vested in the State Government,*

*the State Government shall publish a notification specifying the limits of the area which shall be comprised within the National Park and declare that the said area shall be a National Park on and from such date as may be specified in the notification.*

*(5) No alteration of the boundaries of a National Park by the State Government shall be made except on a recommendation of the National Board.*

*(6) No person shall destroy, exploit or remove any Wild Life including forest produce from a National Park or destroy or damage or divert the habitat of any wild animal by any act whatsoever or divert, stop or enhance the flow of water into or outside the National Park, except under and in accordance with a permit granted by the Chief Wild Life Warden, and no such permit shall be granted unless the State Government being satisfied in consultation with the National Board that such removal of wild life from the National Park or the change in the flow of water into or outside the National Park is necessary for the improvement and better management of wild life therein, authorises the issue of such permit:*

*Provided that where the forest produce is removed from a National Park, the same may be used for meeting the personal bona fide needs of the people living in and around the National Park and shall not be used for any commercial purpose.]*

*(7) No grazing of any 112[livestock] shall be permitted in a National Park and no 113[livestock] shall be allowed*

*to enter therein except where such livestock is used as a vehicle by a person authorised to enter such National Park.*

*(8) The provisions of Sections 27 and 28, Section 30 to 32 (both inclusive), and clauses (a), (b) and (c) of Section 33, Section 33-A and Section 34 shall, as far as may be, apply in relation to a National Park as they apply in relation to a sanctuary.*

*Explanation.—For the purposes of this section, in case of an area, whether within a sanctuary or not, where the rights have been extinguished and the land has become vested in the State Government under any Act or otherwise, such area may be notified by it, by a notification, as a National Park and the proceedings under Sections 19 to 26 (both inclusive) and the provisions of sub-sections (3) and (4) of this section shall not apply.*

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16. That the Hon'ble Supreme Court of India vide Order dated 14.02.2000 passed in WP(C) No. 202/1995 restrained all the States from the removal of dead, diseased, dying or wind-fallen trees, drift wood and grasses, etc. from any National Park or Game Sanctuary or Forest. It also further stated that *“if any order to this effect has already been passed by any of the States, the operation of the same shall stand immediately stayed.”*

17. That the Hon'ble Supreme Court passed an order in W.P.(C) No. 337/1995 directing that pending further orders no de-reservation of forests/sanctuaries/national parks shall be affected.

18. That vide Order dated 05.10.2015 passed in WP(C) 202/1995, the Hon'ble Supreme Court of India directed that all the 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, 09.05.2002, 25.11.2005 and 14.09.2007 and other subsequent clarificatory orders/judgment(s) passed by this Hon'ble Court including the *Goa Foundation Judgment, i.e., Goa Foundation vs. Union of India & Ors. reported in (2014) 6 SCC 590*. The Hon'ble Supreme Court further directed the National Board for Wild Life to furnish the copy of the Orders passed by it within 30 days time to the CEC and the CEC is at liberty to approach the Supreme Court of India by filing an appropriate petition/application if, for any reason, they are aggrieved by the decision of the Standing Committee of National Board for Wild Life.

19.A reading of Section 35(3-A) read with Section 35(6) of the Wildlife (Protection) Act, 1972 would show that an intended National Park for which a preliminary notification has been issued under Section 35(1) is entitled to the same protection as a National Park finally notified under Section 35(4) of the Wildlife Protection Act, 1972.

20.That a perusal of the Guidelines dated 13.12.2023 titled as 'Guidelines regarding submission of proposals for consideration of the standing committee of the National Board for Wildlife' would make it clear that approval of the National Board for Wildlife even for areas for those areas in respect of which the State Government has declared its intention by notification for constitution of such areas as National Parks. The relevant extract is as under,

### ***"1.2 NATIONAL PARKS***

*Section 35(6) of WLPAs mandates consultation with the NBWL for undertaking any activity mentioned therein within areas notified as National Parks. Further, consultation with NBWL is mandatory for undertaking any activity mentioned in section 29 of the Act within those areas in respect of which the State Government has declared its intention by notification for constitution of such areas as National Parks due to coming into effect of the provisions of section 29 of the WLPAs as per section 35 (3A) of the WLPAs”*

A true copy of the Guidelines dated 13.12.2023 titled as ‘Guidelines regarding submission of proposals for consideration of the standing committee of the National Board for Wildlife’ are annexed herewith and marked as **Annexure A/15 (Colly)**

### **Parawise Reply**

21. That the contents of Paras 1 to 3 are matters of record and merit no response.
22. That the contents of Para 4 are denied and disputed and the contents of Para 4 of the Original Application are reiterated.
23. That the contents of Para 5 are denied and disputed. The assertion that OA No. 61 of 2024 and OA No. 105 of 2024 are irrelevant to the present matter is misplaced. While these cases address distinct instances of environmental violations, they underscore a recurring pattern of non-compliance with the Act, Guidelines and related statutory provisions. In both matters, forest land was diverted for non-forest purposes without obtaining mandatory approvals, and vague reasoning was offered to justify actions that contravened established legal requirements. The present case mirrors this approach, where statutory safeguards have again been bypassed under totally unsatisfactory and illegal justifications. These pending matters are relevant because they highlight a consistent practice of disregarding environmental laws, which impacts forest conservation and undermines public trust. Judicial notice of this pattern is essential to understanding the

systemic nature of violations and assessing the credibility of the Respondents' defense. Consideration of these related actions will ensure a holistic and just evaluation of the issues before this Hon'ble Tribunal. It is submitted that the specific violations done by the formed PCCF have been enumerated by the MoEF in its ex-post facto clearance given on 26.12.2024.

A true copy of the Meeting of the minutes dated 26.12.2024 whereby the specific violation of the Act has been noted is annexed herewith and marked as **Annexure A/16**.

24. That the contents of Paras 6.1 to Para 6.3 are denied and disputed and the contents of Paras 1 – 4 of the Original Application and the Preliminary Submissions of the present Rejoinder Affidavit and reiterated.
25. That the contents of Para 7(i) are vehemently denied and disputed. A reading of Section 35(3-A) read with Section 35(6) of the Wildlife (Protection) Act, 1972 would show that an intended National Park for which a preliminary notification has been issued under Section 35(1) is entitled to the same protection as a National Park finally notified under Section 35(4) of the Wildlife Protection Act, 1972. In response, the contents of the Paras 16 to 22 of the Preliminary Submissions of the present Rejoinder are reaffirmed and reiterated.
26. That the contents of Para 7 (ii) – 7(iii) are vehemently denied and disputed. It is submitted the averments in the said paragraphs are irrelevant to the current proceedings and do not come to the aid of Respondent No.1. The District Forest Officer's (DFO) report dated 30.11.2024 submitted by the Respondent No.1 is deeply flawed and cannot be relied upon as credible evidence. It is a mere reiteration of the MOF dated 29.11.2022, failing to provide any independent or substantive

explanation of the statutory provisions invoked for permitting the widening and construction of the road. Crucially, the report does not place on record any requisite sanctions or approvals, leaving the legal basis for these actions unsubstantiated. Furthermore, the report has been prepared by a junior officer subordinate to Respondent No. 3 and that too months after institution of the present OA, who is at the center of allegations regarding the illegal diversion of forest land for non-forest purposes. In response, the contents of the Preliminary Submissions of the present Rejoinder are reaffirmed and reiterated.

27. That the contents of Para 7 (iv) – 7(vi) are vehemently denied and disputed. It is submitted that Respondent No.1 has failed to establish any reason whatsoever for non-compliance with the Act and Guidelines regulating the use and diversion of forest land. The Respondents have relied upon deliberations that took place in the Minutes of Field Visit dated 29.11.2022 (“MOF”) to somehow circumvent the statutory safeguards. 2 approaches were discussed in the Meeting which are extracted below:

*“Approach 1: Diversion of area under FC Act and afforestation in an equivalent area elsewhere, in which case, the road as well as ROW of the road shall be under the control of the PWD, the Forest department shall have no control over the road and as it will be a public road.*

*Approach 2: The entire land to be under the control of Forest Department by way that the road to be developed by PWD on behalf of the Forest Department. In that case the entire control of the road and ROW shall continue to be with the Forest Department.”*

The reasoning used for adopting Approach 2 mentioned in the Meeting i.e. that the land will continue to be under the ownership of

forest department is no reason for not adhering to the provisions and requirement mandated under the Act and its Guidelines. The Respondents have failed to comply with Section 2 of the Act, which prohibits diversion of forest land for non-forest purposes without prior approval of the Central Government. It is settled principle of law that prior approval are essential for precautionary principle as well as the need for sustainable development. It is submitted that proper compliance with the Act and the Guidelines is a *sine qua non* for the activity that been undertaken by the Respondents in the present case and there for flimsy grounds to bypass the mandatory compliance cannot be accepted. The wordplay in these approaches reveals an attempt to navigate around statutory obligations by reframing the same activity under different administrative constructs. The practical outcomes - environmental degradation, adverse impact on flora and faunas the same, yet the burden of compliance is artificially and selectively applied. This strategy demonstrates an intent to circumvent the law while achieving the same objectives under the guise of differing administrative arrangements. It is additionally submitted that road that has been constructed is freely accessible to public and same is being used a tourist spot by the public now. Without prejudice it is submitted that the reliance placed on MOF dated 29.11.20022 to show that two approaches were discussed, does not come to aid of Respondents to further the assertion that noncompliance with rigors of the Act and Guidelines is permitted if the road is constructed by PWD while the control remains with Forest Department. This distinction between "control" and "ownership" is a contrivance to avoid legal obligations while achieving the same outcome of widening of the road within a Reserve Forest. Such an arrangement undermines fundamental environmental principles,

including the precautionary principle and the doctrine of public trust, by failing to mitigate ecological harm or ensure accountability. It is further stated that the rationale for retaining the road under Forest Department control is to ensure proper management of the area and the preservation of its ecological character. However, the same document acknowledges the presence of shops around the area, which are inherently inconsistent with the principles of ecological preservation and proper forest management. In response, the contents of the Preliminary Submissions of the present Rejoinder are reaffirmed and reiterated.

28. That the contents of Para 7 (vii) are vehemently denied and disputed. It is submitted that even if only some are falls inside the Barak Bhuban National Park the requisite permission as per the statue is still needed. Additionally the land situated just outside the National park still falls within the Barak Bhuban Reserve Forest as admitted by the Respondent 1 in this para and hence the provisions of the Act still needed to be complied with and there has been no compliance to provision of the Act in the present case. In response, the contents of the Preliminary Submissions of the present Rejoinder are reaffirmed and reiterated.

29. It is submitted that the contents of para 7 (viii) and 7 (x) are vehemently denied and disputed. It is respectfully submitted that the Applicants have been transparent with this Hon'ble Tribunal, and the reliance placed by the Respondent No. 1 on reports and newspaper articles is both unfounded and misleading. A plain reading of these reports clearly reveals that the tragic incidents being highlighted were not caused by the lack of appropriate communication roads. Instead, these incidents were the result of entirely unrelated factors, which have been deliberately misconstrued by the Respondent No.1 to mislead this Hon'ble Tribunal. It is submitted the

references to arms recovery and suspected militants in these reports pertain to Bhuban Hill as a whole and lack any evidence to establish a nexus between these activities and the specific area where illegal forest diversion has occurred. It is submitted that the place of where illegal road has been constructed is located far from any state or international border and is no way near the trijunction of Assam Mizoram and Manipur border and incidents allegedly occurring in border areas bear no relevance or justification for the illegal breakup and diversion of forest land situated hundreds of kilometers away from such borders. The Respondents' reliance on these assertions is clearly an attempt to misrepresent facts and detract from the core issue of unlawful environmental violations before this Hon'ble Tribunal. Without prejudice, it is submitted that while the government recognized the practical constraints of clearing forest land for security-related concerns by amending and notifying a new Forest (Conservation) Amendment Act, 2023, a bare reading explicitly reflects a legislative intent to balance such needs with the overarching principles of forest conservation. Under Section 1A(2), limited exemptions are provided for security-related infrastructure projects on forest land, but these are strictly conditional, and subject to mandatory compliance with Section 1A(3), which retains the essential requirement of compensatory afforestation to address ecological loss. This provision underscores that even in cases where security concerns need to be prioritized, the obligation to mitigate environmental harm is non-negotiable and all the exemption under Section 1A (2), would shall be subject to such terms and conditions, including planting of trees to compensate for felling of trees along with other guidelines. The Respondents' illegal activities, however, precede the above-mentioned amendment and are not guided by its provisions. Nonetheless, without prejudice, it is further submitted that even if the amended Act were applicable to the Respondents' actions, their activities

would still fail to align with its legislative intent. It is submitted that the contents of OA and Preliminary Submission are also being relied on in response to these party but are not being here for the sake of brevity.

30. That the contents of Para 7(ix) are denied and disputed, and the contents of Para A of the Preliminary Submissions and the Original Application are reiterated.

31. It is submitted that the contents of para 8-9 are vehemently denied and disputed. It is submitted that the statements made in the relevant paragraphs of Original Application are true and bonafide and clearly establish a case of breach of provisions of the Act and the Wildlife Protection Act, 1972. It is submitted that the contents of OA and Preliminary Submission are also being relied on in response to these party but are not being here for the sake of brevity.

32. That the contents of Para 10 are denied and disputed.

In view of the above-mentioned facts and circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to allow the present Original Application.



**Madhav Bhatia, Adv.**

**Vivek Sura Adv.**

**Vertari Legal**

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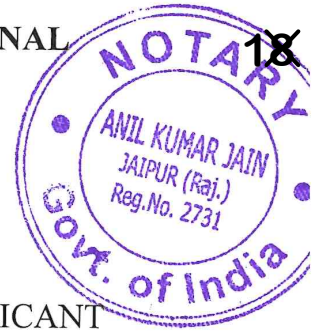
**DATE: 14.02.2025**

**PLACE: KOLKATA**

400  
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH KOLKATA

ORIGINAL APPLICATION NO 192 /2024



IN THE MATTER OF:  
PRADEEP SINGH SHEKHAWAT

...APPLICANT

VERSUS

UNION OF INDIA & ORS.


...RESPONDENTS

AFFIDAVIT

I, Pradeep Singh Shekhawat, S/o Govind Singh, R/o A-34, A, Vivekanand Colony, Naya Khera, Jaipur, Rajasthan-302023, aged about 37 Years, do hereby solemnly affirm and state on oath as under.


1. That I am the Applicant No. 1 in the captioned matter and as such am fully conversant with the facts and circumstances of the case and competent to swear this Affidavit.
2. That I have gone through the contents of the accompanying Rejoinder that has been drafted by my counsel according to my instructions and the contents of the same are true and correct to my knowledge.

VERIFICATION

ATTESTED  
  
Anil Kumar Jain  
Notary (Govt. of India)  
JAIPUR (Raj.)  
14 FEB 2025

  
DEPONENT

Verified on this day \_\_\_ of \_\_\_ 2025 that the contents of the present Affidavit are true and correct to my knowledge and nothing material has been concealed.

ATTESTED  
  
Anil Kumar Jain  
Notary (Govt. of India)  
JAIPUR (Raj.)

  
DEPONENT

14 FEB 2025

**F. No. 11-48/2002-FC**  
**Government of India**  
**Ministry of Environment & Forests**  
**F.C. Division**

Paryavaran Bhawan, CGO Complex,  
Lodhi Road, New Delhi – 110 003,  
New Delhi, the 29<sup>th</sup> April 2005.

To

The Principal Secretary (Forests)  
All States/UTs.

Sub: **Guidelines under Forest (Conservation) Act, 1980, for up-gradation of  
'Kutchha road constructed prior to 1980 in forest areas, to Pucca roads'**

Sir,

In continuation of this Ministry's letter of even number dated 14-9-2004 regarding guidelines for repair and maintenance of roads constructed on forest lands prior to 1980, and with reference to the above-mentioned subject I am directed to convey the approval of the Central Government to the following guidelines, meant for up-gradation of 'Kutchha roads constructed prior to 1980 in forest areas, to Pucca roads':—

1. The up-gradation of roads constructed in forest areas prior to 1980 from 'Kutchha to Pucca' is allowed to the extent that these roads are not black topped/tarred; and if during the process of up-gradation, these roads need to be black topped/tarred, prior environmental clearance shall be sought by the user agency in this regard.
2. For such up-gradation in protected areas like National Park/Sanctuaries, prior permission of National Board of Wildlife and the Supreme Court shall be taken by the State / UT Government.
3. Fire for melting of coal tar and mixing, shall be lit at a safe distance from the trees/vegetation, which shall be decided by the concerned Divisional Forest Officer. For such constructions, it is better to avoid dry/hot windy seasons. For this purpose, fuelwood shall be purchased by the implementing agency in advance from the depot of State Forest Development Corporation.
4. No crushing/breaking of stones shall be allowed inside forest areas. Readymade materials shall be used for up-gradation of such roads.
5. Both sides of the up-graded roads shall be reinforced with brick/stone works, and vegetative measures to check soil erosion, at the project cost, in consultation with the Divisional Forest Officer.
6. No tree felling shall be allowed.

7. No widening of roads shall be undertaken without prior permission of the Central Government under Forest (Conservation) Act, 1980.
8. No breaking of fresh forest land shall be carried out.
9. Plantation activities if the concerned Divisional Forest Officer funds it necessary, shall be taken up along the road at the project cost immediately. The plantation shall be maintained at the project cost.
10. No labour camp shall be established on the forest lands.
11. No work shall be allowed after sunset.
12. Any other conditions that the Divisional Forest Officer may impose from time to time to the protection and improvement of flora and fauna in the forest area, shall be applicable.
13. Any damage to forest area due to such up-gradation works shall be compensated by the implementing agency from the project cost. The extent of damage shall be assessed by the concerned Divisional Forest Officer.
14. State Forest Department shall establish permanent check posts o strategic locations on such roads which are already up-graded/under up-gradation.

Yours faithfully,



(Anurag Bajpai)

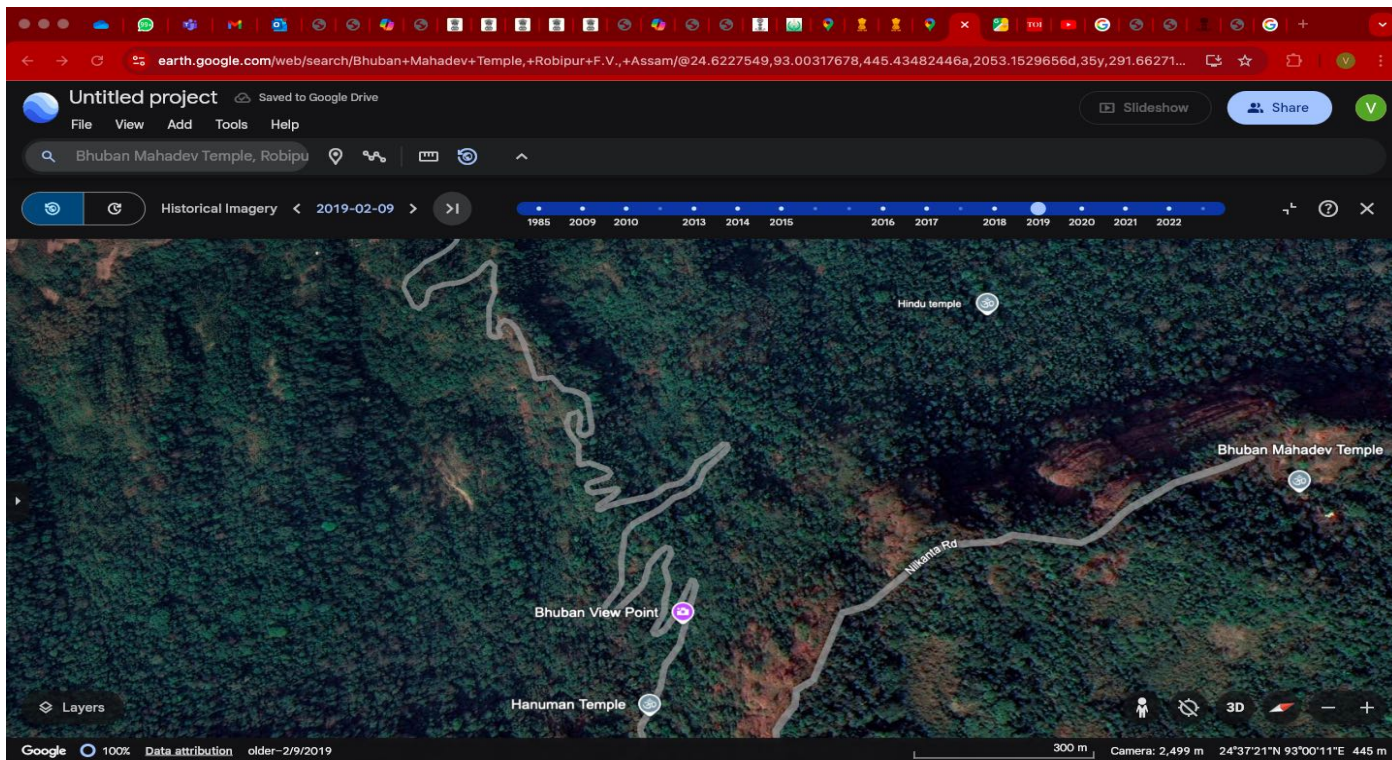
Assistant Inspector General of Forests

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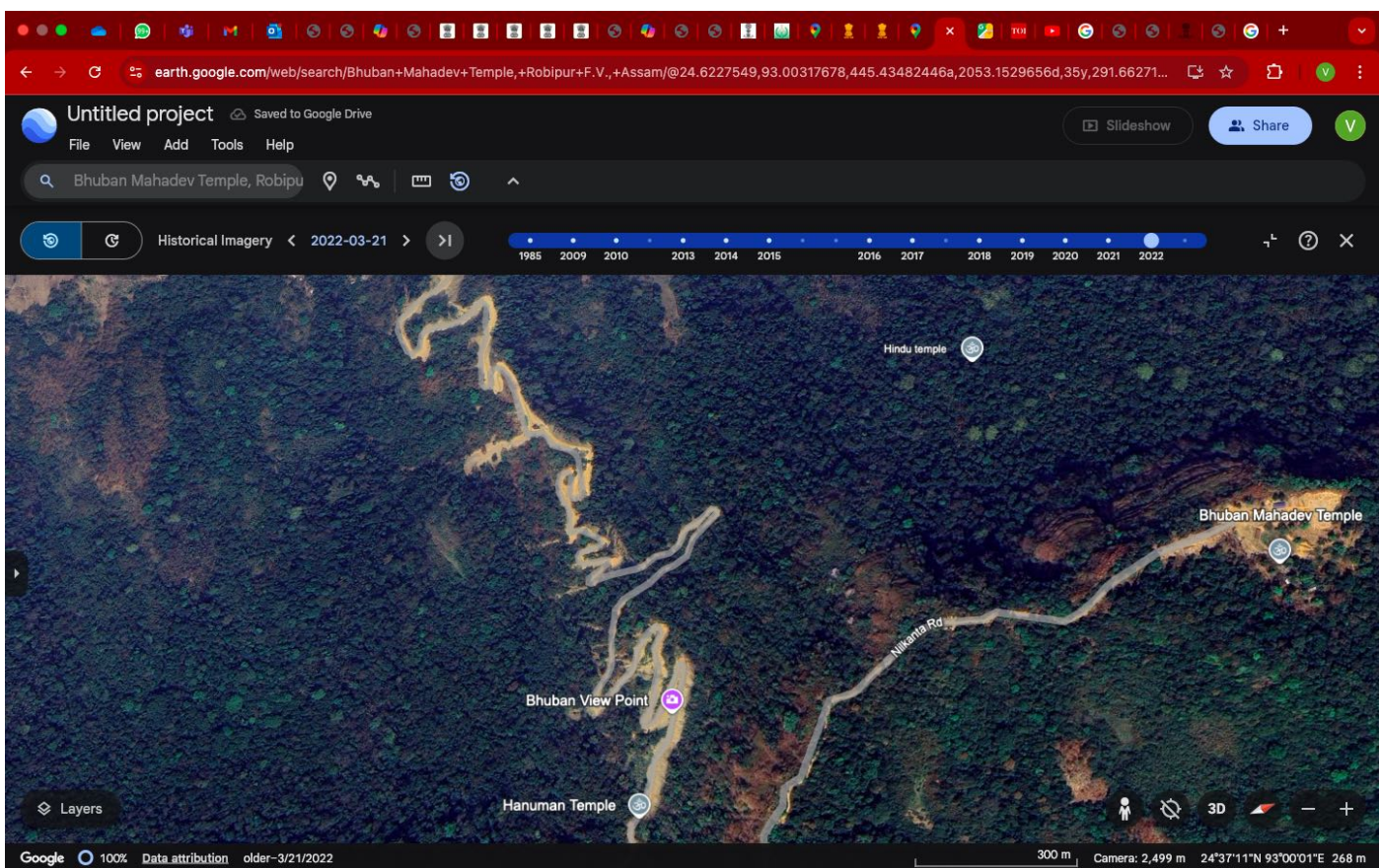
1. Secretary, Ministry of Home Affairs, Government of India, New Delhi.
2. Secretary, Ministry of Rural Development, Government of India, New Delhi.
3. Secretary, Ministry of Tribal Affairs, Government of India, New Delhi.
4. Secretary, Ministry of Panchayati Raji, Government of India, New Delhi.
5. The principal Chief Conservator of Forests, All States and UTs.
6. The Chief Conservator of Forest (Central), All Regional Offices, Ministry of Environment & Forests.
7. The Nodal Officer (FC), Forest Department, All States/UTs.
8. Director (FC).
9. AIGF(P)/AIGF(S)
10. Guard file.

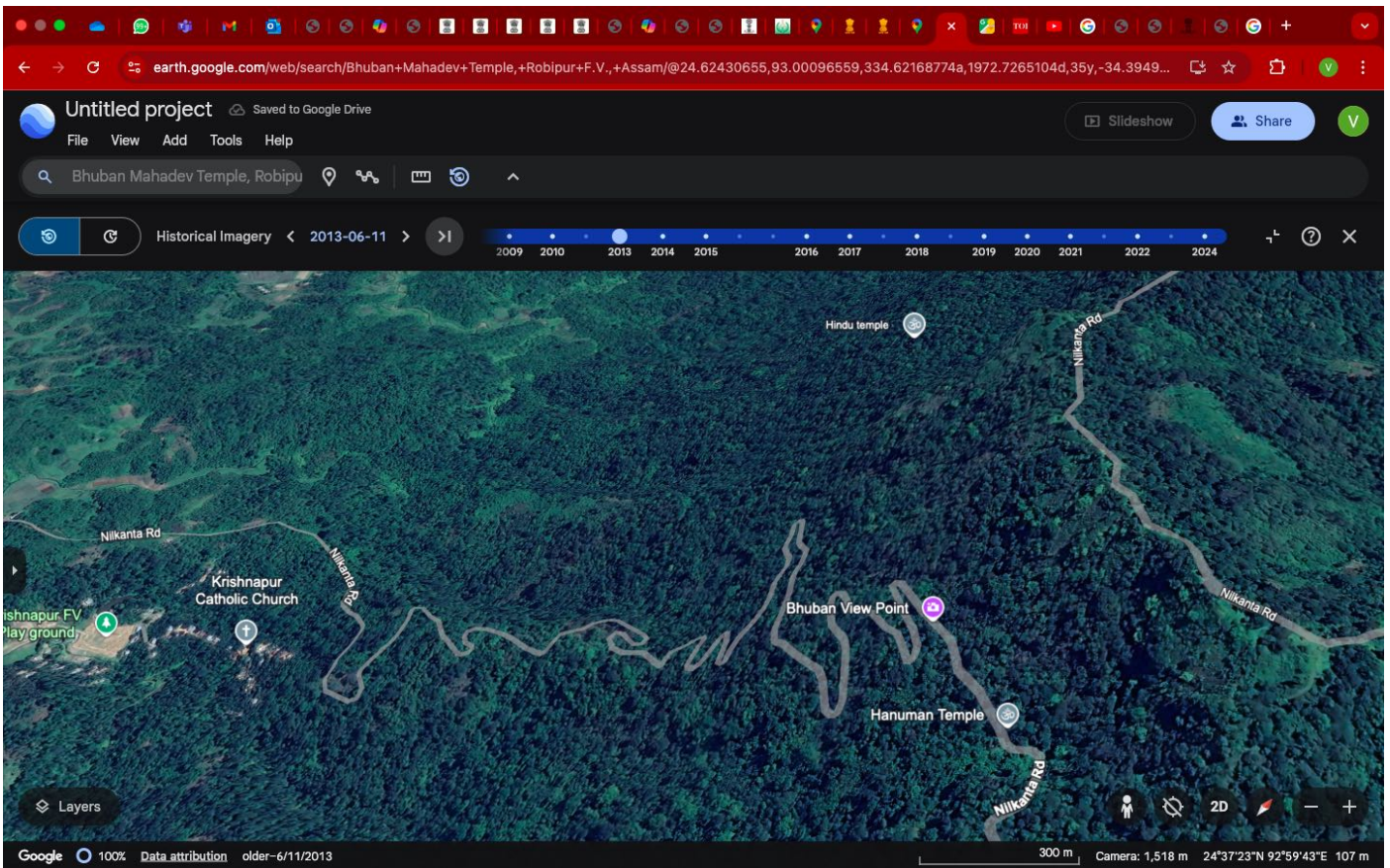


### Angle 1- Year 2019

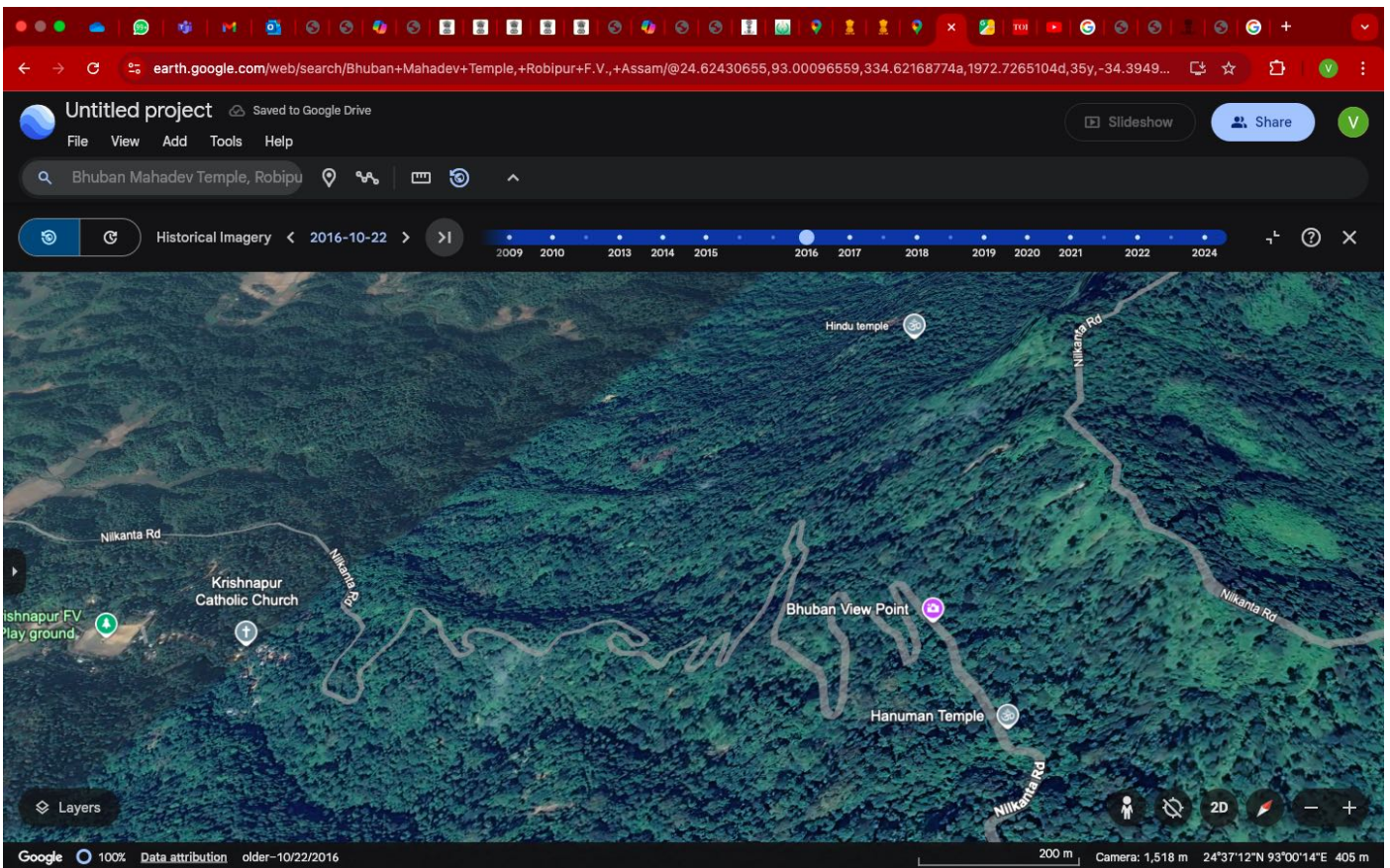


### Angle 1- Year 2022

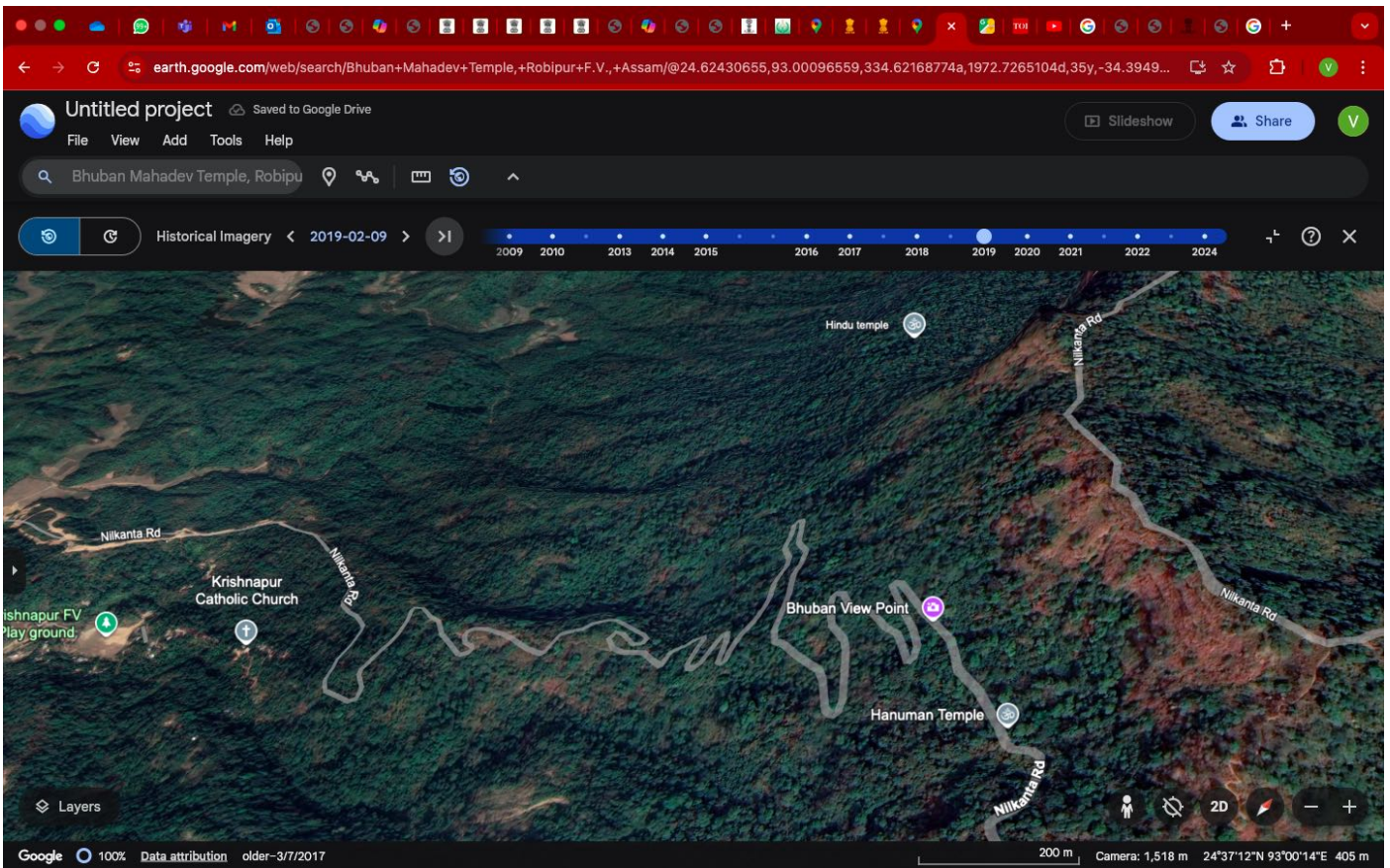




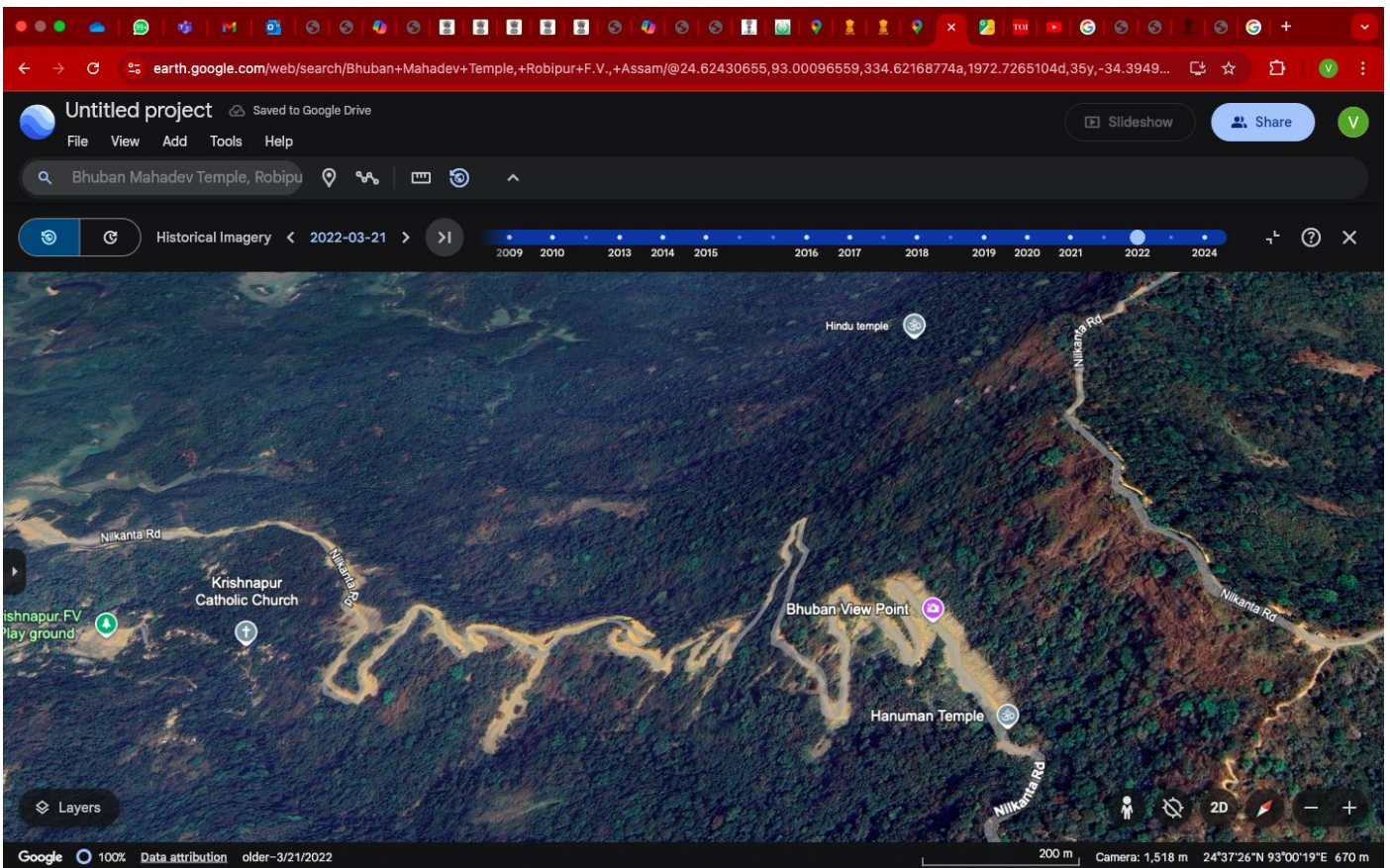
Angle 2 – Year 2016



# 405 Angle 2 – Year 2019

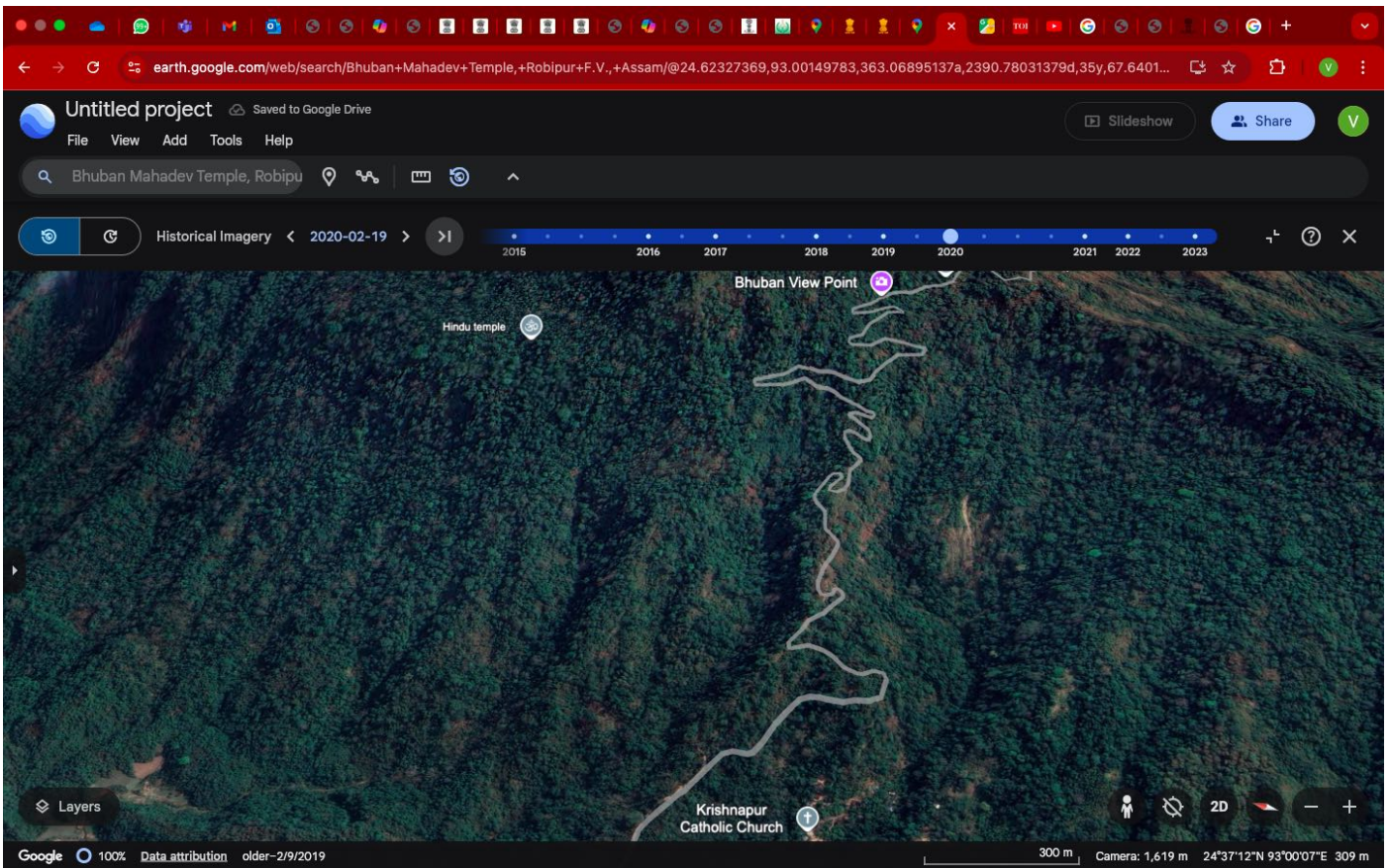


# Angle 2 – Year 2022

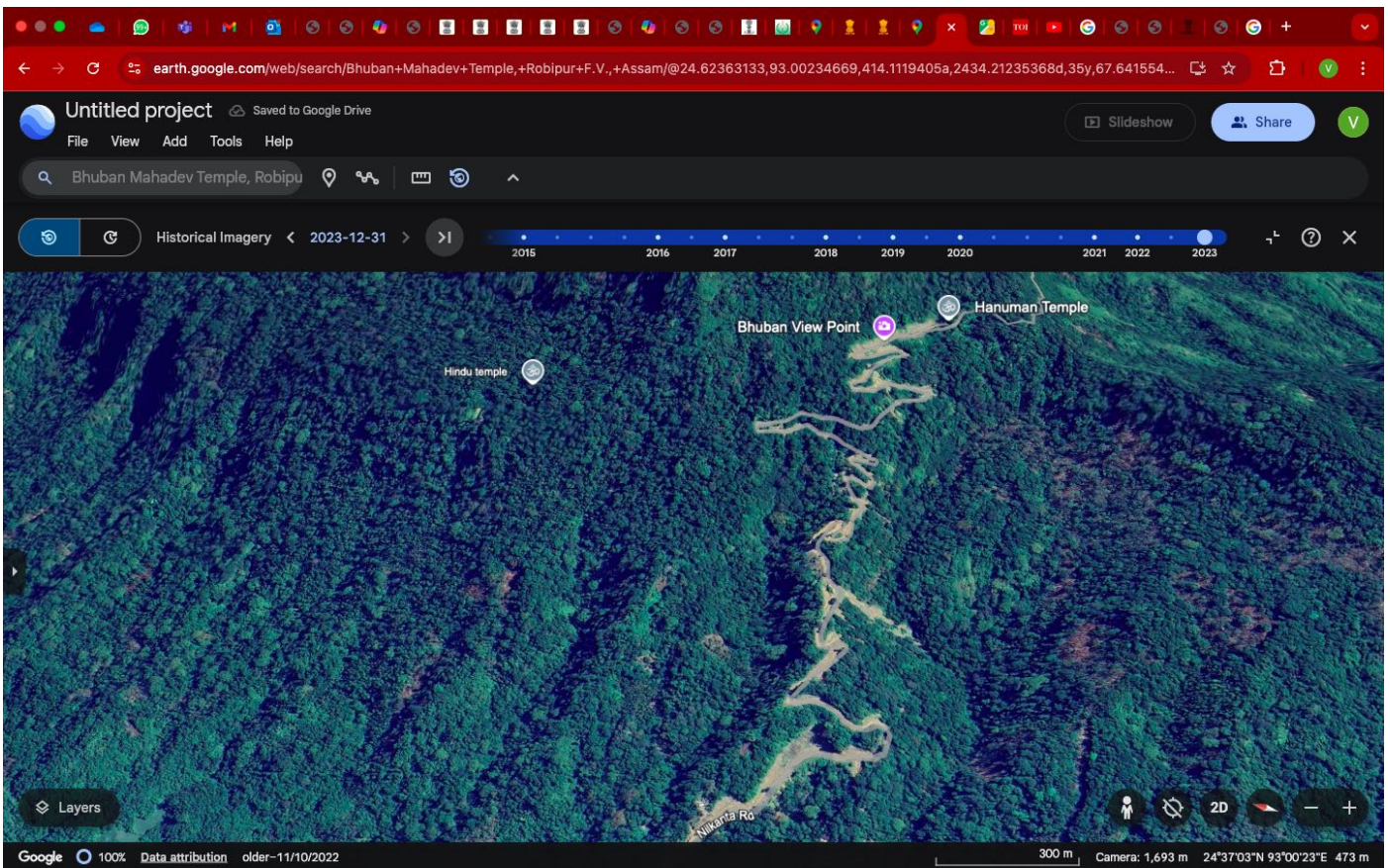


# 406 Angle 3 – Year 2019

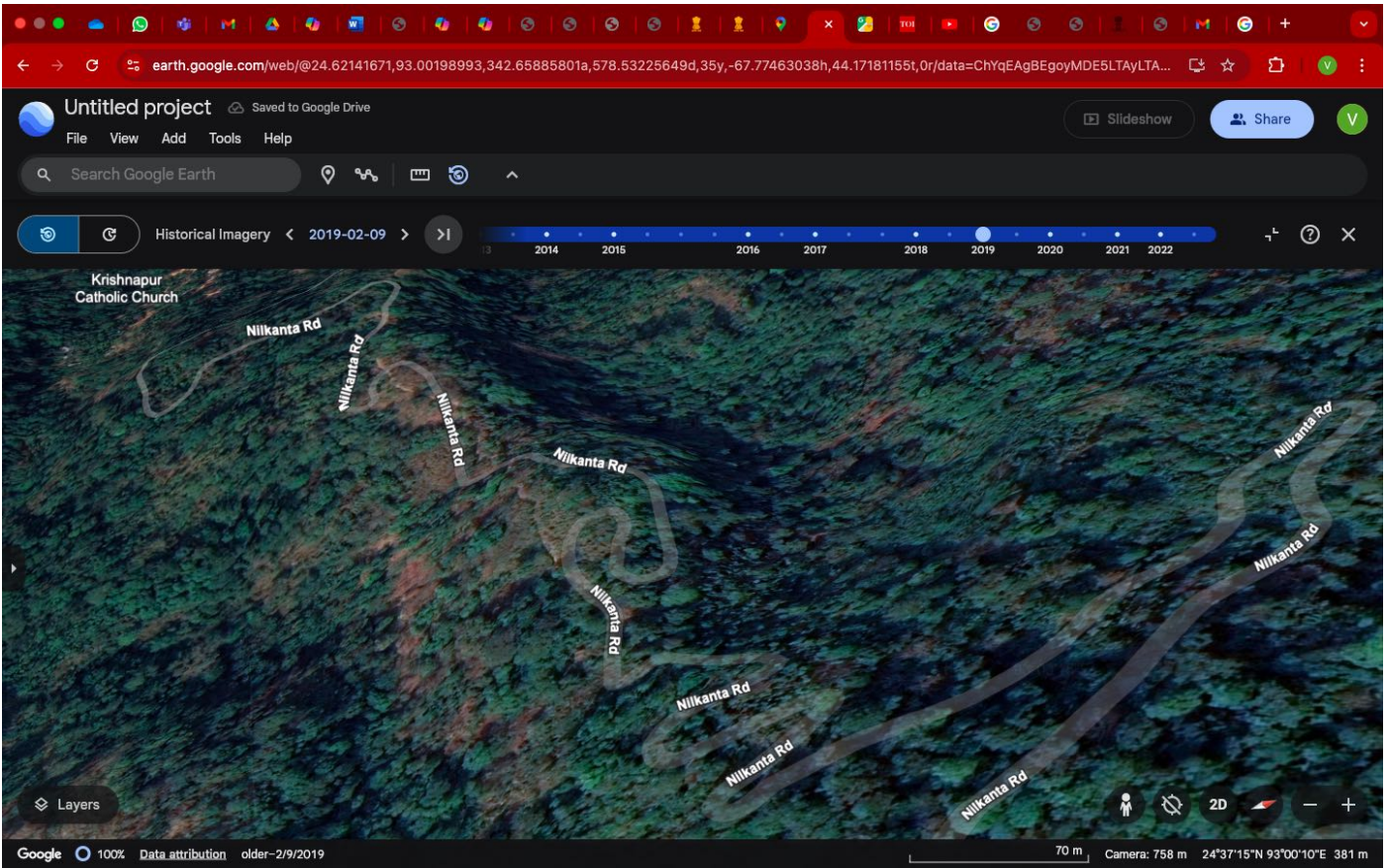
24



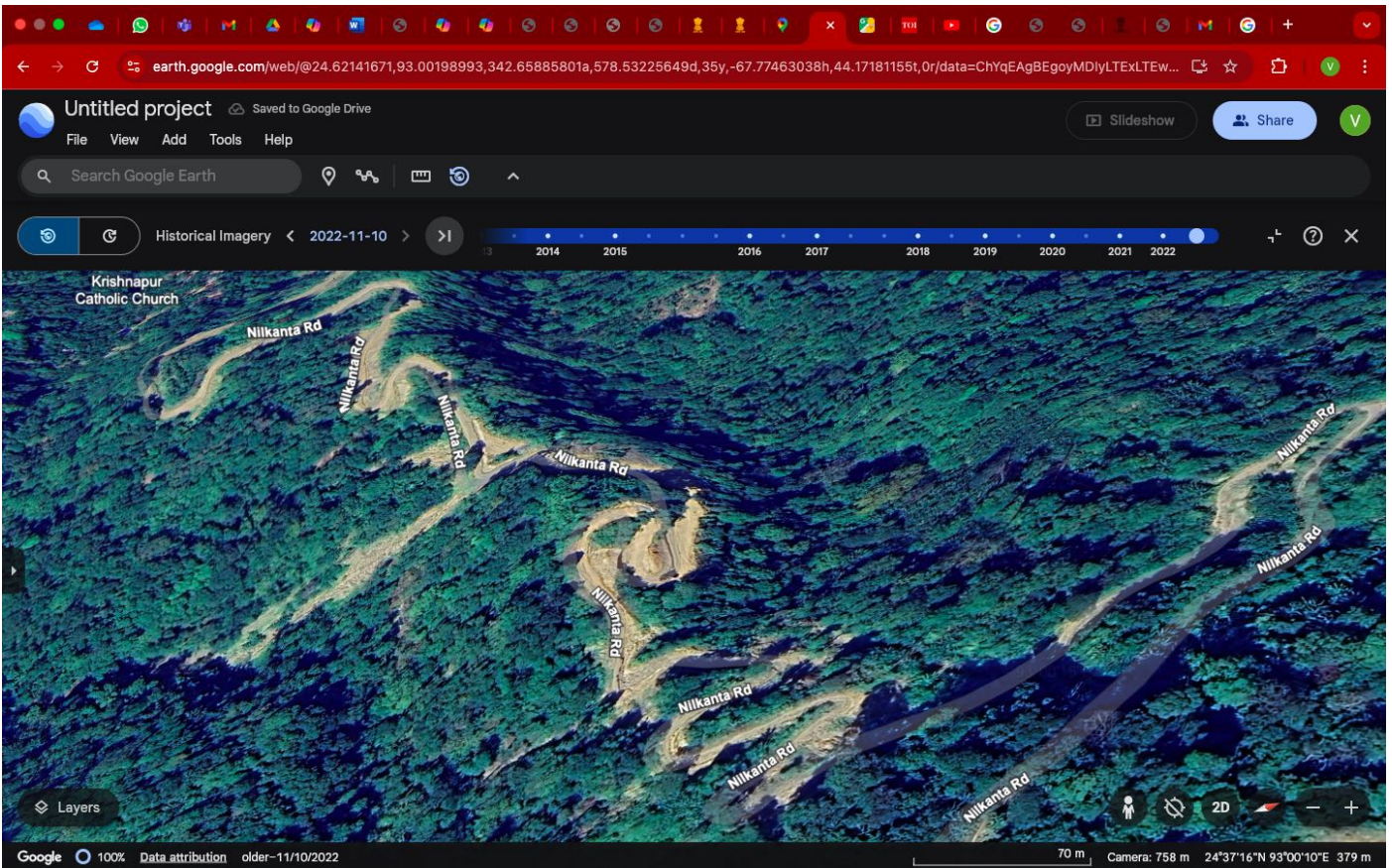
# Angle 3 – Year 2023



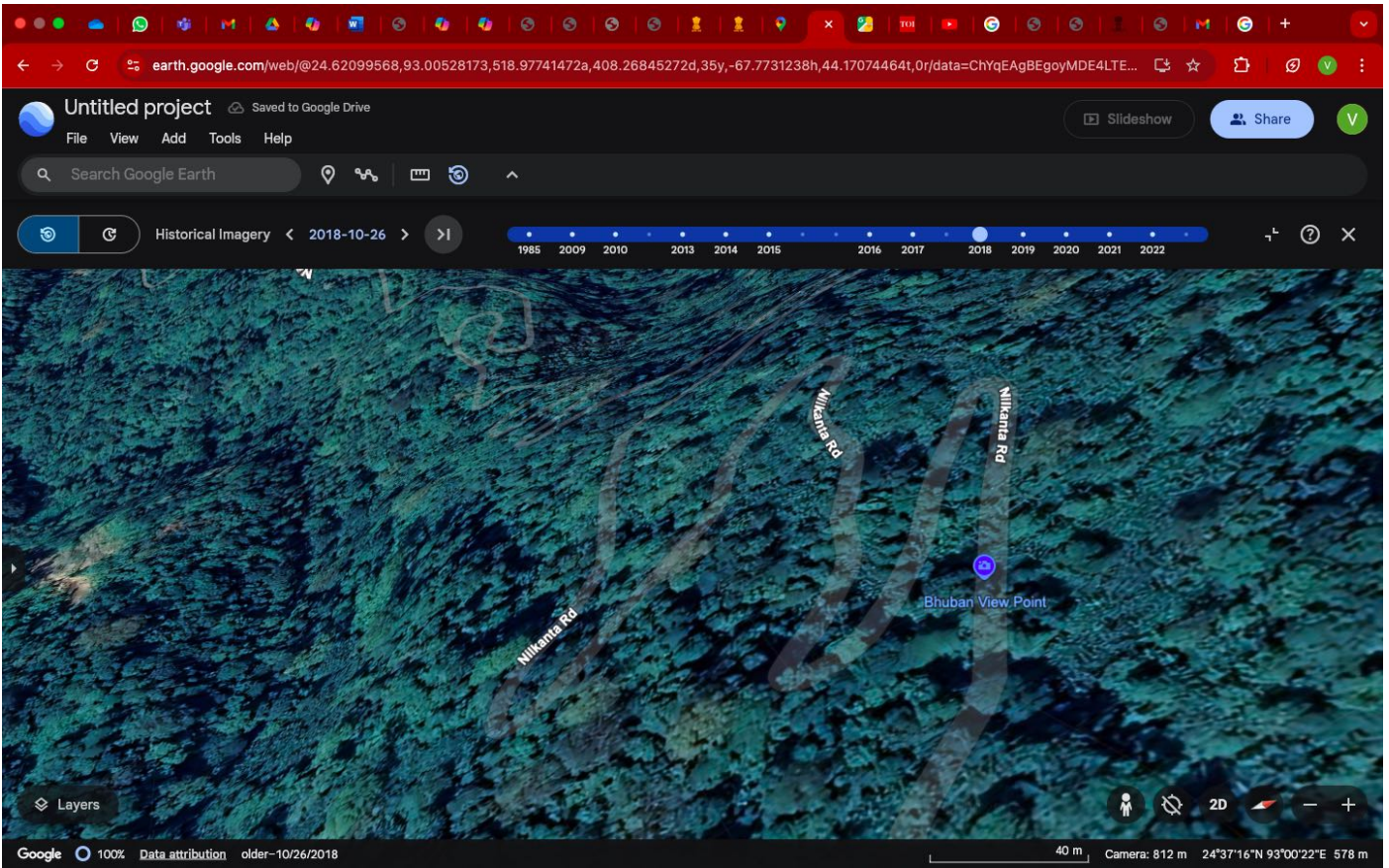
# 407 Angle 4 – Year 2019



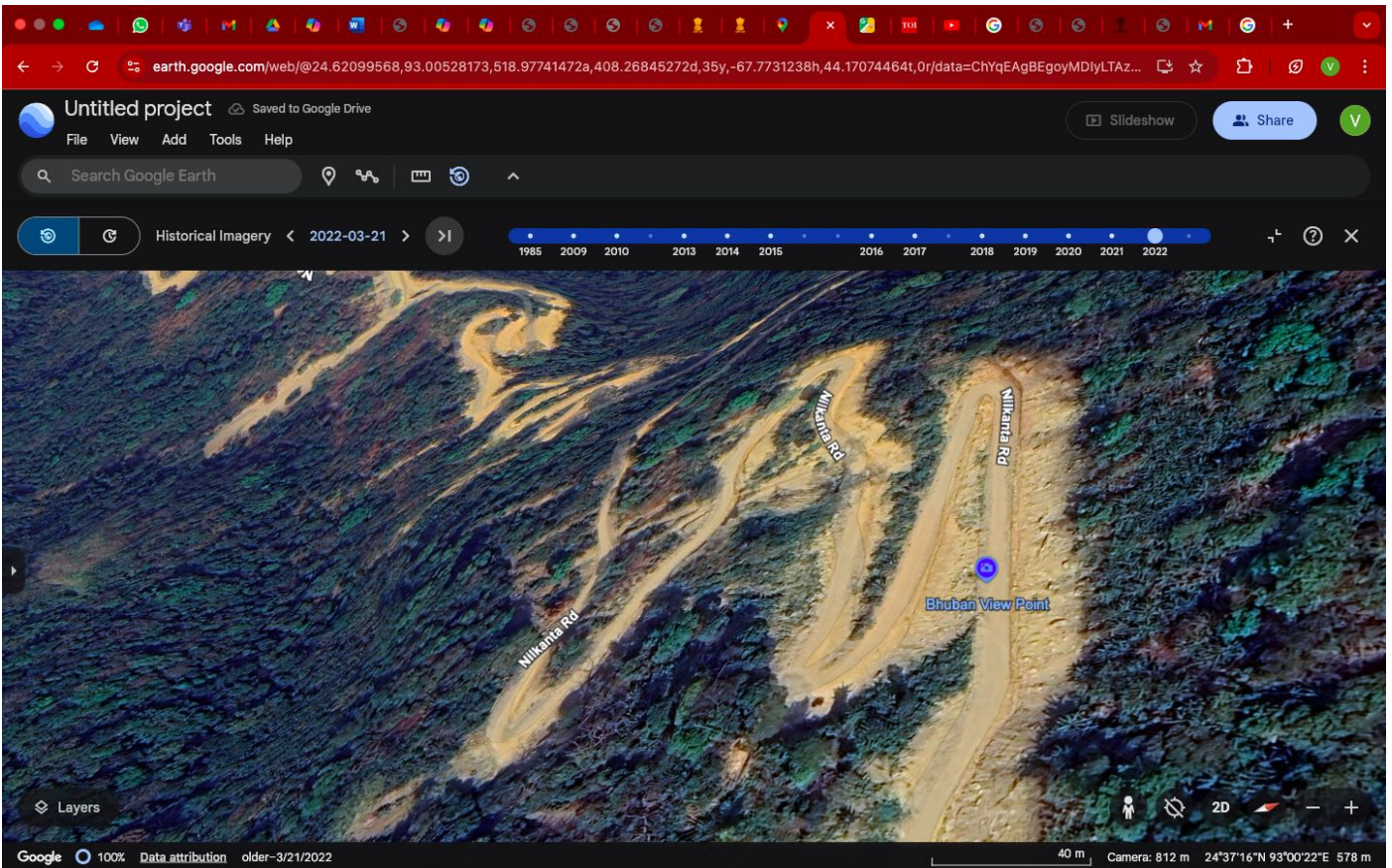
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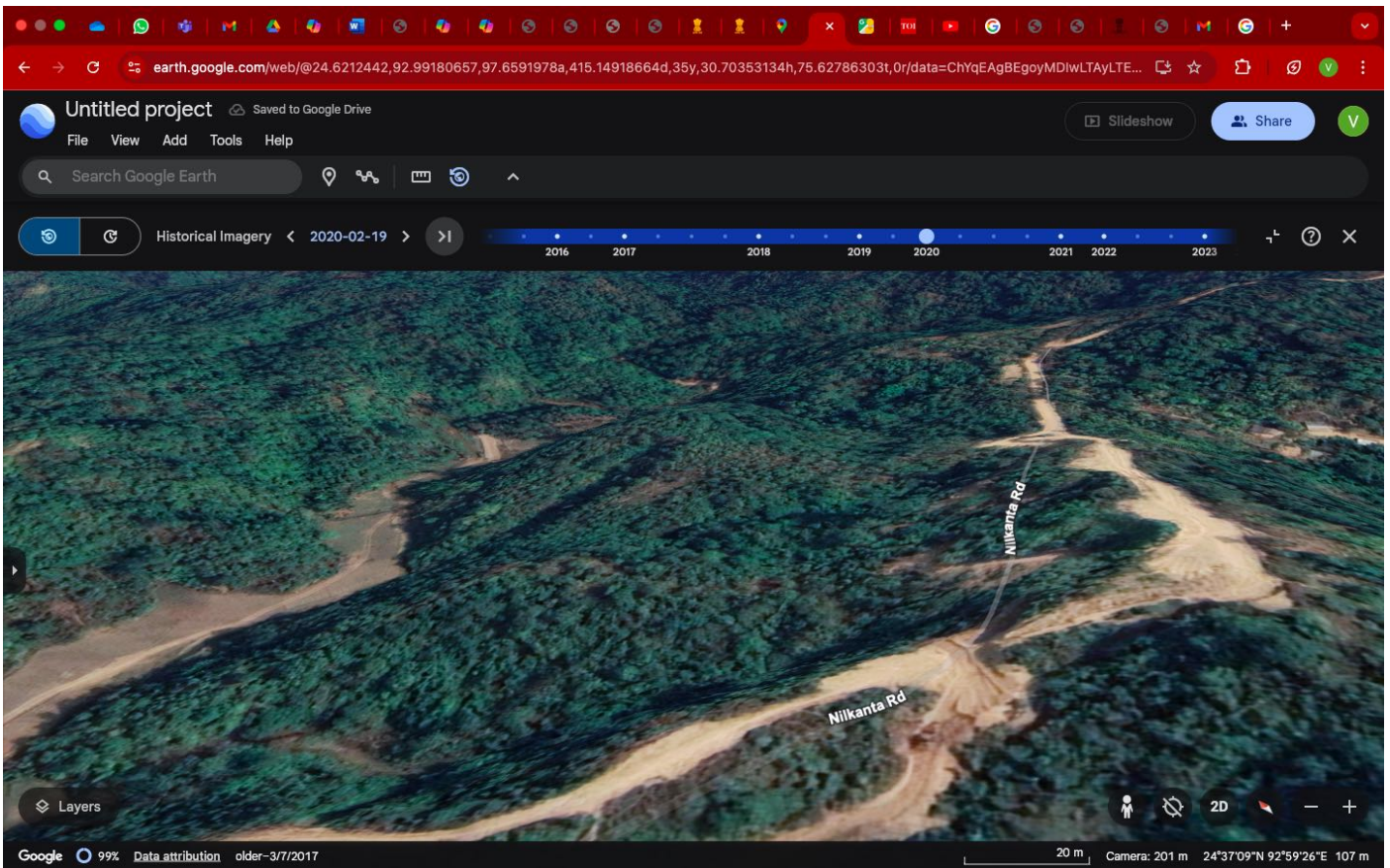
# 408 Angle 5 – Year 2019



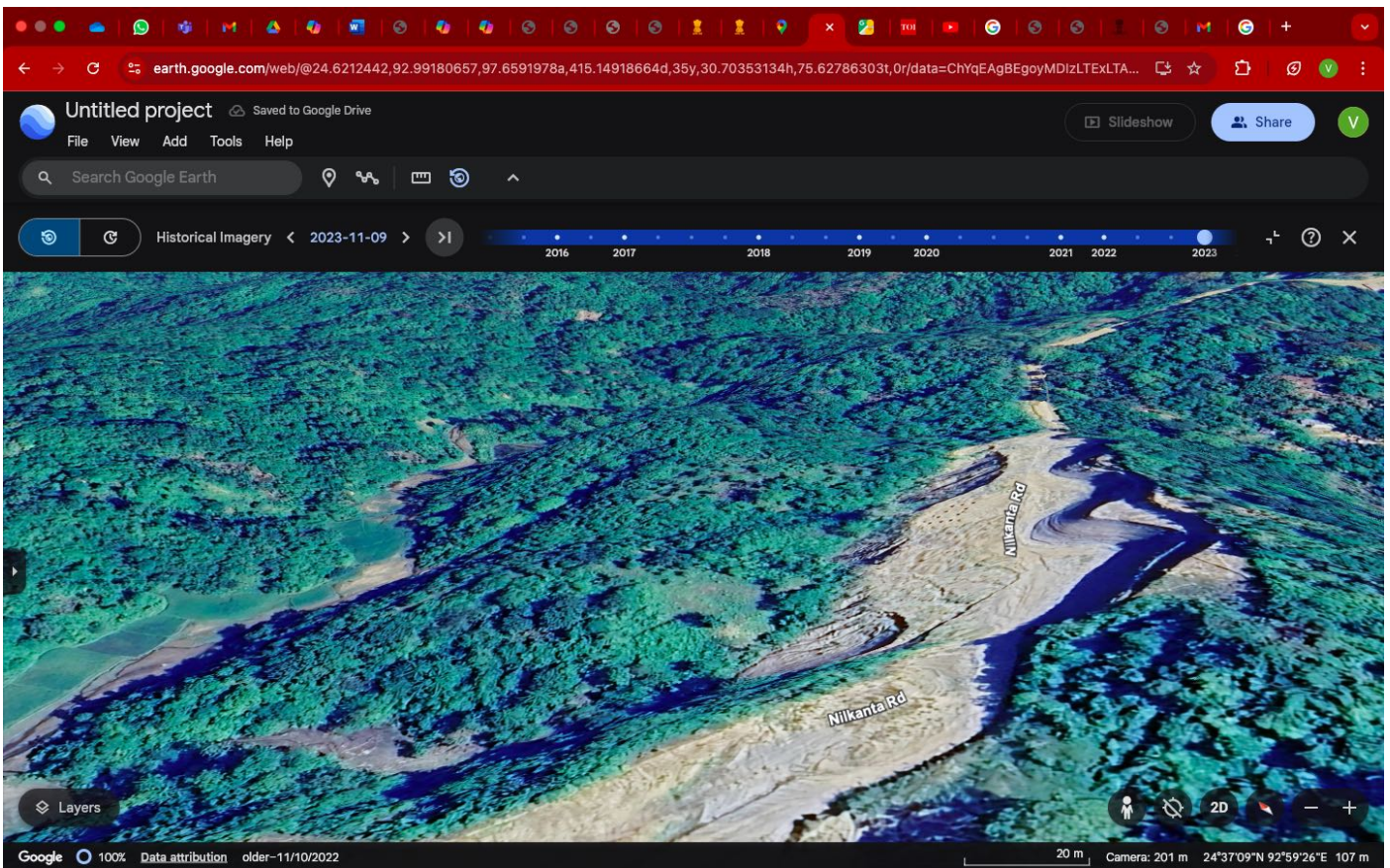
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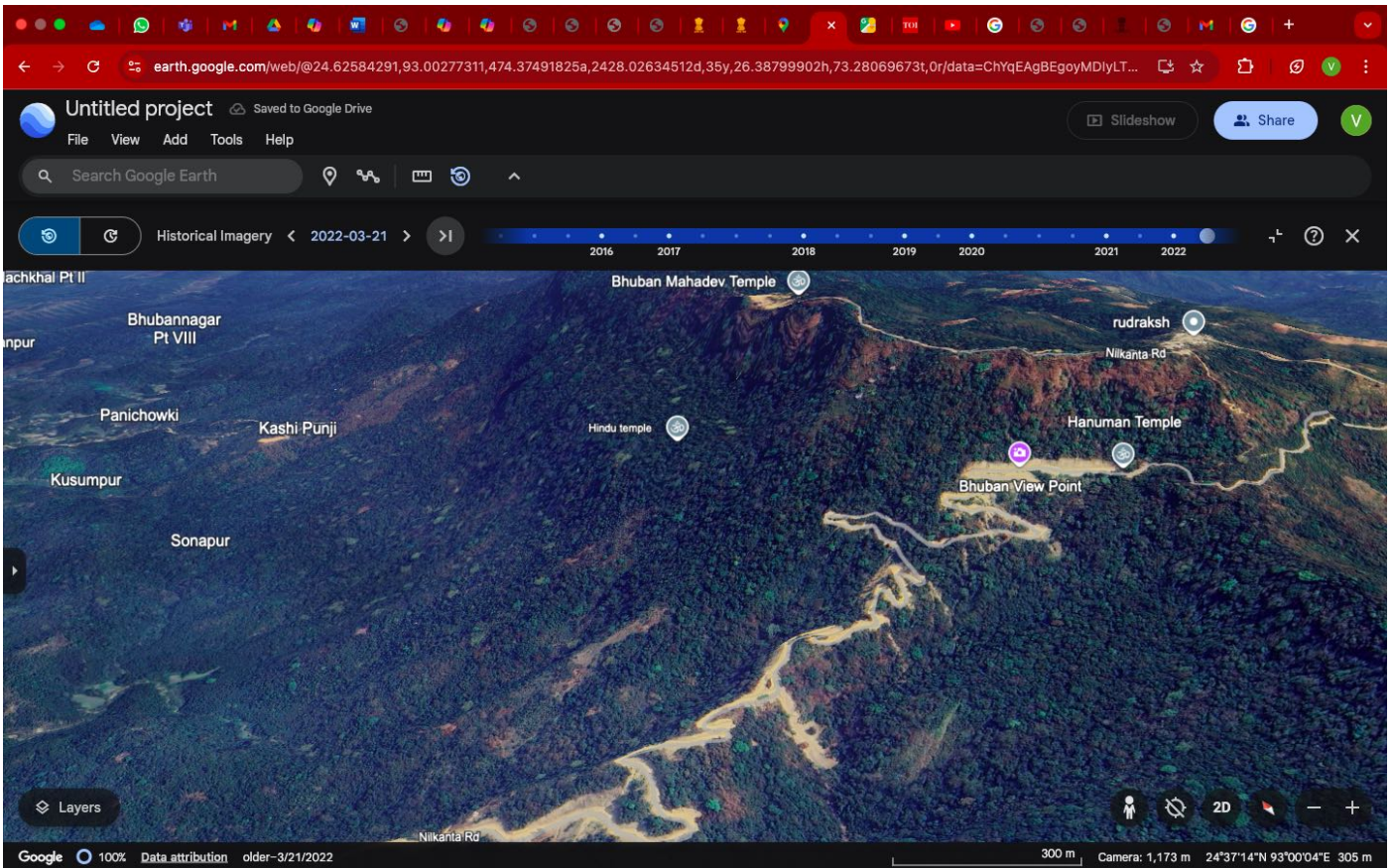
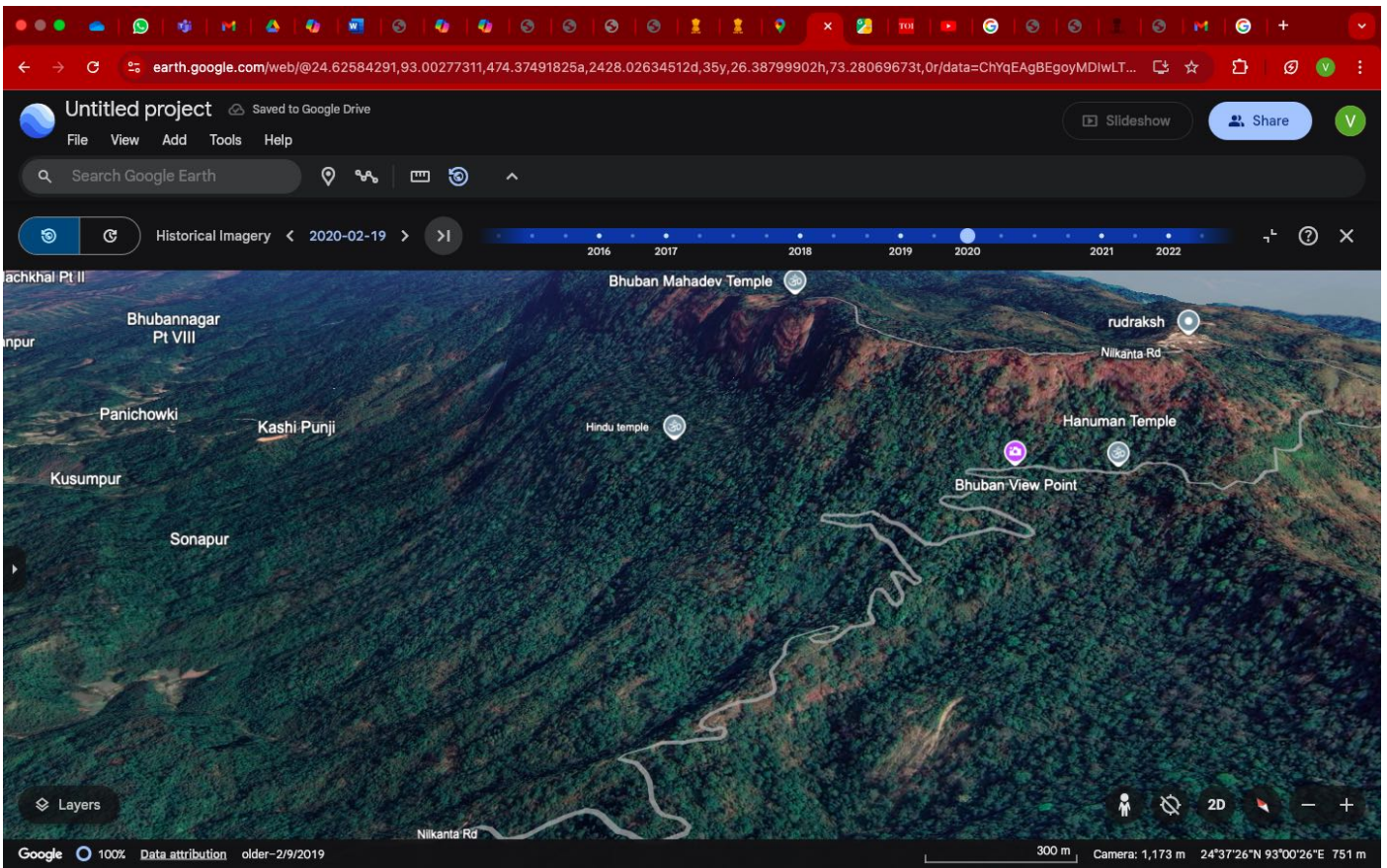


# 409 Angle 6 – Year 2017

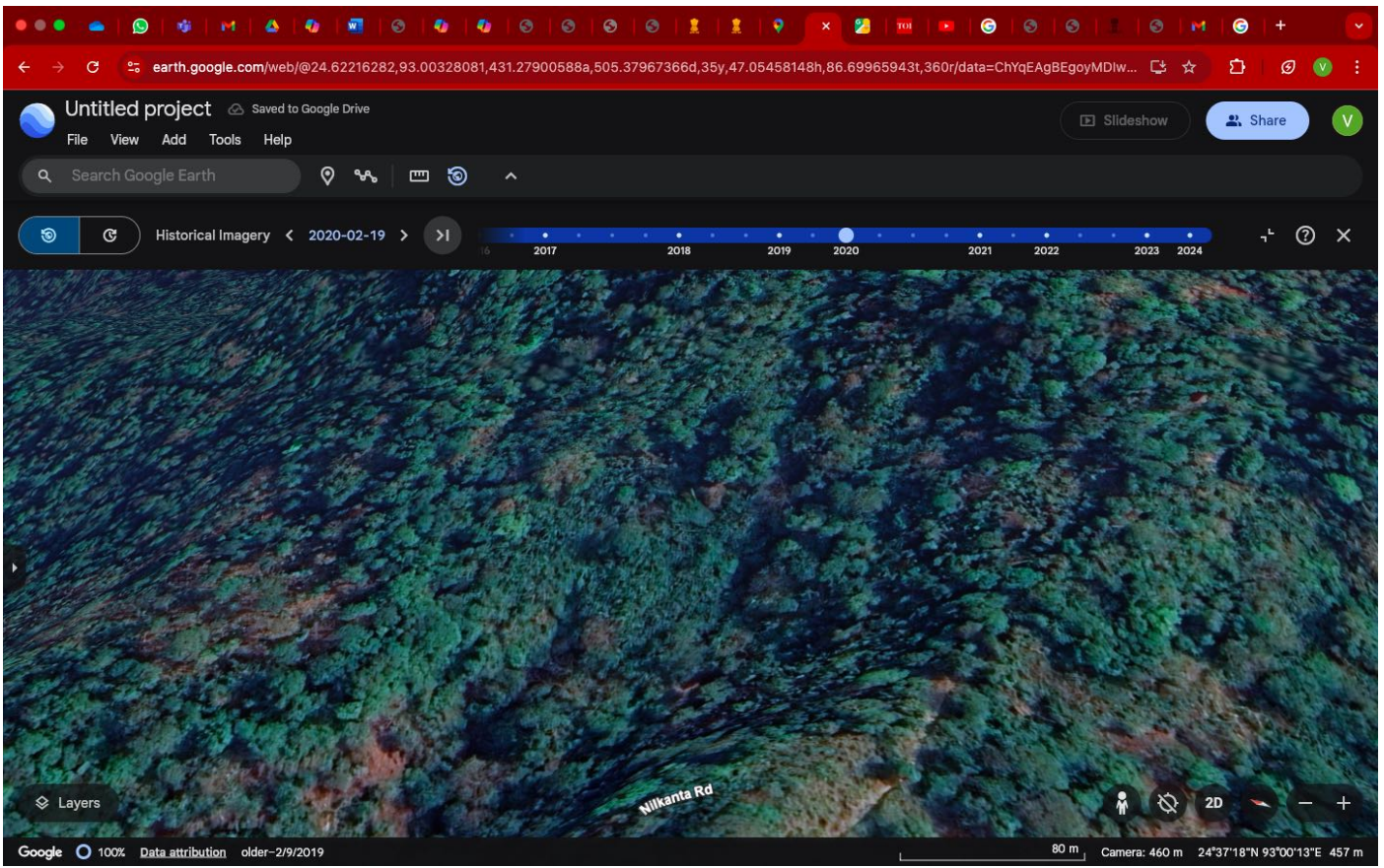


# Angle 6 – Year 2022

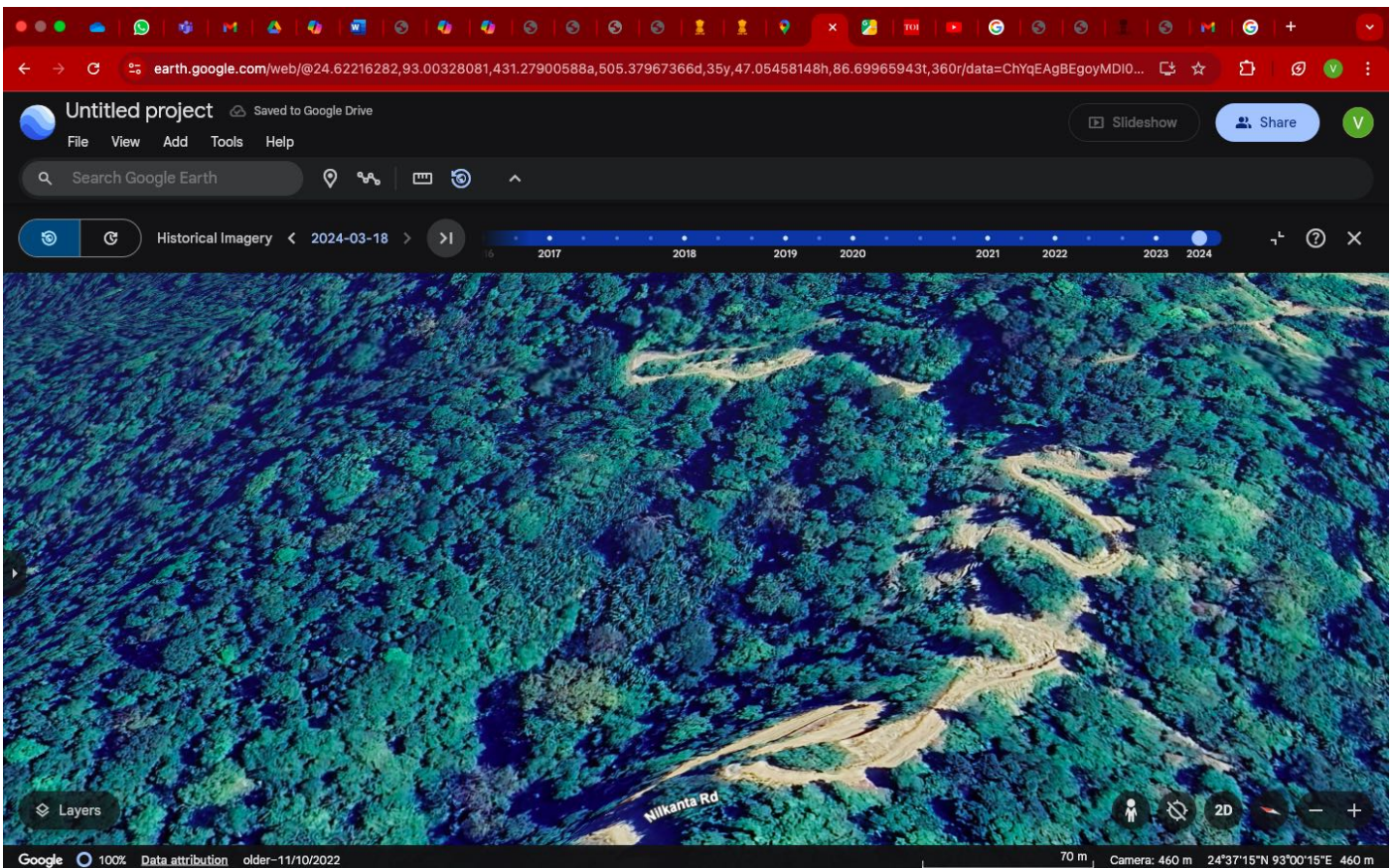




# 411 Angle 8 – Year 2019



# Angle 8 – Year 2022

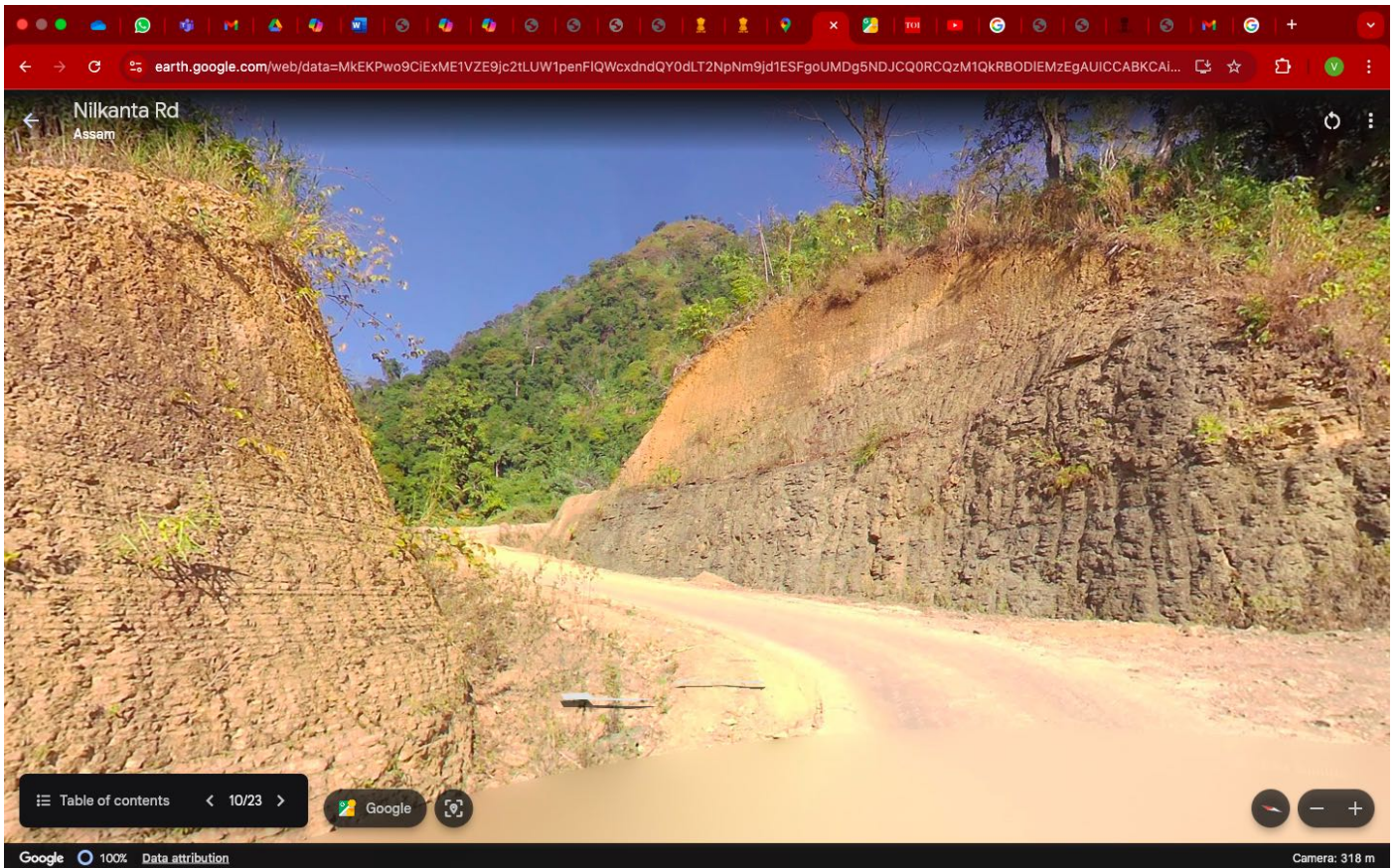


Pictures depicting Widening/Breaking Up Of Forest Ground in the Baran Bhuban Region

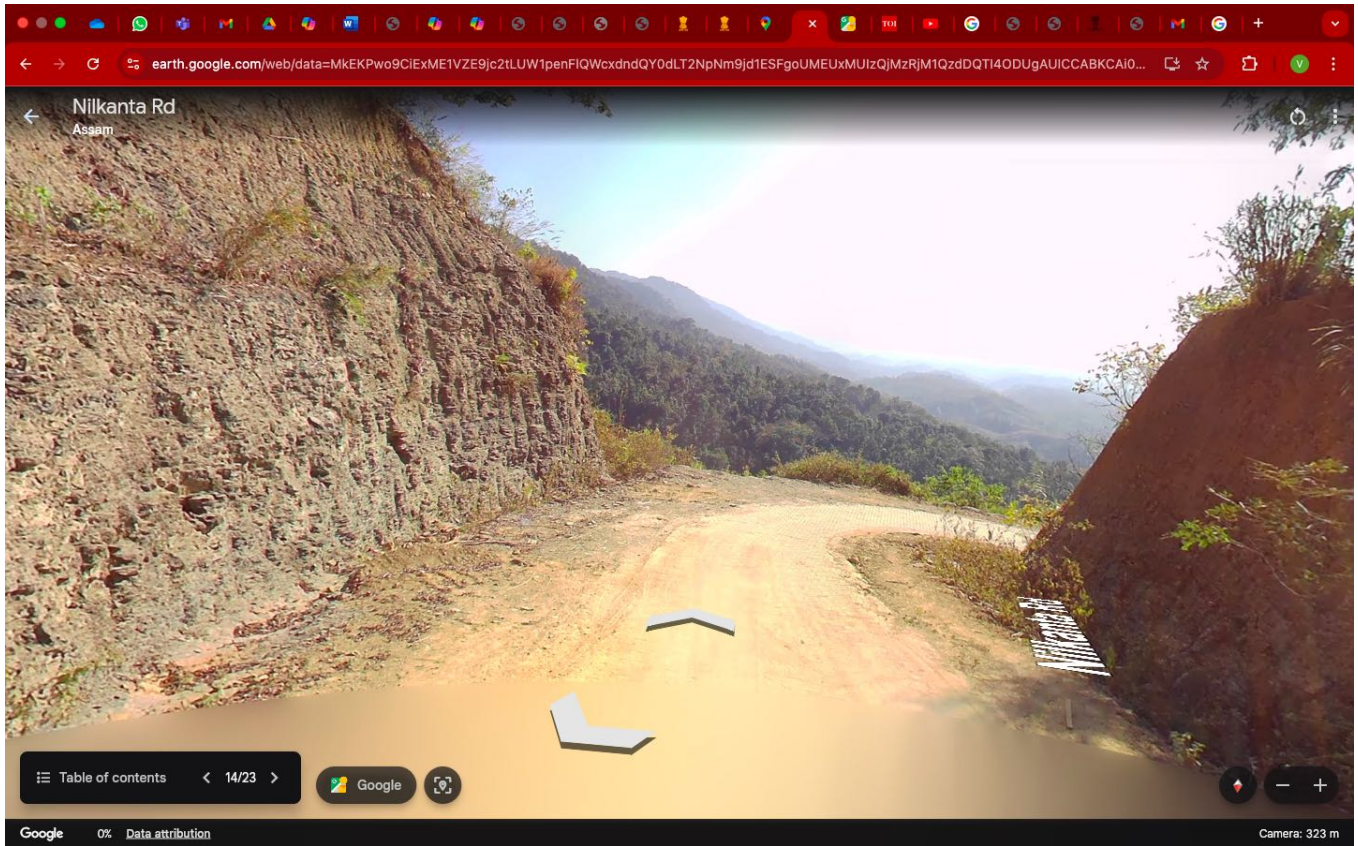
Picture A



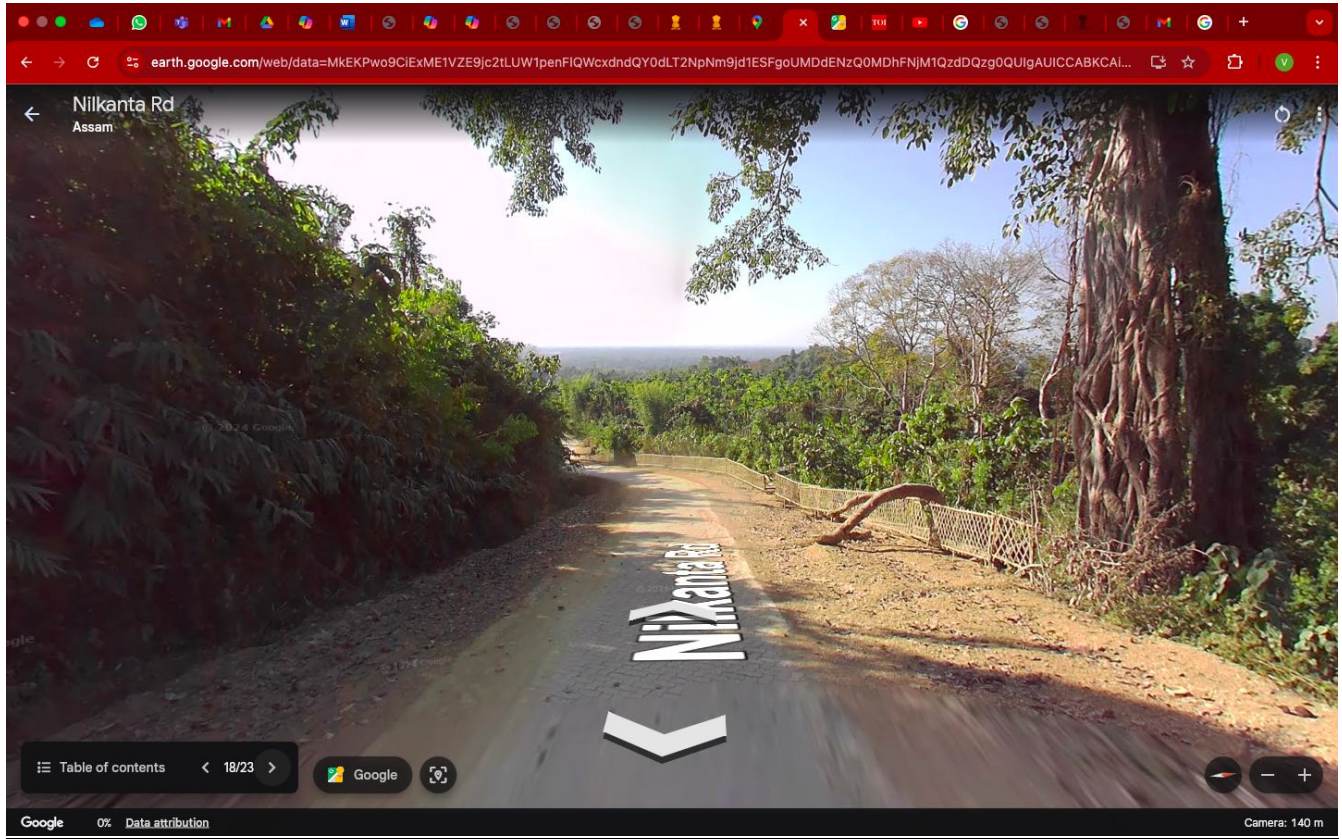
Picture B



# 413 Picture C



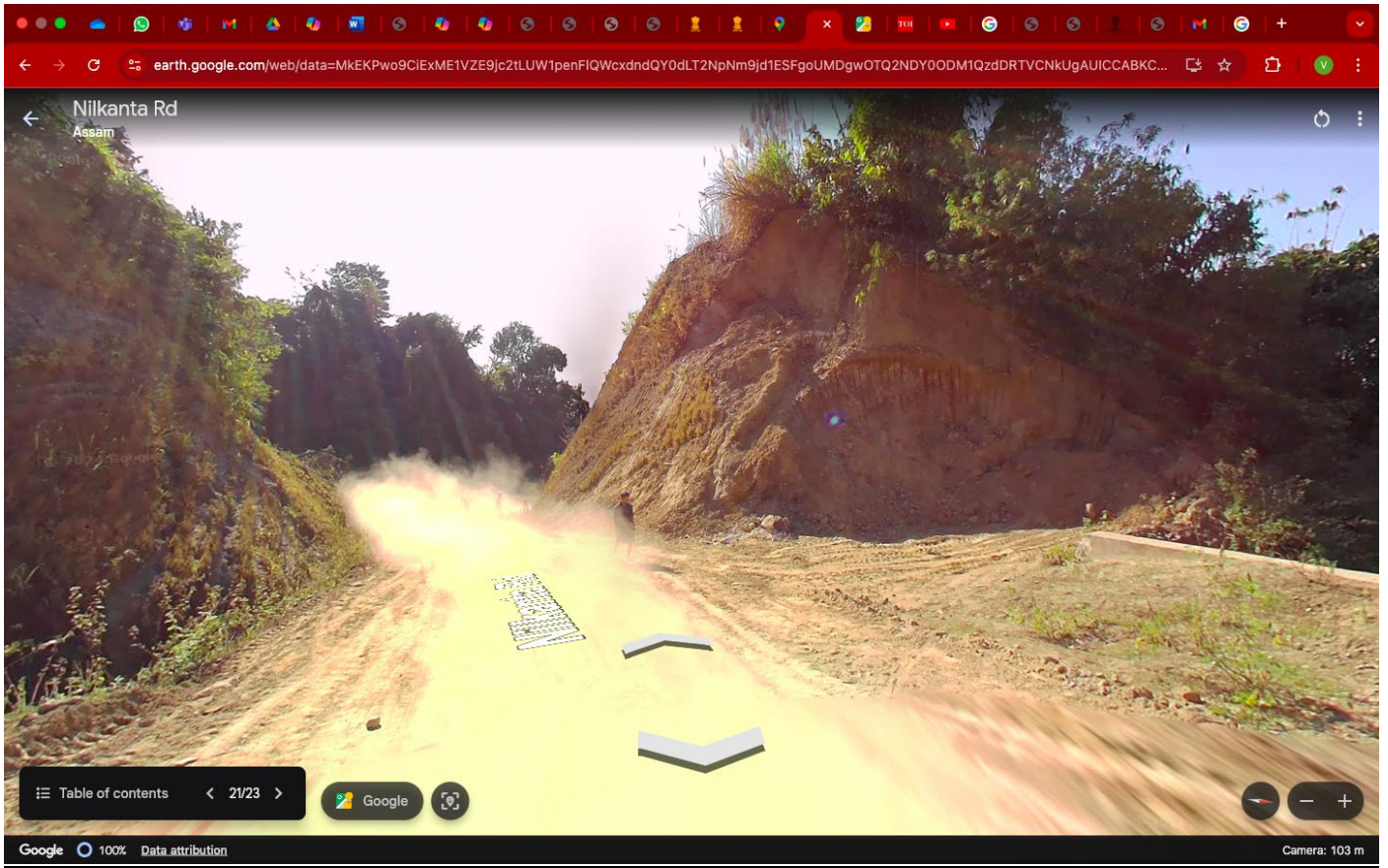
# Picture D





Picture F





Picture H



**F. No. 6-30/2019-WL**

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

2<sup>nd</sup> Floor, Vayu Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, New Delhi 110003.

**Dated: 13<sup>th</sup> December, 2023****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 the Standing Committee of National Board for Wild Life for activities in protected areas - reg.

Sir/Madam,

In supersession of the guidelines issued vide this Ministry's earlier letter of even number dated 21.07.2022, the undersigned has been directed to enclose herewith **revised guidelines** regarding submission of proposals for consideration of the Standing Committee of the National Board for Wild Life for ready reference.

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

Yours faithfully,

Encl: as above

**SUDHEER****CHINTALAPATI****(Dr. Sudheer Chintalapati)**

Scientist 'E'

Email: adwl-mefcc@gov.in

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CHINTALAPATI  
Date: 2023.12.13 12:40:35 +05'30'

**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 REGARDING SUBMISSION OF PROPOSALS FOR  
CONSIDERATION OF THE STANDING COMMITTEE OF THE  
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 by the State/Union Territories. Such areas are extremely important for conservation of biodiversity and ensuring the survival of its floral and faunal components. significant in terms from national point of view. Further, Eco-sensitive zones around sanctuaries and National Parks are notified to act as buffers and reduce direct impacts of developmental activities on these protected areas.

Activities involving use or diversion any part such areas should therefore be permitted only after taking into account the likely impact of the activity on the protected area.

As per the provisions contained section 5A of the Wild Life (Protection) Act, 1972 (WLPA), the Central Government constituted the National Board for Wild Life (NBWL). In accordance with the section 5B of the Act, the NBWL constitutes its Standing Committee which exercises the powers delegated by the NBWL. The Standing Committee of the National Board for Wild Life (SCNBWL) considers the proposals for developmental activities inside wildlife habitats and eco-sensitive zones under these delegated powers and orders of the Hon'ble Supreme Court of India.

Ministry has issued several clarifications/guidelines from time to time for submission of proposals for consideration of the

NBWL/ Standing Committee of the National Board for Wild Life (SCNBWL). The Wild Life (Protection) Amendment Act, 2022 has come into force from 1<sup>st</sup> of April, 2023. These guidelines are being issued in supersession of the earlier guidelines.

## **1 ACTIVITIES INSIDE PROTECTED AREAS**

Consideration and recommendations/approval of the NBWL / 5SCNBWL is required in following cases:

### **1.1 SANCTUARIES**

Section 29 of the WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within areas notified as sanctuaries and those areas in respect of which the State Government has declared its intention by notification for constitution of such areas as sanctuaries due to coming into effect of provisions of section 29 of the WLPA as per section 18A (1) of the WLPA.

### **1.2 NATIONAL PARKS**

Section 35(6) of WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within areas notified as National Parks. Further, consultation with NBWL is mandatory for undertaking any activity mentioned in section 29 of the Act within those areas in respect of which the State Government has declared its intention by notification for constitution of such areas as National Parks due to coming into effect of the provisions of section 29 of the WLPA as per section 35 (3A) of the WLPA.

### **1.3 OTHER PROVISIONS:**

Section 33 (a) of the WLPA provides for requirement of prior approval of the NBWL for construction of tourist lodges, including Government lodges, for commercial purposes, hotels, zoos which includes rescue centres and conservation breeding centres and safari parks inside a sanctuary. This proviso is also applicable on National Parks in accordance with Section 35 (8) of WLPA and in respect of those areas intended to be notified as sanctuaries or National Parks in view of provisions contained in sections 18A (1) and 35 (3A) 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 WLPA, for approval of NBWL and advice by the National Tiger Conservation Authority (NTCA) are required for activities within tiger reserve 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), 35 (3) and 35 (5) of the WLPA, no alteration of the boundaries by the State Government of a sanctuary, National Park or area in respect of which the State Government has declared its intention by notification for constitution as a National Park shall be made except on a recommendation of the NBWL/SCNBWL. Further, in view of section 38W of the Act, 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/SCNBWL.

**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 in the ESZ notification and the guidelines regarding declaration of ESZ issued by the Ministry dated 9.2.2011 (in view of order of Hon'ble Supreme Court dated 28.04.2023 in W.P. (C) No. 202 of 1995) 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 or sanctuaries, if ESZ has not been notified, prior approval of the SCNBWL shall be required:

- i. for construction and allied activities undertaken by and for Indian Railways and any of its subsidiaries/sister concerns; or
- ii. if the activity/project is listed in the schedule of the Environment Impact Assessment 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:**

- i. The User Agency shall submit the proposal online on PARIVESH portal of the Ministry mandatorily as communicated vide Ministry's letter F.No.6-137/2017 WL (pt.1) dated 22.11.2018 (**ANNEXURE I**). A User Manual of online submission and monitoring of Environmental, Forests and Wild Life Clearance at <https://parivesh.nic.in>. No proposal submitted for consideration of the NBWL/SCNBWL in physical form shall be entertained by the Ministry.
- ii. The user agency can also track the movement of the proposal through different stages of processing through the online clearance system.
- 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.

### 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	<b>DFO/Wild Life Warden</b>	i. Initial scrutiny in <b>5 days</b> of receipt of the proposal.
		ii. <b>15 days</b> after receipt of complete proposal for site inspection, consultation with Conservator of Forests/Chief Conservator of Forests/

		Additional Principal Chief Conservator of Forests and forwarding to the Chief Wild Life Warden.
2	<b>Chief Wild Life Warden</b>	<b>15 days</b> from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wild Life (SBWL).
3	<b>Consultation with State Board for Wild Life or Standing Committee of the State Board for Wild Life and recommendation of State Government</b>	The activity involves decision of the State Government, consultation with SBWL and thereafter, recommendation of State Government to Ministry of Environment, Forest and Climate Change enclosing the copy of the minutes of the SBWL or its Standing Committee as the case may be. Therefore, this stage may take up to <b>45 days (one and half months)</b> .
4	<b>Ministry of Environment, Forest and Climate Change</b>	Initial scrutiny in <b>10 days</b> of receipt of the proposal.
5	<b>Consultation with Standing Committee of National Board for Wild Life</b>	In the upcoming Meetings of Standing Committee of National Board for Wild Life which are ordinarily convened once in <b>3 months</b> .

#### **4. ACTIVITIES INSIDE CONSERVATION RESERVES OR COMMUNITY RESERVES**

In continuation of the discussions in the 53<sup>rd</sup> meeting of the SCNBWL dated 25.02.2019, Ministry vide letter F.No.6-30/2019 WL (part) dated 30.01.2023 (**ANNEXURE II**) had clarified that projects/activities proposed to be located within Conservation Reserves or Community Reserves notified under the WLPA do not require consideration by the SCNBWL. In case, these protected areas form part of ESZs, guidelines in para 1.6 shall be applicable.

#### **5. PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:**

State Governments/Union Territory Administrations may consider prescribing rules under section 28 of the WLPA regarding safeguards to be followed while entering a notified sanctuary for survey/ investigation. In view of section 35 (3A) and 35(8) the Act, the provisions of section 28 apply in relation to a National Park as they apply in relation to a sanctuary. Ministry issued clarification in this regard vide letter F. No. 6-41/2021-WL dated 28.03.2022 (**ANNEXURE III**).

It may be noted that when invasive activities (such as destruction, exploitation, removal etc. from sanctuary or National Park) are involved, the permit for survey and/or investigation can be issued only after consideration by the SCNBWL. In case survey work and/or Environment Impact Assessment (EIA) studies are to 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 paragraph 2 above needs to be followed.

## 6. MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS

A guidance documents namely, 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The Guidance document prescribes measures, both structural and non-structural to be adopted while designing linear infrastructure projects through wildlife habitats. In pursuance of the decision taken in the 47<sup>th</sup> meeting of the SCNBWL held on 25.01.2018, 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 communicated to the States vide Ministry's letter F. No. 6-4/2018 dated 13.07.2018 (**ANNEXURE IV**).

## 7. PROPOSALS FOR TRANSMISSION LINES

- i. In pursuance of the decision taken by the SCNBWL in its 54<sup>th</sup> meeting held on 18.07.2019, the use of insulated transmission line cables over the ground / or underground transmission line cables passing through the protected areas should be the first priority of the user agencies as communicated vide Ministry's letter F. No. 6-104/2019 WL dated 29.08.2019 (**ANNEXURE V**).
- ii. As decided by the SCNBWL in its 66<sup>th</sup> meeting held on 31.12.2021, all the proposals for transmission lines shall be accompanied with a management plan for the area below the transmission lines. The management plan shall prescribe for species to be planted and maintained below the transmission lines, type and periodicity of maintenance etc.

Ministry had issued advisory to the States in this regard vide letter F. No.6-141/2021 dated 15.03.2022 (**ANNEXURE VI**).

#### **8. COST OF MITIGATION MEASURES:**

As decided by the SCNBWL in its 65<sup>th</sup> meeting held on 24.09.2021, measures to mitigate impacts of projects in protected areas and ESZs should be part of project proposals. Instead of imposing a fixed cost, mitigation measures and costs associated with such measures will be prescribed while recommending project proposals. Ministry issued advisory to the States in this regard vide letter F. No.6-82/2021WL dated 25.11.2021 (**ANNEXURE VII**).

#### **9. BIO-DIVERSITY IMPACT ASSESSMENT REPORT**

As decided in the 8<sup>th</sup> meeting of the SCNBWL held on 14.09.2006, proposals for use of area more than 50 ha within a sanctuary or National Park shall be accompanied with a bio-diversity impact assessment study report prepared by an agency accredited by the Government of India.

#### **10. MINING PROPOSALS:**

In view of the order of Hon'ble Supreme Court of India dated 26.04.2023 and 28.04.2023 in W.P. (C) no. 202 of 1995, mining within National Parks and sanctuaries and their notified ESZ and/or within an area of one kilometre from the boundary of such National Parks and sanctuaries whichever is more shall not be permissible.

#### **11. USE OF INNOVATIVE TECHNOLOGY IN MITIGATION OF IMPACTS:**

State/UT Governments shall endeavour 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.

## **12. DELEGATION OF POWERS TO THE STATE BOARD FOR WILD LIFE**

In pursuance of the decision of the SCNBWL in its 71<sup>st</sup> meeting held on 29.12.2022 to extend delegation of powers to SBWL, permits for underground laying of drinking water pipeline, optical fibre cables and power lines up to 11 kV within the allowed right of way of roads inside National Parks, Wildlife Sanctuaries and Tiger Reserves notified under the Wild Life (Protection) Act, 1972 may be granted by the Chief Wild Life Warden after recommendations of State Boards for Wild Life and approval of State/UT Governments without these proposals being referred for consideration of the SCNBWL subject to the following conditions:

- i. The size of the trench will not exceed more than 2.0 m depth and 1.0 m width;
- ii. The user agency agrees to make good the land after use/maintenance;
- iii. The user agency agrees to make good any loss to forest/environment;
- iv. The user agency seeks permission from the State Forest Department for carrying out any maintenance;
- v. The diameter of drinking water pipeline shall commensurate with the width of the trench mentioned above;

- vi. No civil structures will be built with the underground laying of drinking water pipeline, power lines and optical fibre cables;
- vii. The user agency will have to submit NOC from the agency which holds the right to use the right of way;
- viii. The State Government / Union Territories shall ensure that the length of the length of trench dug at a time does not exceed 500 m, filled up and compacted before digging next stretch of 500 m;
- ix. The State Board for Wild Life shall also suggest the time frame for completing the work of underground laying of drinking water pipeline, power lines and optical fibre cables within the PAs after taking into account all the factors/issues involve in the work;
- x. The user agency shall provide water supply points within the PAs if demanded by the Chief Wild Life Warden or in-charge of PA but not more than per sq.km;
- xi. This delegation shall be valid till 31.12.2027;
- xii. The State Government / Union Territories will submit a monthly progress report on the extent of the forestland diverted for such purposes to the Ministry as well as the concerned Regional Offices.

This was communicated vide Ministry's Letter F. No. 6-175/2017 WL (pt.) dated 07.02.2023 (**ANNEXURE VIII**).

### **13. SUBMISSION OF HOLISTIC LINEAR PROJECT PROPOSALS**

As decided by the SCNBWL in its 71<sup>st</sup> meeting held on 29.12.2022 and as communicated vide Ministry's letter F.No.6-207/2022 WL dated 14.03.2023 (**ANNEXURE IX**), all State/UTs are required to

submit proposals for linear projects in a holistic manner and not in separate packages.

#### **14. ECO-TOURISM PROPOSALS**

The SCNBWL in its 63<sup>rd</sup> meeting held on 11.06.2021 had recommended 'Guidelines for Sustainable Eco-tourism in Forest and Wildlife Areas, 2021'. These guidelines were communicated to the States vide this Ministry's letter F. No. 1-57/2014 WL (part -8) dated 29.10.2021 (**ANNEXURE X**). The proposals for eco-tourism projects shall be designed in accordance with these guidelines.

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

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi 110 003  
Date: 22.11.2018

F.No. 6-137/2017 WL (pt.1)

To

All Chief Wildlife Warden  
State / UT Forest Department

**Sub:** Mandatory Online Submission of Proposals through PARIVESH Seeking for Wildlife Clearance from the Standing Committee of National Board for Wildlife- reg.

Sir,

Kind attention is invited to the above mentioned subject matter. In this context it is mentioned that the PARIVESH automates the entire process of submitting the proposals for non-forestry activities inside the Protected Area / within 10 KM from the boundary of Protected Area and tracking the status of proposals at every stage of processing. It has been noticed that State Governments are still forwarding proposals in the physical form. Therefore it is advised that no proposal in the physical form for seeking wildlife clearance submitted to the State Government / the Standing Committee of National Board for Wildlife by the project proponent after 1<sup>st</sup> December 2018 should be permitted.

Yours faithfully,

(Dr. Pasupala Ravi)

Scientist C

E-mail: [ddwlmef@gmail.com](mailto:ddwlmef@gmail.com)



**F.No.6-30/2019 WL (Part)**

Government of India

Ministry of Environment, Forest and Climate Change  
Wildlife Division

2<sup>nd</sup> Floor, Vayu Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, New Delhi 110003.

Date:30<sup>th</sup> January, 2023

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,

Reference is invited to the Ministry's guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas issued vide letter of even no. dated 21<sup>st</sup> July, 2022.

2. In this regard, it is mentioned that the provisions 36A (2) of Wild Life (Protection) Act, 1972 related to Conservation Reserve specifically provides that: "...sub-section (2) of section 18, sub-section (2), (3) and (4) of section 27, section 20, 32 and clauses (b) and (c) of section 33 shall as far as may be, apply in relation to the Conservation Reserve as they apply in relation to a sanctuary".

3. It is also mentioned that the Section 29, which provides for consultation with State Board for Wild Life for activities within a Sanctuary, and Section 35(6), which provides for similar consultation for National Parks, but with the National Board for Wild Life, are very specific for those categories of PAs. Such provisions do not exist in Wild Life (Protection) Act, 1972 in respect of the Conservation Reserve and Community Reserve and State Government were accordingly empowered to take necessary steps for protection and preservation of Conservation Reserves and Community Reserves.

4. In this context, as per the revised Guidelines dated 21<sup>st</sup> July, 2022 (copy enclosed), projects/activities proposed to be located within Conservation Reserves notified under the Wild Life (Protection) Act, 1972 do not require consideration by the Standing Committee of National Board for Wild Life.

This issues with the approval of competent authority.

Yours faithfully,

SUDHEER  
CHINTALAPATI  
**(Dr. Sudheer Chintalapati)**  
Scientist 'E'  
**Email:** adwl-mefcc@gov.in.

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2. PSO to ADGF (WL), ADG(NTCA), MoEF&CC
3. PPS to IGF(WL)/IGF(PE)/IGF(NTCA), MoEF&CC
4. Sr. PPS to DIG(WL), MoEF&CC

SUDHEER  
CHINTALAPATI  
**(Dr. Sudheer Chintalapati)**  
Scientist 'E'  
**Email:** adwl-mefcc@gov.in.

Digitally signed by SUDHEER  
CHINTALAPATI  
Date: 2023.01.30 17:55:35 +05'30'

**F. No. 6-41/2021-WL**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Wildlife Division)

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

**28<sup>th</sup> March, 2022**

To,

1. The Principal Secretary (Forests)  
All States/UTs
2. The Chief Wild Life Warden  
All State/UTs
3. The PCCF  
All State/UTs

**Subject: Survey and investigation works in Sanctuaries and National Parks regarding.**

Sir/Madam,

The Ministry vide letter No. 6-10/2011-WL dated 19.12.2012 had communicated guidelines for seeking recommendations of the Standing Committee of the National Board for Wild Life (SCNBWL). Subsequent to the online integration, the Ministry vide letter no. 6-74/2012 WL (pt) dated 10.04.2015 had communicated revised Guidelines for seeking recommendations of SCNBWL for activities in Protected Areas to the States/UTs.

2. The Ministry vide letter no. 6-133/2014 dated 26.09.2014 (copy enclosed) had clarified the process to be followed for carrying out survey/investigation works in the protected areas.

3. It may be noted that as per Section 28 of the Wild Life (Protection) Act, 1972 (the Act),

(1) *The Chief Wild Life Warden may, on application, grant to any person a permit to enter or reside in a sanctuary for all or any of the following purposes, namely: -*

- (a) *investigation or study of wildlife and purposes ancillary or incidental thereof;*
- (b) *photography;*
- (c) *scientific research;*
- (d) *tourism;*
- (e) *transaction of lawful business with any person residing in the sanctuary.*

(2) *A permit to enter or reside in a sanctuary shall be issued subject to such conditions and on payment of such fee as may be prescribed.*

Section 28 is applicable on National Parks also as per 35 (8) of the Act.

4. It may also be noted that when invasive activities (destroy, exploit, remove etc from PA) are involved, the permit for survey and investigation can be issued only after consideration by the SCNBWL.

5. It is again requested that the Chief Wild Life Wardens may exercise the mandate provided in section 28 of the Act with all appropriate checks and conditions when any survey or investigation work for any development project is proposed within a protected area if it does not involve any invasive activity coming in the definition of section 29 of the Act. The State/Union Territory Governments may consider prescribing Rules under section 28 of the Act for application and safeguards to be followed for grant of permission to enter Protected Areas for survey/ investigation if no physical disturbance on the PA is contemplated.

Yours faithfully,



(Dr. Rajendra Kumar)  
Scientist 'C'

Email: kumar.rajendra@gov.in

**Encl:** As enclosed

**Copy to:**

1. PPS to ADGF (WL)
2. PPS to IGF (WL)
3. PPS to IGF (FC)
4. IROs of MoEFCC

F. No. 6-133/2014 (Part)  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Wildlife Division)

Indira Paryavaran Bhawan  
Jorbagh Road, New Delhi-110003  
Dated: 26<sup>th</sup> September, 2014

OFFICE MEMORANDUM

**Sub: Reforms for making the wildlife clearance processes more efficient - guidelines reg.**

With a view of bringing improvement in overall environmental governance in the country, one area of emphasis is on bringing in more efficiency in the processes related to clearances dealt in the Ministry. In this context, it has been proposed that as the requirement of permission from MoEF&CC for carrying out preliminary survey for projects in wildlife sanctuaries/ national parks is based on consideration of the task of survey as a non-forestry activity, there is scope of rethinking on this aspect and so it may be considered to authorise PCCF (WL)/ CWLW to give permission for survey in protected areas with the condition that no cutting of trees is involved.

In this context, it may be seen that as per section 28 of Wild Life (Protection) Act 1972, Chief Wildlife Warden, on application, grant a permit to any person *inter alia*, to enter a sanctuary for certain purposes including scientific research and transaction of lawful business, subject to prescribed conditions. The permit can be issued with approval of state government and consultation with the SBWL, only when invasive activities (destroy, exploit, remove etc from PA) are involved. Section 28 is applicable *mutatis mutandis* on National Parks under section 35 (8) of WLPA.

Keeping in view these facts, when any survey or investigation work for any development project is proposed within a protected area, and if it does not involve any invasive activity coming in the definition of section 29, it can be considered to permit the survey works with all appropriate checks and conditions. This step can save a series of steps of clearance for survey alone, if the same does not affect the normal management of the Protected Area.

It is advised therefore that the Chief Wildlife Wardens may exercise the mandate provided in section 28 and consider prescribing appropriate guidelines for application and safeguards to be followed for grant of permission to enter Protected Areas for survey/ investigation if no physical disturbance on the PA is contemplated.

*M. L. Srivastava*

(M.L. Srivastava)  
Deputy Inspector General of Forests (WL)  
Tele:- 011-24695355

To

1. The Principal Secretary, Environment & Forests Department, All States/UT Govt.
2. The Principal Chief Conservator of Forests, All States/UT Govt.
3. The Chief Wildlife Warden, All States/UT Govt.



सत्यमेव जयते

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

Indira Paryavaran Bhawan  
Jor Bag Road, Aliganj  
New Delhi 110 003  
Date: 13.07.2018

F.No. 6-4/2018 WL

To

All Chief Wildlife Wardens  
State / UT Forest Department

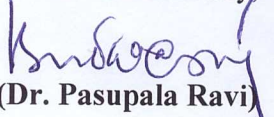
**Sub:** Mandatory Submission of Wildlife Passage Plan for all Linear Projects (roads, canal, railway)- reg.

**Ref:** Letter No.6-4/2018 WL dated 07.02.2018 from this office

Sir / Madam,

Kind attention is invited to the above mentioned subject and reference therein. In this context it is mentioned that the Standing Committee of NBWL in its 47<sup>th</sup> meeting held on 25<sup>th</sup> January 2018 recommended that all the linear infrastructure projects seeking clearance from the Standing Committee of NBWL mandatorily contain Animal Passage Plan. However it is noticed that State Govts. are still forwarding proposals without Animal Passage Plan. Therefore it is advised that no proposal of linear infrastructure projects submitted to the State Govts. by the user agency after 1<sup>st</sup> August 2018 should be forwarded to the Standing Committee of NBWL without the Animal Passage Plan prepared in consultation of the State CWLW on the basis of the guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife* of the Wildlife Institute of India.

Yours faithfully,

  
(Dr. Pasupala Ravi)  
Scientist C

**E-mail:** [ddwlmef@gmail.com](mailto:ddwlmef@gmail.com)



436

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

ANNEXURE-V  
54

6<sup>th</sup> Floor, Vayu Wing  
Indira Paryavaran Bhawan  
Jor Bagh Road  
New Delhi 110 003  
Date: 29.08.2019

F.No.6-104/2019 WL

To

1. All States / UTs Chief Wildlife Warden
2. All States / UTs Principal Secretary, Forest Department
3. Secretary, Ministry of Power
4. Secretary, Ministry of New and Renewable Energy
5. Secretary / Principal Chief Engineer, Central Electricity Authority
6. Chairman & Managing Director, PGCIL
7. All Chairman & Managing Director, States / UTs Electricity Board

**Sub:** Requisition for Implementation of the Recommendations of the Task Force Constituted by the Ministry vide O.M.NO.1-29/2017WL (pt.3) dt.05/02/2019 for Suggesting Eco-Friendly Measures to Mitigate Impacts of Power Transmission lines and other Power Transmission Infrastructures on Elephants and other Wildlife- reg.

Sir / Madam,

The Standing Committee of National Board for Wild Life in its 54<sup>th</sup> meeting held on 18<sup>th</sup> July 2019 through Video Conference under the chairmanship of Hon'ble Minister for Environment, Forest & Climate Change accepted the report of the Task Force constituted by this Ministry vide its O.M.NO.1-29/2017WL(pt.3) dated 05/02/2019 for Suggesting Eco-Friendly Measures to Mitigate Impacts of Power Transmission lines and other Power Transmission Infrastructures on Elephants and other Wildlife. The Task Force recommended the following for implementation by the Electricity Supply Units, Power Grid Corporation of India Ltd (PGCIL), Central Electrical Authority (CEA), and State Electricity Boards (SEBs).

- (1) Immediate rectification of sagging transmission lines and cable of existing transmission line in the protected areas by the Electricity Supply Utilities, PGCIL, CEA, and SEBs.
- (2) Joint inspection of every transmission / distribution line passing through the protected areas or passing through the vicinity of protected Areas (which are frequented by wild animals) by officials of Electricity Department and Forest Department would be undertaken regularly, at least thrice a year once before onset of monsoon and once after monsoon so as to identify potential problem stretches.
- (3) Forest Department shall inform the concerned power supplier / line owner of the area about every electrical accident occurring in and around forest area involving human / animals which in turn shall submit an accident report in Form A (Form for reporting electrical accidents) as given in the Intimation of Electrical Accidents (Form and Time of Service of Notice) Rules, 2005 duly completed in all respects to Electrical Inspector of the Appropriate Government. All electrical accidents should be investigated by Electrical Inspector and suitable measures should be taken as proposed in the investigation report.
- (4) To prevent death of animals in the forest areas due to electrocution by the distribution lines, the distribution companies shall preferably use **ABC (aerial bunched cables) or underground**

**cable.** In case of the overhead lines, the clearance above ground of the lower conductor of 33 kV / 33 kV overhead lines should be as per CEA Regulations. 58

- (5) Rule 59(3) of the CEA (Measures Relating to Safety and Electric Supply) Regulations, 2010 (as Amended) would amend as follows:

In case of laying of transmission lines of 33 kV and below passing through habitated urban or rural areas, any forest area other than National Parks, Wildlife Sanctuaries, Conservation Reserve, Community Reserve, Eco-Sensitive Zones around the protected areas and Wildlife Corridors, **underground cable or aerial bunched cables or covered conductors** shall be used.

Further new Section would be added as Rule 59(4) reading as below:

In case of as in case of laying of transmission lines of 33 kV and below passing through protected areas (National Parks, Wildlife Sanctuaries, Conservation Reserve, Community Reserve), Eco-Sensitive Zones around the protected areas and wildlife corridors, **underground cable** should be used. In cases where these areas are aquatic and marine in nature, **aerial bunched cables or covered conductors** would be used as alternative to the underground cables.

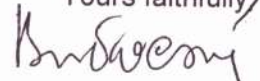
- (6) Right of Way (RoW) for 11 kV transmission lines can be optimized keeping in view the corridor requirement for the future by adopting suitable alternative of multi-circuit / or multi-voltage lines. Conductors of appropriate size shall be selected considering power flow requirements and other system considerations in consultation with neighboring transmission and generation utilities. For transmission lines of 400 kV or higher voltage class, bundle conductors (minimum two conductors per phase for 400 kV AC and four conductors per phase for 500 kV DC and 765 kV AC shall be used for satisfactory performance of transmission lines from corona and interference aspects. The conductors may be of type aluminum conductor steel reinforced, all aluminum alloy conductor or other new technology conductors depending on system requirements and should avoid base conductors.
- (7) The existing transmission lines should be replaced retrospectively with **insulated cables / or underground cables on priority basis** by Electricity Supply Units, Power Distribution Companies and Power Grid Corporation of India Ltd.
- (8) A sub-committee consisting of one representative from CEA, DIG(FC) and DIG(WL) would examine Right of Way (RoW) requirements for laying of transmission lines in the protected areas.
- (9) Early planning and rigorous Environmental Impact Assessment are two principal requirements for reducing wildlife mortality due to transmission lines, as well as minimizing the risks of costly power outages. A nationwide strategy should be developed and supported to undertake the long-term planning of electricity grid networks as a priority. Planning should include the use of state-of-the-art wildlife protection equipment, and **burying low to medium-voltage transmission lines below ground where feasible.**  
Burying transmission lines effectively removes the problem of wildlife electrocution. Environmental Impact Assessment is an invaluable tool to inform decision making, helping to ensure that transmission lines are appropriately routed and designed.
- (10) The routing of transmission lines and shifting transmission structures should be done collaboratively, involving the electricity supplier company, government bodies, conservation agencies, land owners and other interested and affected parties, culminating in one or more memoranda of understanding.
- (11) Birds frequently collide with the earth wires (less visible wire) installed at the top of transmission lines, as it is less visible and smaller in diameter. Removal of the earth wire would reduce bird collisions however this is rarely a viable option since the earth wires protect the power-line installation from lightning strikes. This is only possible in areas where there is very low lightning and to a limited extent. Where the earth wires cannot be removed, line marker devices / bird

reflectors should be used in sufficient numbers to deflect the birds to take alternate path. Marker devices are available in several colours and are visible to birds from a long distance. Many types of marker devices are available, such as spheres, swinging plates, spiral vibration dampers, strips, flight diversion, bird flappers, ribbons, tapes, flags, and crossed bands.

- (12) Line markers should be as large as possible. The spacing between them should not be more than 5 m to 10 m. Marker devices should be chosen to contrast as much as possible with the background colours, and importantly, should be visible at night, for most bird collisions are said to occur at night.
- (13) There is a need to set up reinforced electric poles fitted with spikes to prevent elephants rubbing against them and lifting of sagging overhead power lines. This is yet to be done in many protected areas. Also **insulate overhead wires across all elephant habitat and elephant movement zones and remove / dismantle all defunct solar powered fences.**

After discussions the Standing Committee accepted the recommendations (1) to (10) and (13) of the Task Force and suggested to initiate implementation of the recommendations and **also the use of insulated transmission line cables over the ground / or underground transmission line cables passing through the protected areas should be the first priority of the user agencies.**

Yours faithfully/



(Dr. Pasupala Ravi)

Scientist C

End; As above

**Copy to**

1. All Additional Principal Chief Conservator of Forests, Regional Offices, Ministry of Environment, Forest and Climate Change
2. Inspector General of Forests, FC Division, MoEF&CC



(Dr. Pasupala Ravi)

Scientist C

F. No. 6-141/2021 - WL  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Wildlife Division)

3<sup>rd</sup> Floor, Jal Wing  
Indira Paryavaran Bhawan  
Jor Bagh Road, New Delhi-110003

**Date: 15.03.2022**

To  
To Principal Chief Conservator of Forests,  
All States/Union Territories.

Sub: Management of lands of Protected Areas/forests under transmission line- regarding.

Sir/Madam,

The 66<sup>th</sup> meeting of the Standing Committee of the National Board for Wild Life (SCNBWL) was held on 31.12.2021 under the Chairmanship of Hon'ble Minister of Environment, Forest and Climate Change. The committee, inter alia, discussed management of lands under transmission lines passing through Protected Areas and forests.

2. Further, the Standing Committee also decided that in future, all proposals for laying transmission lines submitted for its consideration should be accompanied with a management plan for the area below the transmission line. Therefore, it is requested to kindly take appropriate action on the same while submitting the proposals to the Ministry for consideration by SCNBWL.

3. Minutes of the meeting have been posted online in the "PARIVESH" portal of this Ministry.

Yours faithfully,



(Dr. Rajendra Kumar)  
Scientist 'C'

E-mail: kumar.rajendra@gov.in

**Copy to:** PPS to DGF & SS/PSO to ADGF (WL)/PPS to IGF (WL)

6-82/2021 WL  
Government of India  
Ministry of Environment, Forest and Climate Change  
Wildlife Division

1<sup>st</sup> Floor, Agni Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi - 110003.

Date: 25<sup>th</sup> November 2021

To  
Chief Wild Life Wardens  
All States/UTs

**Sub: Cost of mitigation measures due to impact of developmental activities in National Parks, Sanctuaries, their Eco-Sensitive Zones, Tiger Reserves and Tiger Corridors - reg.**

Sir,

The Standing Committee of the National Board for Wild Life, in its 65<sup>th</sup> meeting held on 24<sup>th</sup> September 2021, discussed issues relating to mitigation measures that are required to be undertaken to reduce the impact of activities inside **National Parks, Sanctuaries, Eco-Sensitive Zones, Tiger Reserves and tiger corridors**. The Committee observed that the cost imposed on user agencies for implementing mitigation measures is often not based on the impact of the activities proposed in the project. The Committee also observed that instead of imposing a uniform cost on all projects, it would be more appropriate if mitigation measures are suggested by the Chief Wild Life Wardens for each project.

The Committee, therefore, decided that measures to mitigate the impact of projects should be part of project proposals. The Committee further decided that instead of imposing a fixed cost, mitigation measures and costs associated with such measures should be prescribed while recommending project proposals.

In view of the above, it is requested that project proposals submitted to the Standing Committee for its consideration should be accompanied with details of mitigation measures. It is further requested that instead of imposing a fixed cost on the user agency, the Chief Wild Life Wardens should mention the estimated cost of implementing the proposed mitigation measures.

Yours faithfully,

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

Copy to: PPS to IGF (WL), MoEFCC, New Delhi

**F.No.6-175/2017 WL (pt)**

Government of India

Ministry of Environment, Forest and Climate Change

(Wildlife Division)

2<sup>nd</sup> Floor, Vayu Wing,  
Indira Paryavaran Bhawan,  
Jor Bag Road, New Delhi 110003.Date: 7<sup>th</sup> February, 2023

To,

1. Chief Secretaries all States/UTs
2. Principal Secretaries, Forest Departments, all States/UTs
3. Member Secretaries, State Boards for Wild Life and Chief Wild Life Wardens, all States/UTs

**Sub:** Delegation to State Boards for Wild Life in matters pertaining to the underground laying of OFC, power lines up to 11 kV and drinking water supply pipelines within right of way.

Sir,

The Standing Committee in its 46<sup>th</sup> meeting held on 8<sup>th</sup> December, 2017 had decided to delegate its powers for sanctioning proposals for underground laying of drinking water pipeline and optical fibre cables falling inside the Protected Areas (PAs) along the right of way of roads inside National Parks, Wildlife Sanctuaries and Tiger Reserves or any other Protected Area notified under the Wild Life (Protection) Act, 1972 to the State Boards for Wild Life (SBWL) for five years. The Ministry issued an advisory to all states/UTs to this effect vide letter dated 13<sup>th</sup> February, 2018.

2. The matter was discussed by the Standing Committee in its 71<sup>st</sup> meeting held on 29<sup>th</sup> December, 2022. After discussions, the Standing Committee decided to extend delegation of powers to State Boards for Wild Life for sanctioning proposals for underground laying of drinking water pipeline, optical fibre cables and power lines up to 11 kV within the allowed right of way of roads inside National Parks, Wildlife Sanctuaries and Tiger Reserves or any other Protected Area notified under the Wild Life (Protection) Act, 1972 for a further period of five years.

3. Accordingly, permits for underground laying of drinking water pipeline, optical fibre cables and power lines up to 11 kV within the allowed right of way of roads inside National Parks, Wildlife Sanctuaries and Tiger Reserves or any other Protected Area notified under the Wild Life (Protection) Act, 1972 may be granted by the Chief Wild Life Warden after recommendations of State Boards


for Wild Life and approval of State/UT Governments without these proposals being referred for consideration of the Standing Committee of the National Board for Wild Life subject to the following conditions:

- i. The size of the trench will not exceed more than 2.0 m depth and 1.0 m width;
- ii. The user agency agrees to make good the land after use / maintenance;
- iii. The user agency agrees to make good any loss to forest / environment;
- iv. The user agency seeks permission from the State Forest Department for carrying out any maintenance;
- v. The diameter of drinking water pipeline shall commensurate with the width of the trench mentioned above.
- vi. No civil structures will be built with the underground laying of drinking water pipeline, power lines and optical fibre cables;
- vii. The user agency will have to submit NOC from the agency which holds the right to use the right of way;
- viii. The State Government / Union Territories shall ensure that the length of the length of trench dug at a time does not exceed 500 m, filled up and compacted before digging next stretch of 500 m;
- ix. The State Board for Wild Life shall also suggest the time frame for completing the work of underground laying of drinking water pipeline, power lines and optical fiber cables within the PAs after taking into account all the factors/issues involve in the work;
- x. The user agency shall provide water supply points within the PAs if demanded by the Chief Wild Life Warden or in-charge of PA but not more than per sq.km;
- xi. This delegation shall be valid till 31.12.2027;
- xii. The State Government / Union Territories will submit a monthly progress report on the extent of the forestland diverted for such purposes to the Ministry as well as the concerned Regional Offices.

4. The State Boards for Wild Life may further consider delegating the above powers to the Standing Committees of the State Boards for Wild Life once constituted after the commencement of Wild Life (Protection) Amendment Act, 2022.

This issues with the approval of competent authority.

Yours faithfully,

  
**(Dr. Sudheer Chintalapati)**  
 Scientist 'E'  
 Email: adwl-mefcc@gov.in

**Distribution**

1. Secretary, Ministry of Telecommunications
2. DGF&SS, MoEF&CC
3. Member Secretary, NTCA
4. ADGF(FC), MoEF&CC
5. Director, WII, Dehradun
6. Director, GEER Foundation, Gandhinagar, Gujarat
7. Prof. R. Sukumar, Member, NBWL
8. Dr. H.S. Singh, Member, NBWL
9. Pr. Secretary, Forest Department, Govt. of Andhra Pradesh
10. Principal Chief Conservator of Forests and Head of Forest Force, All States/UTs

**Copy to**

1. PS to Hon'ble MoEF&CC
2. PPS to Hon'ble MoS, EF&CC
3. PPS to Secretary, MoEF&CC
4. PPS to DGF&SS, MoEF&CC
5. PSO to Addl. DGF(WL), Member Secretary, NBWL
6. PPS to IGF(WL)/PPS to IGF (FC)/PPS to JS, IA (Policy/ PS to DIG(WL)/PS to JD(WL)

**(Dr. Sudheer Chintalapati)**

Scientist 'E'

**Email:** adwl-mefcc@gov.in

**F.No.6-207/2022 WL**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Wild Life Division)

2<sup>nd</sup> Floor, Vayu Wing,  
Indira Paryavaran Bhawan,  
Jor Bag Road, New Delhi 110003.

**Date:** 14<sup>th</sup> March, 2023

To,

1. The Principal Secretary (Forests), All States/UTs
2. The PCCF, All States/UTs
3. The Chief Wild Life Warden, All States/UTs

**Sub:** Submission of linear project proposals - decision of 71<sup>st</sup> meeting of SC-NBWL held on 29<sup>th</sup> December, 2022 - reg.

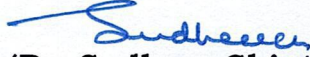
Sir/Madam,

It is observed that the proposals for linear projects for the consideration of the Standing Committee of the National Board for Wild Life are submitted in piecemeal manner which in turn leads to the non-disclosure/non appraisal of the full and cumulative impact of their projects.

2. In view of the decision taken in the 71<sup>st</sup> meeting of the Standing Committee of the National Board for Wild Life held on 29<sup>th</sup> December, 2022 the undersigned is directed to request that the proposals for linear projects should be submitted in a holistic manner and not in separate packages.

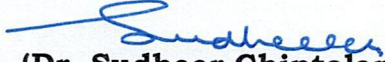
This issues with the approval of competent authority.

Yours faithfully,

  
(Dr. Sudheer Chintalapati)  
Scientist 'E'  
**Email:** sudheer.ch@gov.in

**Copy to:**

1. PS to Hon'ble MoEF&CC
2. PPS to Hon'ble MoS, EF&CC
3. PPS to Secretary, MoEF&CC
4. PPS to DGF&SS, MoEF&CC
5. PSO to Addl. DGF(WL), Member Secretary, NBWL
6. PPS to IGF (WL)/PPS to IGF (FC)/PPS to JS, IA (Policy)/PS to DIGF (WL)/PS to JD (WL).

  
**(Dr. Sudheer Chintalapati)**  
Scientist 'E'  
**Email:** sudheer.ch@gov.in

F. No. 1-57/2014 WL (part-8)  
Government of India  
Ministry of Environment, Forest and Climate Change  
Wildlife Division

First Floor, Agni Wing,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi - 110003.

Dated: 29<sup>th</sup> October 2021

Principal Secretary (Forests),  
All States/Union Territories.

**Sub: Guidelines for sustainable eco-tourism in forest and wildlife areas-2021**

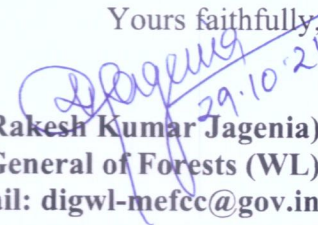
Sir,

Forests and wildlife are inseparable elements of environmental integrity and therefore, a participatory approach towards building the intricate interface between humans and forests is imperative.

The Ministry of Environment, Forest and Climate Change has prepared the 'Guidelines for sustainable Ecotourism in forest and wildlife areas-2021'. The undersigned is directed to enclosed a copy of the said guidelines for ready reference (**Annexure**).

The States/Union Territories may take further action, as appropriate, in this regard.

Yours faithfully,

  
(Rakesh Kumar Jagenia)

Deputy Inspector General of Forests (WL)  
Email: digwl-mefcc@gov.in

Encl: As above.

Copy to:

1. The Principal Chief Conservator of Forests & Head of Forest Force (HoFF), All States /Union Territories.
2. The Chief Wild Life Warden, All States/ Union Territories.
3. Inspector General of Forests, Forest Conservation Division, MoEFCC, New Delhi.
4. PSO to ADGF (WL)/PPS to IGF (WL), MoEFCC, New Delhi.

**Government of India**  
**Ministry of Environment, Forest and Climate Change**

## **Guidelines on Sustainable Eco-Tourism in Forest and Wildlife Areas 2021**

### **1. BACKGROUND**

Forests and wildlife are elements of nature and inseparable parts of the environment. Because of the intricate nature of interface between nature and human beings, nature conservation entails interactions with people as a central concept. Such interaction includes not only the forest fringe dwellers but also those who are living away from the forests for the purpose of creating experience for the visitors. Eco-tourism may be developed in and around designated sites in forest and wildlife rich areas and ex-situ conservation areas, and such designated sites may include sites of biological, geographical, geo-physical and eco-heritage importance such as mangroves, sacred groves, mudflats, beaches, streams, wetlands, waterfalls, rivers, hills, caves, etc.

Eco-tourism has the potential to create significant opportunities for building public awareness and mass movement towards conservation of nature and natural resources while expanding overall returns to the economy, improving skill base, creating new knowledge and green jobs, and improving the livelihoods of the local communities.<sup>[1]</sup> On the other hand, eco-tourism if not practiced in a science-based manner may adversely affect nature on a permanent basis. The Guidelines on Sustainable Eco-Tourism in Forest and Wildlife Areas 2021 (hereinafter referred to as the Guidelines or the Eco-Tourism Guidelines), therefore, lays the framework for practising and promoting sustainable eco-tourism by maximising outputs that support nature and natural resources in their original forms while minimising any negative externalities arising out of interactions between people and nature.

The Guidelines recognise that besides the popular sites located in Protected Areas, which presently number over 900 across the country, many potential eco-tourism sites are located in public, community and private forests outside the Protected Areas as well. These Guidelines shall be applicable to ecotourism sites falling in all forest and wildlife areas irrespective of the ownership of the land.

### **2. GOAL**

The overall goal of these Guidelines is promoting better understanding of nature and wildlife conservation while generating income and opportunities for the local communities in an ecologically, culturally and economically sustainable manner.

### 3. OBJECTIVES

The Guidelines seek to achieve the following objectives:

- i. Promote low impact nature tourism which ensures ecological integrity of the eco-tourism sites and its environment;
- ii. Promote biodiversity, traditional ecological knowledge and heritage values of India's wilderness;
- iii. Promote engagement of local communities in nature tourism in a manner that enriches local economy and encourages sustainable use of indigenous materials through financially viable value chains thereby helping such local communities become "*AtmaNirbhar*";
- iv. Promote partnerships amongst stakeholders for mobilising resources and developing and promoting nature tourism, as well equitable sharing of benefits.
- v. Enhancing potential of India as a global eco-tourism destination.

### 4. GUIDING PRINCIPLES OF ECO-TOURISM

**(i) Eco-tourism planning:** Eco-tourism shall be promoted on the basis of science based planning. The plan shall form part of the duly approved Working Plan or Management Plan or Conservation Plan of the forest or wildlife area as the case may be, and shall include the carrying-capacity analysis based description of the eco-tourism site, time, duration, route, mode of travel and number of persons for visitations, and any support infrastructure needed. Wherever feasible, the eco-tourism plan will also be dovetailed with the *Gram Panchayat* Development Plan. The Protected Area (PA) manager along with a third party shall determine the carrying-capacity of eco-tourism site by taking into account the wide diversity of environmental, physical, social and economic criteria of development and management of eco-tourism sites as well as institutional capacities of their managers. The Eco-tourism plan needs to also factor in aspects of control of plastic pollution, waste management, noise pollution, sewage treatment and disposal, etc. The Eco-Tourism guidelines issued by the National Tiger Conservation Authority shall be applicable to Eco-tourism in Tiger Reserves in the country.

**(ii) Eco-tourism zonation:** The eco-tourism plan shall appropriately demarcate the eco-tourism zone upon assessment of management requirements of the target wildlife, the habitat or the geographical entity, and their behavioural and ecological characteristics. The eco-tourism zonation shall particularly ensure that the ecological integrity of the site, including breeding areas of wildlife and tribal habitations particularly PVTGs remains protected. The zonation shall also ensure that safeguards provided in the Forest Rights Act, 2006 are fully respected.

**(iii) Resource mobilisation and community participation:** The local community shall be the key stakeholder of eco-tourism. Central government will provide for participatory frameworks that encourage resource mobilisation by a group of stakeholders in development, operation and maintenance of eco-tourism zones. These frameworks shall ensure that equitable benefits flow from eco-tourism accrues, besides resource investors, to local communities, tribals and other traditional forest dwellers including by way of enhanced livelihood opportunities. Further, keeping in view that most eco-tourism sites are located in remote places and small-scale operators predominate, suitable programme may be taken up by the Central Government to facilitate eco-tourism operators to access incentives allowed to the tourism sector in a timely and adequate manner.

**(iv) Eco-tourism site development:** The Eco-tourism site shall be developed only in eco-tourism zone and in eco-friendly manner. While developing support infrastructure for eco-tourism it shall be ensured that the natural profile and ecological integrity of the ecotourism site including its biodiversity value is maintained. Any ecotourism facility or structure on forest lands shall be subject to the provisions of the Forest (Conservation) Act 1980. However, no permanent structure shall be made /constructed to create ecotourism facility/structure, but temporary structures/facility made predominantly of natural material of local origin may be allowed in Protected Area or on forest land. Such ecotourism facility/structure shall be part of the approved Working Plan/Management Plan/Working Scheme. Home stay managed by local communities on non-forest land shall be promoted. States may develop benchmarks/ standardized criteria based on site specificity, for adoption of best practices in eco-tourism including sustainable ecological management of the site, customer satisfaction, harmony with local culture and design, local construction material used, employment types, environmental education facilities. Further, safety measures, especially for managing fire, flood, landslide, needs to be inbuilt into the ecotourism site development plan and adequate system needs to be in place for efficiently managing such disasters.

**(v) Inter-sectoral synergy:** The central government will work towards prioritisation of action with regard to developing eco-tourism sites across the country and improving the way in which action on eco-tourism is coordinated with other sectors and synergies are exploited in the best possible manner. Regulations should be streamlined wherever possible and processes and procedures should be simplified while taking into consideration the objectives of relevant sectoral policies.

**(vi) Promoting eco-tourism entrepreneurship:** Concerted action will be taken for expanding entrepreneurship opportunities for stakeholders engaged in eco-tourism with due priority to the members of local communities and those whose livelihoods have been impacted because of actions such as closure of the Protected Area for forest product extraction. The focus will be on increasing productivity, boosting the skills and competencies of stakeholders at all levels, and the needed structural changes will be supported and strengthened. Start-ups will be supported through training, coaching, financial support and other benefits including through the incubators established under various government programmes.

## 5. IMPLEMENTATION STRATEGY

The following are the broad framework for implementation of the Eco-tourism Guidelines:

**Strategy i: Identification of potential sites:** Each State may identify sites for eco-tourism through a participatory process involving stakeholders, particularly the local communities, and make a priority list for development of such sites. Area managers will initiate eco-tourism planning based on carrying-capacity analysis, including identification of eco-tourism zones, identification of potential partners, categorisation of infrastructure support that may be allowed, funding sources, and training and capacity building needs of the partners through a multi-stakeholder dialogue process. Spatially cluster approach to eco-tourism infrastructure will be promoted to larger blocks of contiguous habitats so as to minimise adverse ecological impacts on a larger area. An indicative list of potential eco-tourism sites is at Annexure I. However, States/UTs may develop ecotourism sites which has high potential.

An Eco-tourism Plan shall be prepared for every eco-tourism site. The Plan shall be approved and prepared for sites under various controls as follows:

- i. For Sites within forest/protected areas: The Eco-tourism Plan for the areas falling inside the notified forest/protected areas shall form part of duly approved Working Plan/Management Plan/ Working Scheme.
- ii. For Sites falling within Eco-sensitive Zones: All new Eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone (on non-forest land) shall be as per the Tourism Master Plan for the Eco-sensitive Zone. The Eco-tourism Master Plan shall be prepared by Department of Tourism in consultation with State Departments of Environment and Forests. The Tourism Master Plan shall form a component of the Zonal Master Plan and until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee. Hotel/resort or commercial establishment construction shall be taken up inside the Eco-sensitive Zone as per the ESZ notification of the National Park/Sanctuary.

**Strategy ii: Funding support:** Compatible funding instruments that cater to the specific challenges of the eco-tourism sector, particularly the small and geographically fragmented nature of enterprises, is key to sustainable eco-tourism promotion. Financial institutions may be encouraged to develop targeted financial instruments for the eco-tourism entrepreneurs at the local level. Public funding for eco-tourism promotion, monitoring and innovation may be made available, including for non-repayable loans and guarantees, start-up grants and marketing of eco-tourism places.



**Strategy iii: Usage of Information Technology:** The role of digitalisation both as a driver and an enabler of eco-tourism shall be recognised. In particular, digitalisation will be used to facilitate new eco-tourism products, such as virtual tours, competitive exploration, etc., services, business processes and models. National and sub-national projects will be launched to undertake analysis of the needs of various partners and users (visitors) of eco-tourism projects, and develop scenarios for eco-tourism support for the future, and active steps will be taken for transfer of knowledge to partners including by making such knowledge public wherever feasible. In recognition of the fact that partners (e.g. service providers) in eco-tourism are mainly small entities, and their limited capabilities of using digital services combined with possible use of multitude of digital platforms and inability to create economies of scale, pose significant challenge. National and sub-national level data integration platforms to analyse visitors behaviour and preferences will be developed, and additional sources such as social media engagement, newsletter statistics, booking data, media and marketing reports, etc will be used.

**Strategy iv: Capacity building:** Despite wider and growing attraction to eco-tourism, the challenges emanating from the field such as geographically fragmented and small nature of sites, small business structure and high seasonality and the consequent visitor number fluctuation, are significant. On the other hand, it offers significant entrepreneurial and labour market opportunity for the local communities. With increased numbers of eco-tourism sites the eco-tourism sector may become a supplier of low return exchangeable standard products making private investment in eco-tourism less attractive. The capacity of field functionaries of different stakeholders, especially the eco-tourism site managers and the local communities, will be steadily built to innovate and meet the present and future challenges of the sector, and international best practices as suited to local conditions will be internalised. Industrial Training Institutes (ITIs) and other such institutes will be encouraged to develop specific programmes for local communities and small operators engaged in eco-tourism.

**Strategy v: Benefit sharing:** Community-based tourism will be promoted as a preferred form of eco-tourism. While eco-tourism will create new wage employment and private entrepreneurial income for the respective stakeholders, fair and equitable benefit sharing of common eco-tourism revenues with the local community is key to sustainability. Given the diversity of stakeholders, scale of operations and geographically fragmented nature of eco-tourism sites, appropriate mechanisms for sharing of benefits with the local eco-development committees / forest protection committees will be developed by the respective State Government for different types of eco-tourism sites falling on government lands. Such benefit sharing mechanisms shall recognise that the local community has the highest stake in eco-tourism and the revenue generated has to be also ploughed back for development and maintenance of the eco-tourism sites. Transparent mechanism for revenue collection from common eco-tourism activities user charges, entry fees, concessions, fines and penalties, etc. through a Foundation established at the appropriate local level, and sharing of revenue with stakeholders, particularly local communities, has served as best practise in many parts of the world and the same duly incorporated by the respective State governments. Considering that

eco-tourism is mostly a seasonal activity, the Eco-Tourism Plans should include measures to reduce financial overdependence of the local community on eco-tourism, and the same should be supported by the district level plan approval committees. Such measures may include capacity building of the communities with respect to processing and marketing of bio-cultural products to ensure that communities remain attached to preservation of local ecology. The Central government will support development of such mechanisms through sharing of international experiences and coordination with participating states and national entities in case the stated eco-tourism enterprise covers sites across States and/ or national entities are involved.

**Strategy vi: Education and outreach:** For effective use of the eco-tourism potential of the area, effective communication plan covering all eco-tourism sites of a State will be drawn by the State Governments with the help of expert organisations. The Plan, among other relevant information, will include information to the tourists on the eco-system services and intangible benefits provided by the area. The communication plan will include measures to promote partnerships between the eco-tourism project and socially responsible companies. Use of modern technologies such as electronic visual tools and well equipped modern interpretation centre at the eco-tourism site will be encouraged through this Plan to encourage self-learning by visitors. The Plan will also lay emphasis on appropriate signages for generating awareness among the visitors regarding the safety and risk factors in the eco-tourism zone and safety protocol and information material on the area for the visitors. The Central government will support the outreach of States' eco-tourism potential for international tourists in a programmatic manner.

**Strategy vii: Monitoring:** Each eco-tourism plan will invariably include a dynamic monitoring mechanism, covering multiple biological parameters to monitor stress on wildlife vis-a-vis number and patterns of tourist visitation and their level of satisfaction, involvement of local people, scope for improvement in flow of eco-system services, etc. The monitoring will also include mechanisms to ensure that rigorous practices are in place to prevent biological invasion, disease transmission, and air, water, noise or light pollution. The States Governments/UT Administrations shall endeavour to maintain service level quality standards through appropriate certification/rating protocols.

The States shall endeavour to initiate a ranking system for the respective ecotourism sites.

There shall be regular monitoring by the State Governments and Union Territories on the implementation of the guidelines spelt out in the Guidelines for Sustainable Ecotourism in forest and wildlife areas-2021.

District, State and National level monitoring committees comprising of representatives of relevant stakeholder departments, the local communities, civil societies, and the corporate organisations will be constituted to oversee the implementation of this Guidelines including mobilisation of the required technical, financial and human resource support for eco-tourism plans.

**Strategy viii: Review:** The National level eco-tourism monitoring committee will review the Eco-Tourism Guidelines every three years and make recommendation to the Central Government.

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<sup>[1]</sup>Wherever 'local community' has been used in this Guidelines, it will mean to include Schedule Tribe and other traditional forest dwellers as per Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, which is referred hereinafter as FRA 2006 in short.

## Annexure I

**Potential Sites in India for Ecotourism (Illustrative)**

S.No.	State/ UT Administration	Name of Protected Area
	Andaman & Nicobar Islands	
1		Mahatama Gandhi Marine (Wandoor) NP
2		Mount Harriett NP
3		Ross Island WLS
	Andhra Pradesh	
4		Coringa WLS
5		Pulicat Lake WLS
	Arunachal Pradesh	
6		Itanagar WLS
	Assam	
7		Orang NP
8		DeeporBeel WLS
9		Hollongapar Gibbon WLS
10		Pabitora WLS
	Bihar	
11		Vikramshila Gangetic Dolphin Sanctuary
	Chandigarh	
12		City Bird WLS
13		Sukhna Lake WLS
	Chhattisgarh	
14		Kanger Valley NP
15		Pamed Wild Buffalo WLS
	Goa	
16		BhagwanMahavir WLS
17		Dr. Salim Ali Bird (Chorao) WLS
	Gujarat	
18		Gir National Park & WLS & Gir Landscape
19		Marine (Gulf of Kachchh) NP
20		Barda WLS
21		Girnar WLS

22		Jessore Sloth Bear WLS
23		Kachchh Desert WLS
24		NalSarovar Bird WLS
25		Thol Lake WLS
26		Wild Ass WLS
	Haryana	
27		Sultanpur NP
28		Morni Hills (Khol-Hi-Raitan) WLS
29		Nahar WLS
	Himachal Pradesh	
20		Great Himalayan NP
31		Dhauladhar WLS
32		Kalatop-Khajjar WLS
33		Kibber WLS
34		Manali WLS
35		Pong Dam Lake WLS
36		Renuka WLS
	Jammu & Kashmir	
37		Dachigam NP
38		Gulmarg WLS
	Laddakh	
39		Hemis NP
40		Changthang WLS
	Jharkhand	
41		Dalma WLS
	Karnataka	
42		Bannerghatta NP
43		Kudremukh NP
44		Cauvery WLS
45		Daroji Bear WLS
46		Pushpagiri WLS
	Kerala	
47		Eravikulam NP
48		Silent Valley NP
49		Thattekad Bird WLS
	Lakshadweep	
50		Pitti Island Bird Sanvtuary
	Madhya Pradesh	
51		Madhav NP
52		National Chambal WLS

53		Pachmarhi WLS
	Maharashtra	
54		Sanjay Gandhi (Borivilli) NP
55		Lonar WLS
56		Thane Creek Flamingo WLS
	Manipur	
57		Keibul-Lamjao NP
	Meghalaya	
58		Balphakram NP
59		Nokrek Ridge NP
	Mizoram	
60		Phawngpui Blue Mountain National Park
	Nagaland	
61		Intanki NP
	Punjab	
62		Harike Lake WLS
63		Beas Conservation Reserve
	Odisha	
64		Bhitarkanika WLS & NP
65		Chilika (Nalaban) WLS
66		Gahirmatha (Marine) WLS
67		Nandankanan WLS
	Rajasthan	
68		Keoladeo Ghana NP
69		Desert National Park Sanctuary
70		Mount Abu WLS
71		National Chambal WLS
	Sikkim	
72		Khangchendzonga NP
73		Maenam WLS
	Tamil Nadu	
74		Gulf of Mannar Marine NP
75		Vedanthangal WLS
76		Point Calimere WLS
	Telangana	
77		KasuBrahmananda Reddy NP

	Tripura	
78		Clouded Leopard NP
79		Trishna WLS
	Uttar Pradesh	
80		Katerniaghat WLS
81		National Chambal WLS
82		Kachua WLS
	Uttarakhand	
83		Gangotri NP
84		Nanda Devi NP
85		Valley of Flowers NP
86		Kedarnath WLS
	West Bengal	
87		Gorumara NP
88		Jaldapara NP
89		Neora Valley NP
90		Singalila NP

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सत्यमेव जयते

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**Agenda for Advisory Committee**



<b>Agenda ID</b>	FC/AGENDA/AC/221743/2025
<b>Title of Meeting</b>	11th AC meeting
<b>Meeting Venue</b>	Jal Wing 4th Floor Krishna Conference Hall
<b>Meeting Mode</b>	Physical
<b>Agenda Creation Date</b>	24/12/2024
<b>Meeting Dates &amp; Time</b>	Start Date : 26/12/2024 End Date : 26/12/2024

No. of days	Meeting Date	Meeting Mode	Start Time	End Time
Day 1	26/12/2024	Physical	11:00 AM	03:00 PM

**Proposals to be discussed:**

S. No.	Proposal No.	Division	Project Name	Project Category	Forest Land Area (ha)	Form Type
1	FP/AS/OTHERS/478981/2024	Sibsagar Division	Diversion of 26.1 Ha. forest land for the purpose of the establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Gelky Reserved Forest under Sivasagar Forest Division	Others (please specify)	26.1	Form-A (Part-I): Diversion of Forest Land
2	FP/HR/RE/DIV/493246/2024	Morni-Pinjore Division	Application for Land use change for the Already Diverted Forest Land of Proposal No. – FP/HR/OTHERS/198/1992 (Diverted Forest Land Area – 40.34 Hectare) of the site for setting up of Satsang Centre for Radha Soami Satguru Beas in Land Area = 2.0234Ha. bearing Khasra No. – 11/1, 15/2, 14/2 situated at Village – Bir Ghaggar, District – Panchkula (HR)	Others (please specify)	N/A	Form-E (Part-I): Re-Diversion i) Land Use Change ii) Laying of Overhead/ Under Ground OFC/ drinking water pipeline/ slurry pipeline/ electric cable/ CNG/PNG within ROW
3	FP/MH/MI	Chandrapur	Amalgamated Yekona I & II OC	Mining / Quarrying	0.62	Form-A (Part-I): Diversion of Forest

S. No.	Proposal No.	Division	Project Name	Project Category	Forest Land Area (ha)	Form Type
	N/QR Y/40 3481/2022	Division				Land
4	FP/HR/PetrolPump/422338/2023	Rewari Division	Proposed BPCL Retail Outlet on Nandrapur Bass-Rajsthan Border Road (ODR Road ID 1395) Near KM Stone-1 (RHS) Village Nandrapur Bass Tehsil & Distt. Rewari Haryana	Petrol Pump	0.1601	Form-A (Part-I): Diversion of Forest Land
5	FP/M L/ROAD/442040/2023	East & North Garo Hills (T) Division, Williamnagar	Improvement and Widening of National Highway No. 127B (Darugiri - SONGSAK - WILLIAMNAGAR JUNCTION SECTION) to two lanes with paved shoulder from design Km 0+000 to Km 36+635 (= 36.635 Km) (existing Km 112+000 to Km 151+060) under Bharatmala Pariyojana (Lot-1) Pkg-1B on EPC mode in the state of Meghalaya.	Construction / Widening of Road including approach road to roadside establishments including bridges	34.8877	Form-A (Part-I): Diversion of Forest Land
6	FP/OR/TRANS/463389/2024	Keonjhar Division	Diversion of Forest Land for non forest purpose for construction of 132 KV Transmission Line from 132 KV OP TCL Grid (Barbil) To Nuagaon Iron Ore Mines of M/s JSW Steel Ltd.	Power Transmission Line / Telecommunication Line	26.3443	Form-A (Part-I): Diversion of Forest Land
7	FP/AS/OTHERS/469924/2024	Hailakandi Range Division	Diversion of proposal for 11.5 Ha. forest land for the purpose of the establishment of 2nd Commando Battalion Camp at Damchera in Innerline Reserved Forest under Hailakandi Division	Others (please specify)	11.5	Form-A (Part-I): Diversion of Forest Land
8	FP/OR/IND/419276/2023	Rajnagar WL Division	Establishment of Integrated Steel Plant in the villages of Udayabata, Nuagarh, and Bijayachandrapur under Kujanga Tahasil of District Jagatsinghpur at Paradeep, Odisha	Industry	11.562	Form-A (Part-I): Diversion of Forest Land
9	FP/OR/PWR/TRANS/4622	Jharsuguda Division	400 KV D/C Transmission line connecting from 2x 350MW Thermal power plant to LILO Point.	Power Transmission Line	2.979	Form-A (Part-I): Diversion of Forest Land

S. No.	Proposal No.	Division	Project Name	Project Category	Forest Land Area (ha)	Form Type
	37/2024					
10	FP/OR/SRY/438249/2023	Bonai Division	Khandadhar Sub-Block-B	SRY	0.779	Form-C (Part-I): For seeking prior approval for Exploration & Survey
11	FP/PB/OT/HER/S/466079/2024	Gurdaspur Division	Construction of approach road for New Urban Estate at village Sarki, on Batala – Jalandhar road, Tehsil Batala, Distt. Gurdaspur. (Punjab).	Others (please specify)	0.2045	Form-A (Part-I): Diversion of Forest Land

**Other Item Details:****AC Members Details:**

S.No.	Name	Designation	Email ID
1	Jitendra Kumar	Director General of Forest, MEF	dgfi*****@nic.in
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**Remarks:**

Approved
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**AGENDA FOR THE MEETING OF ADVISORY COMMITTEE (AC) SCHEDULED TO BE HELD ON 26.12.2024**

S. No.	File No.	Name of the proposal	State	Area Applied (ha.)	Category	Page No.
1.	FP/AS/OT HERS/478 981/2024	Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of Sivasagar Territorial Forest Division, Assam for non-forestry use of <b>26.1 ha (Original area 28.0 Ha.) of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division</b> , Sivasagar District in the State of Assam (Violation)	Assam	26.1	Others	4
2.	FP/AS/OT HERS/469 924/2024	Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of <b>Assam Police Housing Corporation Limited, Assam for non-forestry use of 11.5 Ha. of forest land for establishment of 2nd Commando Battalion Camp at Damchera in Innerline Reserved Forest under Hailakandi Division</b> , Hailakandi District in the State of Assam (Violation)	Assam	11.5	Others	67
3.	FP/HR/RE DIV/4932 46/2024	Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in f/o <b>Radha Soami Satsang Beas, Punjab for land use change in already diverted forest land i.e. 40.34 ha for setting up of Satsang Centre for Radha Soami Satsang Beas in 2.0234 ha</b> in Village- Bir Ghaggar, District- Panchkula in the State of Haryana (Violation).	Haryana	2.0234	Others	107
4.	FP/HR/Pet rolPump/4 22338/202 3	Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of <b>Bharat Petroleum Corporation Limited for non-forestry use of 0.1601 ha of Protected Forest land for approach access to BPCL Retail Outlet on Nandrampur Bass-Rajsthan Border Road (ODR Road ID 1395) Near KM Stone-1 (RHS) Village- Nandrampur Bass, Tehsil &amp; District- Rewari</b> in the State of Haryana (Violation).	Haryana	0.1601	Others	148
5.	FP/MH/M IN/QRY/4 03481/202 2	Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for diversion of 0.62 ha forest	Maharash tra	0.62	Mining	167

		land under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for <b>Amalgamated Yekona-I &amp; Yekona-II Open Cast Mine, WCL Majri</b> Area, Taluka Warora, District Chandrapur in the State of Maharashtra – regarding.				<del>80</del>
6.	FP/ML/ROAD/442 040/2023	Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in f/o <b>National Highways &amp; Infrastructure Development Corporation Ltd. (NHIDCL) for non-forestry use of 34.8877 ha of Reserved Forest and Deemed Forest land for Improvement and widening of National Highway No. 127B (Darugiri-Songsak-Williamnagar Junction Section) to two lanes with paved shoulders from design Km 0+000 to Km 36+635 (= 36.635 Km) (existing Km 112+000 to Km 151+060) under Bharatmala Pariyojana (Lot-1) Pkg-1B on EPC mode in East &amp; North Garo Hills (T), Division in the State of Meghalaya (Violation).</b>	Meghalaya	34.8877	Road	191
7.	FP/PB/OTHERS/466 079/2024	Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of <b>M/s Amritsar Development Authority for non-forestry use of 0.2045 ha of Protected Forest land for construction of approach road for New Urban Estate at village Sarki, on Batala – Jalandhar road, Tehsil- Batala, District-Gurdaspur in the State of Punjab. (Violation).</b>	Punjab	0.2045	Road	234
8.	FP/OR/SRY/438249/ 2023	Proposal for permission over 0.779 ha of forest land for <b>prospecting of minerals upto G2 level by undertaking exploratory drilling of 8 nos. of boreholes of 4" dia (over 0.160 ha) and for new access path (over 0.619 ha) within total block area of 432.800 ha in Khandadhar Sub Block-B</b> under Bonai Forest Division of Sundargarh District, Odisha by OMC Ltd -reg.	Odisha	0.779	Prospecting	250
9.	FP/OR/IND/419276 /2023	Proposal for seeking ex-post facto approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of <b>M/s Arcelor Mittal Nippon Steel India Limited for regularization of the violation of the provisions of the Adhiniyam for diversion of 11.562 ha of forest land for establishment of Integrated Steel Plant in the villages of Udayabata, Nuagarh, and Bijayachandrapur</b> under Kujanga Tahasil of District Jagatsinghpur, Odisha (Violation).	Odisha	11.562	Industry	277
10.	FP/OR/TRANS/4633 89/2024	Proposal for seeking ex-post facto approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for <b>diversion of 26.3443 ha of</b>	Odisha	26.3443	Tr. Line	311

		forest land for construction <del>468</del> 132 KV transmission line from 132 KV OPTCL Grid (Barbil) to Nuagaon Iron Ore Mines of M/s JSW Steel Ltd. in Keonjhar Forest Division, Dist: Keonjhar, Odisha (Violation).				81
11.	FP/OR/TR ANS /462237/2 024	Proposal for diversion of 2.979 ha of Revenue Forest Land for <b>construction of 400 KV Double Circuit Transmission Line connecting from 2X350 MW Thermal Power Plant of M/s Ind-Barath Energy (Utkal) Limited (IBEUL) (Now acquired by M/s JSW Energy Ltd.) (JSWEL) at Sahajbahal and Barpali village to LILO (Loop in-Loop out) point at Sarandamal village, Jharsuguda, Odisha under Jharsuguda Forest Division-reg. (Violation).</b>	Odisha	2.979	Tr. Line	338

**Agenda No. 1****Proposal No. FP/AS/OTHERS/478981/2024**

**Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Sivasagar Territorial Forest Division, Assam for non-forestry use of 26.1 ha (Original area 28.0 Ha.) of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam (Online No. FP/AS/OTHERS/478981/2024)- regarding.**

1. State Government of Assam vide online proposal FP/AS/OTHERS/478981/2024 submitted the proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Sivasagar Territorial Forest Division, Assam for non-forestry use of 28.0 Ha. of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam.
2. As per the proposal, there is incessant encroachment from Nagaland side which has led to the loss of more than 60% of the Geleky RF under Sivasagar Division. Therefore, the proposal states that the forest department decided to host a Commando Battalion infrastructure to stop further deforestation in the forest of Assam bordering Nagaland.
3. DFO, Sivasagar has recommended the proposal stating that the unabated encroachment is continuing at an alarming rate, there is almost certainty of losing the remaining forest wealth of the RFs of Sivasagar Division to the occupation of Nagaland. Thus, in order to resist further encroachment of the forest area and to prevent further destruction of forest resource by the ever-increasing pressure for occupation of land, the deployment of forest protection force and construction of battalion camps at strategic locations inside the forest area at the ever-expanding trans-state forest encroachment frontier is unavoidable, inevitable and must. Thus setting up of the battalion camp inside Geleky RF is urgent and essential and in the sole interest of forest conservation.
4. Administrative approval was granted to Assam Police Headquarters for Construction of newly raised 5 (five) nos. of Commando Battalions at Pabhoi in Biswanath District, Geleky (Kamalabari) in Sivasagar District, Kachurtal in Hailakandi District, Doldoli (Lahorijan) in Karbi- Anglong District, Ambikapur in Sadiya District on 12.04.2024.
5. The Financial Sanction was issued to the Assam Police Headquarters for Raising of New Assam Police Commando battalion at Gelecki(Kamalabari) in Sivasagar Dist., Assam on Engineering, Procurement and Construction (EPC) Mode on 20.04.2023.



6. Subsequently, the State Government intimated that the Assam Police Headquarters appointed the Managing Director, Assam Police Housing Corporation Limited as the authorized officer on behalf of the Assam Police Headquarters to act as User Agency for the said proposal vide its letter No. C.92/PSC/MISC/2023/VOI-IV/43 dated 09.08.2024. Upon receiving the request from the State Government, the User Agency was changed from the DFO Sivsagar to the Assam Police Housing Corporation.
7. As per DSS report, the area was full of vegetation and no construction work was visible until January, 2022, however, vegetation was cleared and construction work was visible in February, 2023 satellite image of the proposed site.
8. Further, DFO, Sivsagar Forest Division has mentioned in his inspection report that
  - i. The Assam-Nagaland border extends along 3(three) nos. of Assam Forest Divisions Golaghat, Jorhat & Sivasagar Forest Divisions which includes a total of 9 (nine) nos. of Reserved Forests (RFs) areas. These RFs situated along the Assam-Nagaland border were under the cover of virgin forests prior to 1900s and hosted an unlimited variety of flora and fauna. Having realized the intrinsic values of these areas, the British had constituted them into RFs. The encroachment pressure was existing since 1950s on all the RFs bordering the state of Nagaland were generally small.
  - ii. After the declaration of Nagaland as a state during 1962, encroachment pressure increased in the RFs mainly by the tea growers and others for cultivation of tea, rubber, beetle nut and settlement from the Nagaland side. Clearing of forest for such non-forestry purposes has resulted in loss of forest land every year. Simultaneously, the Govt. of Nagaland had also supported the Naga people by datablising Civil Sub-Division and started encroachment inside the RFs by installing battalion posts and by providing infrastructures like schools, primary health centers, roads, water supply, electricity, irrigation schemes, agricultural farms, fisheries etc. to the encroachers in spite of various agreements for maintaining status-quo along the Assam-Nagaland border areas.
  - iii. This incessant encroachment from Nagaland side has led to the loss of more than 95% of Doyang, Rengma, Nambor South and Diphu RF's of Golaghat Division; loss of more than 80% of Desso Valley and Tiru Hills RF's under Jorhat Division; and loss of more than 60% of the Geleky RF under Sivasagar Division. The Assam Forest Department evicted such encroachments from time to time; but the border problem has been aggravating.
  - iv. The details of encroachment inside the Assam forest land at Assam-Nagaland Border is as below:

Sl. No.	Name of the RF	Division	Total Area (in Ha)	Encroachment area (in Ha approx.)	% of Encroachment
1.	Desso Valley RF	Jorhat	16381.446	13322.14	81.3

2.	Tiru Hills	Jorhat	5858.552	4829.15	82.42
3.	Dessoi RF	Jorhat	2797.148	500	17.87
4.	Geleky RF	Sivasagar	5929.200	4000	67
5.	Abhypor RF	Sivasagar	6737.985	125	18.50
6.	Doyang RF	Golaghat	24635.77	23717.18	96.27
7.	Rengma RF	Golaghat	13921.49	13558.35	97.39
8.	Nambor South RF	Golaghat	27240.61	26742.81	98.17
9.	Diphu RF	Golaghat	18363.00	18050.00	98.29

v. As this unabated encroachment continues at this alarming rate, there is almost certainty of losing the remaining forest wealth of the RFs of Sivasagar & Jorhat Divisions to the occupation of Nagaland. Thus, in order to resist further encroachment of the forest area and to prevent further destruction of forest resource by the ever-increasing pressure for occupation of land, the deployment of forest protection force and construction of battalion camps at strategic locations inside the forest area at the ever-expanding trans-state forest encroachment frontier is unavoidable, inevitable and must. Thus setting up of the battalion camp inside Geleky RF is urgent and essential and in the sole interest of forest conservation.

9. Further, DFO, Sivsagar has also mentioned in Part- II that requirement of forest land is unavoidable and bare minimum for the project
10. Nodal Officer Adhinyam, Assam has also recommended the stating that with the incessant encroachment, Geleky RF has already lost about 60% of the Reserved Forest area to Nagaland. Golaghat Division has lost almost 98% of its Reserved forest and Jorhat division lost about 85% of its Reserved forest to Nagaland, hence to resist further encroachment and occupation of land, the deployment of armed forces and construction of commando battalion camp is essential for the sole interest of forest conservation. The area selected is devoid of valuable tree species, only dominated by naturally growing bamboo species and is 2 Km from the disputed interstate Assam-Nagaland border. The location is site specific as it is a strategic location to dominated over the area and resist further attempt of encroachment from miscreants from Nagaland side, which would not be otherwise possible by stationing in an area outside the Reserved Forest area. Hence, the establishment of the Commando battalion camp inside Geleky RF is the most feasible from the forest protection point of view.
11. The facts related to the proposal as contained in the State Government letter are given below in the form of factsheet:

1.	<b>Name of the Proposal</b>	Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of Sivasagar Territorial Forest Division, Assam for non-forestry use of
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		28.0 Ha. of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam.
2.	<b>Location:</b>	
(i)	State	Assam
(ii)	District	Sivasagar
(iii)	Category	Others
(iv)	Total period for which the forest land is proposed to be diverted (in year).	99 years As per Form A Part-I
3.	<b>Detail of user agency</b>	
(i)	Name of the user agency	Assam Police Housing Corporation
(ii)	Nature of user agency	State Government PSU
4.	<b>Particular of Forests</b>	
(i)	Name of Forest Division	Sivasagar Division
(ii)	Area of Forest land proposed for Diversion	28.0 ha. (Reserve Forest)
(iii)	Density of Vegetation	Area = 28.0 Ha. Density = 0.3 Eco class = 1
5.	<b>Maps</b>	
	i. Differential GPS map of the area proposed for diversion	Uploaded
	ii. Differential GPS map of the area identified for raising CA	Uploaded
	iii. Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Not Uploaded
	iv. Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Not Uploaded
	v. Land use plan	Uploaded
	vi. Forest Cover map	Not uploaded

6.	Vegetation	
	i. Species-wise and diameter class wise enumeration of trees.	No tree felling is proposed
	ii. Density	0.3
	iii. Number of trees to be felled	0
	iv. Working plan prescription for the forest land proposed for diversion.	Not applicable
7.	Vulnerability of area to soil erosion	No
8.	Details of wildlife present in and around the forest land proposed for diversion;	Nil
	Whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc	No
	Details and comments on the impact of Project on such areas	Nil
9.	Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve buffer zone, elephant corridor, wildlife migration corridor etc., is located within 10 Km. from boundary of the forest land proposed to be utilized for prospecting or diversion	No
10	Details and comments on the impact of Project on such areas	Nil
11.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No as per Part-II
12.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No

13.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes, As per the details mentioned on part II of the proposal.
14.	Details of Compensatory Afforestation Scheme:	
	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	Compensatory Afforestation (CA) has been proposed over an area of 28.0 ha inside compensatory afforestation land bank of 830 ha. of evicted non forest land adjacent to Burahchapory Wildlife Sanctuary under Nagaon Wildlife Division, Nagaon.
	i. Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	-
	ii. Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	Provided with the proposal
	iii. Total financial outlay for compensatory Afforestation scheme.	₹2.12 (Crore) <b>Amount in Words:</b> Two Point One Two Crore (s) Only.
	iv. Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	Provided with the proposal
15.	v. Documentary evidence in support of settlement of rights in accordance with	Not required as per the Forest (Conservation) Rules, 2022.

	the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	
16.	Site Inspection Report of the Divisional Forest Officer	The Site Inspection Report has been carried out by DFO, Sivasagar Division.
17.	Whether the project requires environment clearance.	No
18.	Status of Wildlife clearance.	Not applicable.
19.	Whether Rehabilitation and Resettlement (R&R) involved?	
	No. of Villages	0
	No. of Project Displaced Families	0
	No. of Project Affected Families	0
	Status of Rehabilitation & Resettlement	NA
20.	Whether project area involves shifting of watercourse/road/rail/Transmission line/water pipeline, etc. required?	No as per part-I
21.	Whether any alternative site(s) examined or part thereof for the non-site-specific component?	Not applicable
22.	Whether there is any Government Order or Policy/ Court order relevant or restricting to the site?	No as per part-I
23.	Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up?	An O.A was filed in Hon'ble NGT, Kolkata by Shri. Rohit Choudhury Vs State of Assam and Others which was registered on 25.05.2024.
24.	Whether the proposal involves violation of Act/Rule/Regulation/Notification of Central/State Government?	DFO, Sivasagar has mentioned in Part- II that there is no violation of provisions of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.
21.	Cost Benefit Analysis	
	Whether Cost-Benefit analysis for the Project has been made?	Not uploaded.
	Total Loss (Against the proposed forest land Diversion in crore)	NA

	Estimated Benefits of Forest Diversion (in crore)	NA
	Cost Benefit Ratio	NA
	Upload a copy of Cost-Benefit analysis	NA
22.	Total Cost of the Project at current price level (in Lakhs)	₹17625/- (Lakhs) Amount in Words: Seventeen Thousand Six Hundred and Twenty Five Lakh(s) Only.
23.	Employment likely to be generated	
23.1	During construction phase	Not provided
23.2	During operational phase	Not provided
24	Undertakings to bear the cost of CA and NPV	The User Agency has uploaded undertaking to bear the cost of NPV / CA.
24.	<b>Recommendation with Specific conditions, (if any)</b>	
	DFO	Recommended (PART-II) with following justification: - the unabated encroachment is continuing at an alarming rate, there is almost certainty of losing the remaining forest wealth of the RFs of Sivasagar Division to the occupation of Nagaland. Thus, in order to resist further encroachment of the forest area and to prevent further destruction of forest resource by the ever-increasing pressure for occupation of land, the deployment of forest protection force and construction of battalion camps at strategic locations inside the forest area at the ever-expanding trans-state forest encroachment frontier is unavoidable, inevitable and must. Thus setting up of the battalion camp inside Geleky RF is urgent and essential and in the sole interest of forest conservation.
	APCCF/ Nodal Officer (FCA)	Recommended. with the incessant encroachment, Geleky RF has already lost about 60% of the Reserved Forest area to Nagaland. Golaghat Division has lost almost 98% of

	its Reserved forest and Jorhat division lost about 85% of its Reserved forest to Nagaland, hence to resist further encroachment and occupation of land, the deployment of armed forces and construction of commando battalion camp is essential for the sole interest of forest conservation. The area selected is devoid of valuable tree species, only dominated by naturally growing bamboo species and is 2 Km from the disputed interstate Assam-Nagaland border. The location is site specific as it is a strategic location to dominated over the area and resist further attempt of encroachment from miscreants from Nagaland side, which would not be otherwise possible by stationing in an area outside the Reserved Forest area. Hence, the establishment of the Commando battalion camp inside Geleky RF is the most feasible from the forest protection point of view.																					
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**From the examination of the above, the following may be concluding:**

1. Proposal envisages diversion of 28.0 ha of Reserved Forest for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam.

2. Legal status of forest land proposed for diversion is Reserved Forest.
3. Vegetation density of 0.3 has been reported with Eco class 1. No tree felling is proposed.
4. Component wise breakup of the area has not been submitted along with the proposal.
5. Employment details has not been submitted along with the proposal.
6. Compensatory Afforestation (CA) has been proposed over an area of 28.0 ha inside compensatory afforestation land bank of 830 ha. of evicted non forest land adjacent to Burahchapory Wildlife Sanctuary under Nagaon Wildlife Division, Nagaon.
7. DFO, Sivasagar has mentioned in Part- II that there is no violation of provisions of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. However, an O.A was filed in Hon'ble NGT, Kolkata by Shri. Rohit Choudhury Vs State of Assam and Others which was registered on 25.05.2024 w.r.t. Shri MK Yadava who was also the Head of Forest Force approved the diversion of another 28 ha at the assam Nagaland border in Geleky Reserve Forest in 2022 for a Police Battalion Camp.
8. Proposal does not form the part of any Protected Area, or Eco-sensitive Zones, and Wildlife Corridors, etc.
9. DFO, Sivasagar has mentioned in Part-II that there is no presence of rare/endangered/unique species of flora and fauna found in the area.
10. There is no Protected Archeological/Heritage site/Defense establishment in the proposed area for diversion as per part II filled by the DFO.
11. DFO, Sivasagar has mentioned that the requirement of forest land is unavoidable and barest minimum.
12. KML file is analysed by the DSS Cell of MoEF&CC and DSS report has been attached. DSS analysis of the area proposed for diversion and land proposed for CA revealed the following:
  - A. Area proposed for diversion:
    - i. Calculated area of shape file/ KML file of Forest land proposed for diversion is found to be 28.0 ha. No Protected Area/ Tiger Reserve/ Tiger Corridor is located within 10 Km radius from the proposed forest area.
    - ii. Proposed forest area falls under Not-in High Conservation Value (HCV) Zone as per Decision Rule 1. However, as per Decision Rule 2 the area falls in High Conservation Value (HCV) Zone.
    - iii. Entire area proposed for diversion is classified as open forest.
    - iv. Construction work, felling of trees, road is visible in the proposed area.
  - B. Degraded forest land identified for raising CA:

- i. Compensatory afforestation has been proposed over non-forest land. Total area of proposed CA land is found to be 28.0 ha (software calculated).
  - ii. Cultivation land and settlement is visible in the proposed CA site.
13. Undertakings to bear the cost of CA, NPV have been submitted by the User Agency.

**14. Brief background of the proposal:**

- a) An O.A was filed in Hon'ble NGT, Kolkata by Shri. Rohit Choudhury Vs State of Assam and Others which was registered on 25.05.2024.
- b) Ministry vide letter dated 25.04.2024 and 13.06.2024 requested the State Govt. of Assam to furnish a detail factual report in respect to news report in Hindustan Times "Shri MK Yadava who was also the Head of Forest Force approved the diversion of another 28 ha at the assam Nagaland border in Geleky Reserve Forest in 2022 for a Police Battalion Camp" and submit to Ministry with a copy marked to Regional Office, Shillong requesting to coordinate with the State Govt. and provide the requisite information with comments in the matter to the Ministry.
- c) The Regional Office, Shillong vide letter dated 06.05.2024 and 18.06.2024 requested the State Govt. to provide the detail factual report to Ministry. Further, it was informed regarding constitution of committee as directed by Hon'ble NGT, in O.A. 105/2014/EZ order dated 29.05.2024.
- d) Ministry vide letter dated 05.06.2024 constituted the following committee in pursuance of direction of Hon'ble NGT in their order dated 29.05.2024:-
  - (a) Sh AK Mohanty, ADGF, MoEF&CC, F(C), MoEF&CC
  - (b) Sh Tanmay Kumar, Addl. Secretary, MoEF&CC
  - (c) Ms. Imtiena Ao, DDGF(C) MoEF&CC, Regional Office, Shillong.

The site inspection of the proposed area is to be carried out by the aforesaid committee.

- e) With reference to Ministry's letters dated 25.04.2024 and 13.06.2024, the Conservator of Forests, Jorhat in his letter addressed to PCCF & HoFF, Assam attached a copy of letter of DFO, Sivasagar wherein it is informed as below:

The area in concern is dominated by Kako bamboo (*Bambusa balacoa*) without any valuable tree species and very much vulnerable to encroachment. Due to gradual destruction of forest wealth in the past, the area of 28.0 ha has transformed into a degraded open forest with only naturally growing bamboo patches of Jati, Bholuka, Dolo and Mukal here and there. No fresh clearing was required. It has been observed that construction works of the Commando battalion camp is in process in the 28 Ha area after receiving the order for establishment of the Commando battalion camp at Geleky RF from the Principal Chief Conservator of Forest & Head of Forest Force, Assam vide letter no.FG.46/Border/Nagaland/Pt-II dated 15.11.2022. **The area has been**

**demarcated by constructing a boundary wall around it and structures have been constructed as per the master plan. Almost 60% of the main building has been completed and others are under construction.**

15. The proposal submitted by the State Government was examined in the Ministry and after examination certain shortcomings were observed and the same was communicated to the State Government on 16.07.2024.

16. The State Government has submitted reply to queries raised by the Ministry on 16.07.2024. Summary of the same are as under:

Sl. No.	Query raised by the MoEF&CC	Reply from the State Government
1.	The State Government has mentioned that there is no violation of the Adhinyam in the said proposal. Therefore, reason for seeking ex-post facto approval of the Central Government is required.	<p>Following has been submitted by the State Government:</p> <p>I. Assam has got a total of 75 Reserved Forests (RF) having inter-state borders with Arunachal Pradesh, Nagaland, Mizoram and Meghalaya. Of this, the Department has prepared a report of status of encroachments pertaining to 73 out of 75 RF. Out of 84,160.87 ha of area, Nagaland has occupied 36294.07 ha. The forest under Jorhat and Sivasagar Forest Division namely Dissai Valley, Dissai, Tiru Hills and Geleki are extra poised with each other.</p> <p>II. The process of occupation from across the border by armed miscreants has a long history in these forest of Dissai Valley, Dissai, Tiru Hills, Geleki, Abhaypur. Some of which date back to 1953.</p> <p>III. As per the various Working Plan of Jorhat and Sivasagar Division, these forests have been facing enemy pressure on the southern border on Nagaland. Nagaland has been staking claim.</p> <p>IV. About the Forest land used for Battalion construction, this is pertinent to mention that as described, the area has lost all its original forest characteristics and there are no standing trees. It is dominated by JatiBaanh (<i>Dendrocalamushamiltonii</i>)</p>

		<p>etc. The growth of bamboo is bushy and stranded. This has been the condition of the forest for last 3-4 decades. Therefore, as already stated there was no tree felling involved in the Battalion construction.</p> <p>V. Geleki RF which has an area of 5929.20 ha and was once evergreen forest having Holong and Mekai. This forest is now encroached. The encroached area ENF-13023/28/2024-ENV./FOREST-Environment &amp; Forest Department I/676626/2024 by Nagaland is 400 ha. The State of Assam is trying to hold on to the balance of 1900 ha. of the area, which is now, as described earlier as only secondary growth of bamboos. It is difficult for Assam Forest and Assam Police to enter into these areas and recover the areas from encroachment and undertake plantation to revive the forest.</p> <p>VI. The Assam Forest Department along with Assam Police, is trying all its efforts so that remaining areas of these forest don't slip away into the hands of Nagaland. There are several areas when the Forest officials were forced to lodge FIR caused by miscreants from across the border.</p> <p>VII. The above descriptions clearly indicate that it is not out of any greed of land by Assam Forest or Assam Police or any diversion for commercial purposes of Forest land that the Battalion has been allowed to set up. The battalion has been set up in conditions which cannot be mitigated by any other means by the State Govt. as already stated in the previous paras, land is a state subject and Govt. of Assam through its two Department namely Assam Forest and Assam Police have done best possible for protection of the Forest and maintaining the integrity of the</p>
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		<p>State.</p> <p>/III. The Forest Department and the Assam Police have a long history of working together from 1986 when the Assam Forest Protection Force Act 1986 was introduced.</p> <p>IX. In view of the above, the State Government has requested MoEF&amp;CC as under:</p> <p>a) To condone the inadvertent mistake, if any, of the PCCF &amp; HoFF who acted on behalf of the State Govt. in the interest of the forest protection only and not otherwise.</p> <p>b) To do away with the imposition of provisions of section 3A and 3B, as the diversion was resorted to by the Forest Department only for protection of forest, possibly to sacrifice 40 odd hectares of degraded land devoid of tree cover to save thousands of hectares of the remaining forests from undergoing further degradation, denudation, encroachment and settlements.</p> <p>c) To do away with imposition of NPV and Penal NPV on the proposed diversion. However, the State Government has already made provisions to allocate 11.5 Hectares of Revenue land in lieu of the diversion of proposed forest land and afforest the same at its own cost.</p> <p>d) To allow change of user agency from Forest Department to Police headquarters or their authorized agency in the application for diversion on Parivesh 2.0.</p> <p>e) To accord early approval of the diversion so that construction can be completed. It is to be stated here that the force is already recruited by the State Government, but effective deployment in the area concerned cannot be done in absence of suitable</p>
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		<p>accommodation of the force including security of the arms and ammunition.</p> <p><b>The reply of the State Government to condone the mistake of the then PCCF &amp; HoFF has to be viewed in light of provisions in the Adhiniyam. As per records, No prior permission was sought from the Central Government before sanctioning the construction of a Police Battalion on Reserve Forest Land by the State Government.</b></p>
2.	If another User Agency has received the administrative and/or financial sanction for the construction, the said user agency should apply for forest clearance along with relevant documents.	<p>There is no administrative approval or the Financial Sanction in favour of Divisional Forest Officer, Sivsagar. The administrative approval and the Financial Sanction are in the name of Assam Police Headquarter and the Financial Sanction are marked to Assam Police Housing Corporation Limited as vendor which is a State Public Sector Undertaking under the administrative control of Assam Police.</p> <p><b>The reply of the State Government may be accepted.</b></p>
3.	Since the User Agency in the extant proposal is the Divisional Forest Officer, Sivsagar Division, any administrative approval or financial sanction received by the User Agency for construction on forest land may be uploaded.	<p>It was mentioned in the reply that if MoEF&amp;CC allows change of User Agency, the same shall be complied with.</p> <p><b>Accordingly, User Agency has been changed from Divisional Forest Officer, Sivsagar Division to Assam Police Housing Corporation Ltd.</b></p>
4.	The component-wise break up of forest land has not been submitted along with the proposal. The same needs to be uploaded along with KML file	The component-wise break up of forest land is submitted. However, KML file is not submitted along with the reply.
5.	KML file of the Geleky Reserve Forest needs to be submitted	Submitted
6.	Approved layout plan has not	Layout plan submitted along with the

	been uploaded. The same needs to be submitted.	proposal. The layout plan is approved by the Assam Police Housing Corporation.
7.	Land Use pattern statement for 28 Ha is given as Residential Area: 3.54 Ha; Administrative buildings: 0.95 Ha & Open spaces – 12.02 Ha among others. The State Government is asked to justify situating the proposal in forest land. Furthermore, since the proposal involves the construction of residential area, State Government may explore the possibility of shifting the said activity in non-forestland in compliance of Guideline 1.10 of the Adhinyam	<p>It may kindly noted that Assam has lost several hundred of Sq Km. of land to Nagaland pertaining to the bordering reserve forests. In case of Geleki and other adjoining areas, it is seen that currently more than 220 Sq Km. of forest is already under occupancy of Nagaland. The ground situation is such that effective protection cannot be guaranteed if the unit is located outside the RF. It is to be understood that these activities across the border have twin purpose. Firstly, cutting the forest and encroaching upon the land and secondly, set up of armed police infrastructure followed by making up of roads, setting up of villages and administrative machinery and thereby taking the whole area under their control. Therefore, setting the battalion outside the RF would not serve any purpose at all. As also explained in reply to the EDS SI. No. 1 the entire issue also involves security of the State. As regards, construction of residential unit in the said battalion, it may be noted that the purpose of battalion is full functional unit with official, residential, operation, utility and fitness spaces. Assuming that part of the services is taken out and moved elsewhere in civil area, it will hamper the efficiency of the battalion. Giving the ground situation, the State Government is not in a position to compromise on quality of services and facilities in the Battalion Unit, else this may be self-defeating.</p> <p><b>The reply of the State Government of situating the residential area and open spaces along with the Police Battalion may be accepted.</b></p>
8.	The details of alternatives	There are five possible sites for locating

	<p>explored by the State Government for situating the proposal inside Forest land may be submitted.</p>	<p>a Battalion camp to counter the encroachment from the Nagaland side namely Dissai valley RF, Dissai RF, Tiru Hills RF, Geleki RF and Abhayapur RF. Among these, the most degraded and most encroached is Geleki RF where there a few standing trees and the old forest of Hollong/ Mekai formation has long disappeared and the remaining area of the forest is covered with secondary succession of stunted and bushy bamboo growth. There the area where the battalion has proposed, there were no standing trees and does not require any felling of trees. Therefore the present area is best suited for Battalion Camp.</p> <p><b>The reply of State Government regarding alternative sites considered for construction of the Police Battalion is put up for discussion of the Advisory Committee.</b></p>
9.	<p>The State Government has not submitted an integrated plan for water supply, electricity and other such utilities etc required for establishment of a Battalion Inside Forest land. The details of the same shall be provided by the State Government</p>	<p>The electricity line will be routed through approach road and the water needs will be met from the bore wells dug inside the diverted area.</p> <p><b>The reply of the State Government may be accepted.</b></p>
10.	<p>As per DSS report, Cultivation land and settlement is visible in the proposed CA site. Comments from State Government in this regard needs to be submitted.</p>	<p>The proposed CA comprising a block of 830 Ha. of revenue area adjacent to Burhachapori Wildlife Sanctuary in Sonitpur District has been allotted to Assam Forest Department by the Revenue &amp; DM Department for use as CA Land Bank. Once all the land bank is allotted for CA, the same would be notified as RF and annexed to Burhachapori Wildlife Sanctuary as its Second Edition. The whole area was evicted in February 2023, and is in control of Forest Department. There are small bamboo</p>

		and tin structures in the deserted agricultural areas which shall automatically disappear over the plantation activity is started.  <b>The reply of the State Government may be accepted.</b>
11.	Cost-Benefit analysis for the project has not been uploaded on PARIVESH portal. The same needs to be submitted.	Submitted by DFO, Sivasagar stating that the proposed battalion is primarily for protection of forests and forest land, therefore cost benefit analysis could not be quantified.

#### 17. Other information about the proposal:

- i. The matter of use of Forest land for construction of the Assam Police Battalion in Geleky Reserve Forest, Sivasagar is also presently pending in front of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata vide Original Application No. 105/2024/EZ. The Hon'ble Court has stated in its Order dated 09.08.2024 that:-

*In view of the Guidelines, we are of the view that it is not for the PCCF Assam to take a decision as to whether the strong constructions for 800 personnel with arms, ammunitions and sophisticated weapons would impact forest conservation or not since the decision in such a case has to be taken by the Central Government in view of the mandatory statutory requirement of Section 2 of the Forest (Conservation) Act, 1980. There is nothing on record to show that there is any permission or sanction granted by the Central Government for diversion of forest land in question for the constructions referred to in the affidavit of the PCCF, Assam.*

- ii. The State Government in its proposal continues to state that there is no violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. DFO, Sivasagar has mentioned in Part- II that there is no violation. The order for establishment of the Commando battalion camp at Geleky RF from the Principal Chief Conservator of Forest & Head of Forest Force, Assam vide letter no.FG.46/Border/Nagaland/Pt-II dated 15.11.2022 also states that the establishment of the Commando Battalion inside the Geleky RF *is for protection and conservation of reserved forest land, it qualifies as an activity relating to conservation of forests mentioned under Section (2) of the Forest (Conservation) Act 1980.*

However, since the State Government has sought approval of MoEF&CC for use of 28.0 ha. forest land for establishment of a Commando Battalion, to be constructed by the Assam Police Housing Corporation, and that will house

Assam Police Commando Battalion, the proposal may be considered as a case for ex-post facto approval of violation of the Adhiniyam.

- iii. The O.A. 105/2014/EZ on the matter at the Hon'ble NGT has not issued any instructions in the matter. Directions have been issued to conduct an inspection on the matter. Further, the matter came for hearing before Hon'ble NGT on 09.08.2024. It is been mentioned that MoEF&CC shall also indicate what action has been taken against the then PCCF Shri. M.K. Yadava who permitted diversion of forest land in violation of Section – 2 of Forest (Conservation) Act, 1980 for making solid construction to house 800 personnel with arms, ammunitions and sophisticated weapons with parade area, exercise areas, shooting area, adequate housing etc.

Documents pertaining to Action taken against the then PCCF & HoFF is not part of the proposal.

- iv. The Site Inspection for the purpose of forest diversion has not been submitted to the Ministry by the Regional Office as on date.
- v. The User Agency in the extant proposal was earlier the DFO, Sivsagar Division. However, the documents submitted in the proposal states that the construction works were carried out by the Assam Police Housing Development Corporation. Subsequently, State Government requested to change the name of User Agency in PARIVESH portal. The User Agency was then changed to Assam Police Housing Corporation.
- vi. From the DSS report, it is seen that the complete area of 28.0 ha had been broken. The Conservator of Forests, Jorhat has mentioned that a boundary wall around the site has been constructed. Works on the Commando battalion camp is in process and almost 60% of the main building has been completed and others are under construction.
- vii. As per DSS of the CA land proposed on NFL, certain huts and agriculture is seen. However, this patch is part of the NFL landscape of 830Ha that the State Government has cleared of encroachment.
- viii. As per the Nodal Officer, the site is 2 Km from the Nagaland-Assam border. However, DSS shows the distance is least at 3.7 Km.
- ix. The land use pattern for 28Ha proposal is as follows.

Type of Building	Area allotted (in ha)
Residential building	3.54
Non residential building	0.95
Parade ground	4.59
Shooting range	2.0
Utilities	0.5
Carriage way	2.4

Natural stream	2.0
Open area/ Park/ land scape/ road	12.02
<b>Total plot area</b>	<b>28.0</b>

- x. The component-wise break up of forest land is submitted. However, KML file is not submitted along with the reply.
  - xi. Layout plan submitted along with the proposal is not approved by competent authority in the Forest Department.
  - xii. The matter is sub-judice and action under Section 3A/3B is yet to be taken by Regional Office, Shillong. Therefore, the decision in this regard has to be taken in light of aforementioned facts as well.
18. After examination of reply submitted by the State Government, the proposal was considered in Advisory Committee meeting held on 27.08.2024. The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Shillong and Nodal Officer, Assam. After going through the facts of the proposal and submissions made by the Dy. DGF (Central), RO, Shillong and the Nodal Officer Assam, the Committee deferred the proposal for ex-post facto approval for 28.0 Ha. of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam and sought the following details:
- i. The Report of the Committee constituted in pursuance of Hon'ble NGT in their order dated 29.05.2024 in Original Application No.105/2024/EZ, will be perused for further consideration in the instant proposal, once same is submitted.
  - ii. The Regional Office shall initiate action in the instant matter and complete the proceedings as prescribed under section 3A and 3B of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - iii. The State Government shall discontinue any kind of construction activities forthwith in the proposed forest area.
  - iv. The State Government shall provide details of the forest clearance letter of diversion of forest land "Exploration of oil at nine site by ONGC-IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC" and the current status of the project.
  - v. The State Government shall exclude the diverted forest area for exploratory drilling by ONGC located within the proposed area of 28 ha in Gelecky RF, and submit a revised proposal.
  - vi. The State Government to suitably modify the proposal to include the alternate approach road to the proposed area with area 0.16Ha, as indicated in the SIR of Regional Office.

vii. The State Government shall provide comments of CWLW Assam for the proposed site in the light of human wild animal conflict reported around the proposed area.

19. The above decision of the Committee was communicated to State Government on 27.09.2024. Reply from State Government has uploaded on PARIVESH portal, summary of the same are as under:

<b>Sl. No.</b>	<b>Observation of MoEF&amp;CC on 27.09.2024</b>	<b>Reply from the State Government on 02.12.2024</b>
1.	The Report of the Committee constituted in pursuance of Hon'ble NGT in their order dated 29.05.2024 in Original Application No.105/2024/EZ, will be perused for further consideration in the instant proposal, once same is submitted.	Inspection has been carried out by the Committee on 28.09.2024.
2.	The Regional Office shall initiate action in the instant matter and complete the proceedings as prescribed under section 3A and 3B of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.	Ministry vide letter No. FC-7/14/2024-FC dated. 28.08.2024 requested Regional Office, Shillong take action under Section 3A/3B. A reminder was also issued vide Ministry letter No. 3-ASC/255/2024/GHY dated 10.12.2024 regarding the same. Action taken report is awaited from Regional Office, Shillong.
3.	The State Government shall discontinue any kind of construction activities forthwith in the proposed forest area.	A copy of Assam Police Housing Corporation Ltd. letter addressed to M/s Badri Rai & Co., vide letter No. APHC/CS/81/PART/2021-22/7 dated 25.09.2024 informing to suspend construction activities has been attached.  (Sl. No. 40 of view documents).
4.	The State Government shall provide details of the forest clearance letter of diversion of forest land "Exploration of oil at nine site by ONGC-IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC" and the current status of the project.	Copy of approval letter is submitted (Sl. No. 14 of view documents).

5.	The State Government shall exclude the diverted forest area for exploratory drilling by ONGC located within the proposed area of 28 ha in Gelecky RF, and submit a revised proposal.	The State Government has excluded the diverted forest area for exploratory drilling by ONGC located within the proposed area and revised area i.e. 26.1 ha. is proposed for diversion.  DSS analysis of the same has been done and found to be excluded.
6.	The State Government to suitably modify the proposal to include the alternate approach road to the proposed area with area 0.16 Ha, as indicated in the SIR of Regional Office.	Revised KML file has been submitted and DSS analysis of the same has been done and found to be included.
7.	The State Government shall provide comments of CWLW Assam for the proposed site in the light of human wild animal conflict reported around the proposed area	PCCF (Wildlife) & Chief Wildlife Warden, Assam vide his letter No. WL/FG.35/Diversion/Gelecky/20245 dated 30.11.2024 addressed to PCCF (HoFF), Assam has stated that the proposed project site is located in Gelecky Reserved Forest in Sivasagar district, bordering Nagaland. The forest type of the RF was Assam Valley Tropical Wet Evergreen Forest in the past. Till 1970 the RF had rich vegetation with main plant species like Hollong, Mekai etc. The RF was also very rich in wildlife including migratory birds. Common animals found in the RF were Tiger, Leopard, Clouded Leopard, Jungle Cat, Jackal, Elephant, Assamese Macaque, Hoolock Gibbon, Slow Loris, Giant Squirrel, Sambar, Barking Deer, Indian Python, King Cobra, Common Krait, Water Monitor., Assam Roofed Turtle etc. and about 46 species of birds. But due to huge encroachment, illegal felling and biotic interference which took place due to inter-state border problems between Nagaland and Assam, the wild animals and their habitat got adversely affected.

		<p>Almost all the important animal and plant species have disappeared from the RF. Therefore, at present there is reportedly no human wild animal conflict around the proposed area. Currently, there are small patches of secondary stunted bamboo growth covered with shrubs and weeds, and the RF is largely encroached with extensive cultivation of commercial crops such as tea, rubber, betel nut etc.</p> <p>Further, it is also mentioned that considering the prevalent volatile situation due to extensive encroachment of forest land by encroachers from neighbouring state and utter forest degradation, the first priority should be to secure the Reserved Forest with highest level of protection and regeneration of native vegetation to the extent possible. Wildlife conservation related activities can only be initiated after the habitat within the RF is restored.</p>
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20. Site Inspection was carried out by DIG (C), Regional Office, Shillong from 16.08.2024 to 17.08.2024. The major findings and observations/recommendations is given as below:

**1. Background of proposal:**

The matter on the proposal for diversion of 28 ha forest land for the purpose of the establishment of commando battalion camp in Assam-Nagaland inter state border area of Geleky Reserved Forest under Sivasagar Forest Division was reported by "Northeast Now" newspaper dated 22.01.2024 titled as "Assam PCCF in hot water again: 28 hectare of Geleky Forest diverted for commando camp" wherein reported on violation of Forest Conservation Act, 1980 and the order of Supreme Court in Godavarman Thirumulkad Vs Union of India. The matter was further reported by national daily "Hindustan Times" dated 25.04.2024 titled "A second Battalion in Assam established without FC nod".

Subsequently a court case O.A.105/2024/EZ, Shri Rohit Choudhury -Vs- State of Assam & Ors was filed and registered on 25-05-2024 by Shri Rohit Choudhury before the National Green Tribunal, Eastern Zone Bench Kolkata. Thereafter affidavit dated 30.07.2024 was e-filed on 01.08.2024 by the Ministry

on the matter to Hon'ble NGT. The Hon'ble court observed that the matter relates to substantial environmental issue and violation of Forest (Conservation) Act, 1980 and requires consideration. In pursuance to Hon'ble NGT, Kolkata first order dated 29.05.2024, Ministry vide its letter dated 05.06.2024 constituted the committee comprising of (a) Shri AK Mohanty, ADGF, MoEF&CC(FC), MoEF&CC, (b) Shri Tanmay Kumar, Addl. Secretary, MoEF&CC & (c) Ms. Imtiena Ao, DDGF(C) MoEF&CC, Regional Office, Shillong and directed that the committee shall visit the site and submit its report on affidavit to the Hon'ble NGT and the ADG(FC) shall be the Nodal Officer for filing the report affidavit.

The Hon'ble NGT in its latest order dated 09.08.2024 observed that two months have already passed and no report has been placed before the Tribunal by the ADG(FC) MoEF&CC and further the court granted four weeks time for filing the said affidavit indicating what action has been taken against the PCCF Shri. M.K. Yadava who permitted diversion of Forest land in violation of the statute.

## 2. The Legal Status of the forests land proposed for diversion

District	Forest Division	Area involved (ha)	Legal Status	Aerial distance of the Proposed area from the nearest PA/ WLS/NP
Sivasagar	Sivasagar	28	Geleky Reserved Forest	30 Km from Hollongapar Gibbon WLS.

Component wise break up of the proposed area (need to submit the revised):-

SL. No.	Type of Building	As per the submitted document (in ha)
1	Residential building	0.80
	Future Expansion	0.80
2	Non residential building	0.80
3	Activity Area	7.50
4	Utilities	0.10
5	Natural stream	1.80
6	Landscape and Park Area	3
7	Road/Footpath Area	3.50
8	Open Land Area	9.65
	<b>Total</b>	<b>28.00</b>

## 3. Whether proposal involved any construction of buildings (including residential) or not. If yes details thereof: Yes. The detail component wise

proposed construction of building provided by the DFO Sivasagar are as under:

(i) Residential building details:-

RESIDENTIAL BUILDINGS								
Sl. No	NAME OF THE BUILDINGS	NO OF UNITS			NO OF FLOOR	NO OF FLOOR	BUILT UP AREA PER BLOCK	TOTAL BUILT UP AREA
		PER BLOCK	TOTAL UNITS	PER UNIT/FLAT AREA (Sq.M)				
1	CO's Residence	1	1	250.00 (4BHK+Office+ Servant)	G+1	1	250	250
2	Deputy Commandant	4	4	165.00 (3BHK+Servant)	G+1	1	720	720
3	Assistant Commandant	4	8	138.00(3BHK+ Servant)	G+1	2	600	1200
4	Inspector/SubInspector Residence	12	24	12 0.00(3BHK+ Servant)	G+2	2	1560	3120
		8	8	120.00(3BHK+ Servant)	G+2	1	1040	1040
5	Havildar's ASI, Constable Residence	12	96	84.00 (2BHK)	G+2	8	1101	8811.20
6	Followers QTR	8	8	65.00(2BHK)	G+1	1	640	640
7	Barrack Accommodations	60 Cap	240 Cap	216.00(30 Persons per floor)	G+2	4	1008	4032
8	Accommodation for SO's (Inspector/SI)	10 Rooms (Twin Sharing)	20 Cap	250.00(25 Sq m per Room)	G+1	1	600	600
<b>Total:-</b>								<b>20413.20</b>

(ii) Non residential building components:

NON RESIDENTIAL BUILDINGS								
Sl. No.	Name of the building	Main Facilities Of Building			No of floor	No of Block	Built up Area per Block	Total Built Up Area (Sq.M)
		Type	Nos./CAP	Area (Sq.M)				
1	NAME OF THE BUILDINGS	Conference Room	20 Cap	60.00	G+2	1	1080.00	1080.00
		CO Room with Attached Toilet	01 Nos	48.00				
2	M.T. Garage with Office (Assam Type)	LMV	06 Nos.	174.00(29 sqm per vehicle)	G	1	870.00	870.00
		MMV	06 Nos	174.00(29 sqm per vehicle)				
		HMV	06 Nos	298.00(50 sqm per vehicle)				
		Office Block	10 Nos	224.00				
3	Ration Store	Hall	02 Nos.	174.00 (87	G+1	1	300.00	300.00

	& Clothing Store (G+1)			sqm per hall)				
4	Magazine/Kote Building & Sentry Post & Boundary Wall/Fencing (B/G)	Magazine/ Kote Building	10 Nos.	218.00	G	1	350.00	350.00
		Explosive Depo Block	01 Nos.	96.00	B			
		Common Toilet Block	08 Nos.	28.00	G			
5	GO's Mess (G+1)	Deluxe Rooms with Attached Toilet	04 Nos.	100.00 (25 sqm per room)	G+1	1	650.00	650.00
		Suites	02 Nos.	100.00 (50 sqm per room)				
6	SO's Mess(G+1)	Twin Sharing Rooms with Attached Toilet	14 Nos.	336.00 (24 sqm per room)	G+1	1	850.00	850.00
		Community Centre	75-100 Cap	253.00				
7	Community Centre with Canteen, Saloon & Laundry	Laundry/Saloon/ Daiyneeds	NA	120.00	G	1	600.00	600.00
		Canteen	48 Cap	158.00				
8	Hospital-10 Beeded-(G)	10 Badded	10 Badded	330.00	G	1	330.00	330.00
9	Drill Shed (Assam Type)	Covered platform	150 Cap	400.00	G	1	400.00	400.00
10	Gate Complex with 10 Men Barrack (Assam Type)	10 Men Barrack	10 Cap	100.00	G	1	175.00	175.00
11	Watch Towers (10 Nos.)-G	Watch tower	10 Cap	50.00	G	1	50	50
12	Fire Station with Barrach(G+1)	Lecture room	10 Cap	17.00	G+1	1	350.00	350.00
		Accomodation room	04 Badded	30.00				
		Fire tender parking space	02 Vehicles	140.00				
13	ATM(G)	NA			G	1	15.00	15.00
14	Control Room(G)	NA			G	1	50.00	50.00
15	Classroom Block with computer lab(G+1)	50 Seated classrooms	06 Nos.	390.00 (65.00 sqm per classroom)	G+1	1	700.00	700.00
16	Indoor Sports Complex with Gym(G)	Badminton hall	01 Court	208.00	G	1	800.00	800.00
		Table tennis hall	01 Table	152.00				
		Gym hall	40-50 Cap.	150.00				
17	Primary School (Assam Type)	30 Seated classrooms	05 Nos.	36.00	G	1	560.00	560.00
18	Family Welfare Centre (Assam Type)	Training hall	30 Cap.	98.00	G	1	500.00	500.00
19	Naamghar	Hall	50 Cap.	100.00	G	1	100.00	100.00
		Table tennis hall	1 Table	104.00				

20	Recreation Hall(G)	TV/Multipurpose hall	50 Cap	76.00	G	1	400.00	400.00
21	Garrage-02 Nos. (For COS Office)- Assam Type	NA			G	1	80.00	80.00
22	Sentry Post-02 Nos. (For COS Office)- Assam Type	NA			G	1	8.00	8.00
23	Sentry Post-01 Nos. (For COS residence)- Assam Type	NA			G	1	16.00	16.00
24	Guard Sheed01 Nos. (For COS Residence)- Assam Type	NA			G	1	74.00	74.00
25	Kill House (G)	NA			G	1	280.00	280.00
							<b>Total:-</b>	<b>9588.00</b>

The building construction has been started on the proposed site. The component wise (%) work constructed and finished so far as provided by the DFO, Sivasagar is as under:

SI No	Name of Building	% completed
1	4 Nos of Barrack	92%
2	8 nos Havildar and 3 nos of Inspection building	79%
3	Hospital and 10 men barrack	95%
4	School and Fire station	75%-78%
5	Deputy Commandant Building	0%
6	Canteen and Recreation hall	0%
7	Namghar	75%
8	Indoor stadium	0%
9	CO Building	78%
10	CO Residence	0%
11	GO Mess Building	80%
12	SOS Mess Building	80%
13	Commandant Office Block	80%
14	SOS Accommodation Building	80%
15	Small components (ATM, Sentry post etc)	0%

**4. Total cost of the Project at present rates.**

The total cost of the project is ₹176.25 cr.

**5. Whether forest area proposed for diversion is important from wildlife point of view or not.**

No wildlife was cited on the day of inspection, however the DFO, Sivasagar informed that wildlife viz., Leopard, wild boar, Snakes etc. are reported in the surrounding area. However Divisional Forest Officer, Sivasagar informed the inspection team that Human wildlife conflict has been reported earlier around the proposed area.

## 6. Vegetation

Sl. No.	Forest Division	Reserve Forest & area (in ha)	Total Nos. of Trees to be felled including poles
1	Sivasagar	Geleky RF & 28 ha	<i>Few standing tree viz., Duwabanga sp., Sterculia villosa, Ficus spp, Sapium baccatum (Saleng), Anthocephalo cadamba etc were observed during the site visit</i>

### Effect of removal of trees on the general ecosystem in the area

The proposed area is broken and construction is on going on the day of inspection. The vegetation in the proposed area has been almost entirely clear felled except few standing trees viz, *Duwabanga sp., Sterculia villosa, Ficus spp, Sapium baccatum (Saleng), Anthocephalo cadamba* etc with pockets of baboo species like *Dendrocalamus hamiltonii* (kako bah), *Bambusa tulda* (Jati bah), *Bambusa balacoa* (Bholuka bah), *Schizostachyem dullooa* (Dolo Bah) etc.

The effect of tree removal in the area can be minimize by undertaking plantation measures under relevant guideline and rules.

## 7. Background note on the proposal.

As given in the first paragraph.

## 8. Compensatory Afforestation:

The CA site has been proposed in 28 ha equivalent non forest land in the identified compensatory afforestation land bank of 830 ha evicted non forest land in Sonitpur district of Assam located adjacent to Burahchapory Wildlife Sanctuary under Nagaon Wildlife Division in Sonitpur district of Assam.

District	Forest Division	Range/ Location	Area (in ha)	Financial outlay (in ₹)
Sonitpur	Nagaon Wildlife Division	Dhaniala Range	28	2.12 Crore

### Whether land for compensatory afforestation is suitable from plantation and management point of view or not.

The State Govt. of Assam vide its letter No ECF, 439104/2024/16 dated 29.07.2024 notified the evicted non forest land of 830 ha handed over to State Forest Department in Sonitpur district of Assam adjacent to Burahchapory

Wildlife Sanctuary under Nagaon Wildlife Division for providing lands towards compensatory afforestation for forest diversion cases in Assam. The final notification of identified CA site to RF/PRF has not been completed however the Range Officer, Dhania Range informed that it will be completed before grant of Stage II /Final Approval of the proposal.

The CA site is located around the submergence area of Brahmaputra river which is about 2 km from the identified CA site. The approach route to the CA site is through two nallahs i.e. Phultala Nallah and Boga Nallah by boat or temporarily constructed bamboo bridge. On the day of the site inspection, the Range Officer informed that temporary illegal settlement are still occupying the evicted CA land bank. The team observed that agricultural practices and rearing of livestock, cows etc are still continuing in this evicted land.

The identified CA site is an open forest with few standing trees species like *Streblus asper*, *Bombax ceiba* etc. The team observed continuous large scale cultivation of *Corchorus capsulans* sp. (Jute) and other vegetables like Brinjal in the identified CA site. The Range Officer, Dhania Range informed that some illegal temporary settlement are still existing in the evicted CA land bank of 830 ha and forest department is in the process of eviction of such temporary settlement.

The identified CA site is suitable for plantation. However following measures suggested:-

- (i) The complete demarcated and proper fencing of the boundary of identified CA site to prevent from encroachment, etc.
- (ii) State Govt. to take necessary action for removing the existing temporary encroachment/encumbrances around the identified CA land.

Whether land for compensatory afforestation is free from encroachments/other incumbencies.

Yes, however temporary settlement observed around the identified CA land bank.

Whether land for compensatory afforestation is important from religious and archaeological point of view.

No.

Land identified for compensatory afforestation is in how many patches, whether patches are compact or not

One patch

Maps with the details.

Submitted in Sol toposheet as well as soft copies of shape file along with proposal.



Total financial outlay:

₹2.12 crore

**9. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes a report on violation including action taken against the concerned officials:**

Yes.

The State Govt. has not taken any action on the responsible officers/ officials of the State Forest Department / user agency.

**10. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Govt or not.**

No displaced person involved in this proposal.

**11. Reclamation Plan.**

Not required.

**12. Cost Benefit ratio.**

The State Govt. submitted that Cost benefit analysis could not be quantified as the proposed battalion is primarily for protection of forests and forest land.

**13. Recommendation of the Principal Chief Conservator of Forests/State Govt.**

The proposal has been recommended at all levels by the Govt. of Assam.

**14. Recommendation of DDG(C), Regional Office, Shillong along with detailed reasons.**

The under construction camp of Commando Battalion spread over 28 ha is basically meant for forest protection, specifically the Geleky RF in the sensitive Assam-Nagaland border. The construction is large scale and of permanent nature with no resemblance to the activities specified in explanation (b) of Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The proposal for diversion was received on 06.06.2024 under Section 2 of the Adhiniyam, 1980 and approval by Gol is pending, however the construction is going on in full swing as seen during the site inspection on 16.08.2024. Therefore noting that it is prima facie a case of violation, it was sent to Ministry for consideration under Rule 10 (2) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023.

The establishment of the battalion with well trained and armed personnel could be of immense help to the State Forest Department for the protection, conservation and management of forest and forest resources.

The proposal is therefore recommended for ex-post facto approval.

**15. DDG(C), Regional Office, Shillong shall give detailed comments on whether there are any alternatives examined for locating the proposal in non-forest land.**

No alternative examined as the proposed area is an on going project.

**16. Utility of the proposal.**

This proposal is for the purpose of the establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division.

**17. Whether land being diverted has any socio-cultural/religious value.**

Not involved.

**18. Whether any scared grove or very old growth trees/forests exists in the area proposed for diversion.**

Not involved.

**19. Situation w.r.t. any Protected Area**

The proposal area is 30 Km aerial distance from the nearest protected area i.e. Hollongapar Gibbon WLS. The proposed area does not fall under any Eco-Sensitive zone/protected area nor under any elephant /wildlife corridor. There was no encounter with any wildlife in the proposed area on the day of inspection, however the DFO, Sivasagar informed that wildlife viz., Leopard, Wildboar, snakes etc. are reported in the surrounding area and there are reports on Human wildlife conflict around the proposed area.

**20. Whether the land under diversion forms part of unique eco-system.**

No.

**21. Any other information relating to the proposal.**

The user agency for this proposed area is Divisional Forest Officer, Sivasagar Forest Division whereas the administrative approval and the Financial Sanction are in the name of Assam Police Headquater and the Financial Sanction are marked to Assam Police Housing Corporation Limited as vendor which is a State Public Sector Undertaking under the administrative control of Assam Police.

The Geleky Reserve Forest (5929.20 ha) where the proposed area has been proposed is under enormous anthropogenic pressure as 4000 ha i.e. 67 % of the RF has been reported encroached by the DFO, Sivasager. The Geleky RF is in contiguous with Dissoi valley RF, Dissoi RF, Tiru Hills RF and Abhayapur RF. The nearest village is Athkhel NC, Deopani Village in Assam which is about one and half km from the proposed area. The Nagaland State boundary is about 3.5 km away from the proposed area and nearest villages of Nagaland viz., Wamaken village, Anaki village and Kangtsung are 2- 3 km away from the proposed site.

The terrain of proposed area is undulating and observed to be broken and construction work was in full swing on the day of site visit with involvement of about 400 Nos. of workers. The proposed area is a prima facie case of violation of Section 2(1) (ii) Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as the work has been started without prior permission of Central Govt. One enquiry of the inspection team, work was initiated in the proposed area on 20.11.2022 and construction work started in 18 ha and remaining 10 ha is yet to be taken up for developmental. The DFO informed that 85% of work has been completed and 75% procurement of goods has been done. Moreover observed that 4.2 km of boundary wall has been constructed out of total 4.8 km.

The installed “03 Nos of Christmas tree” used for drilling exploration for oil and gas operations was observed within the proposed 28 ha area.

On enquiry, the DFO informed that 19.50 sq km of South Geleki area was earlier used by the ONGC, out of which 2.63 ha area is within this proposed 28 ha. This area was also verified from the google earth 2014 imagery. There is an existing approach road of 6 meter wide to this drilling sites which were used by the ONGC. The DFO further informed ‘Exploration of oil at nine site by ONGC- IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC was granted vide Ministry letter No.8-106/86/FC dated 6.5.1985 but not for the existing road. However no forest Clearance approval letter could be traced by the DFO, Sivasager.

Moreover the broken area on the southern part (2.4 ha) of the proposed area as seen in google earth 2018 imagery was the cleared up area by miscreants from Nagaland which was later on stopped by the Assam as per the DFO.

The establishment of battalion with well trained and armed personnel in the region will strengthen the State Forest Department to encounter protection, conservation and management of forest and forest resources and support in reducing the anthropogenic pressure in the region. Hence the proposal is recommended for ex post facto approval subject to the following:-

- (i) The Ministry may issue necessary direction for immediate stopping of the ongoing work and the detail Action Taken Report on violation of Section 2(1) (ii) Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be submitted by the State Govt as per para 1.16 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- (ii) The forest clearance letter of diversion of forest land “Exploration of oil at nine site by ONGC- IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC” and the current status of the project.
- (iii) The diverted forest area for exploratory drilling by ONGC located within the proposed area is to be excluded from the proposed 28 ha, and necessary changes in the proposal is to be done, if required.
- (iv) The proposed approach road to the proposed site comprises of an old existing road without the forest clearance and newly broken area of 0.32 ha

by the current user agency. However instead of using 0.32 ha another old existing approach road of 0.16 ha (approx.) to the proposed site is being used by the user agency in addition to the proposed area of 28 ha.

- (v) State Govt. shall ensure for no obstructing in the e-flow of the region by providing preventive and protective measures of the nalah existing within the diversion area which falls into permanent stream namely Deopani Nalah and Namti Nalah.
- (vi) The identified CA site boundary should be demarcated immediately to avoid confusion and possible encroachment.
- (vii) State Govt shall ensure to take necessary action immediately for removing of the existing temporary settlement/ encroachers/ encumbrances around the identified CA land.
- (viii) Re-enumeration of the standing trees as few standing trees viz., Duwabanga sp., Sterculia villosa, Ficus spp, Sapium baccatum (Saleng). Anthocephalo cadamba etc were observed during the site visit.
- (ix) The Environment clearance of the proposed area shall be obtained, if applicable.
- (x) Comment of CWLW on the proposed site as conflict of human wild animal conflict has been reported around the proposed area.

#### 21. Comments of FC Division:

- i. Committee constituted in pursuance of Hon'ble NGT in their order dated 29.05.2024 in Original Application No.105/2024/EZ has carried out inspection on 28.09.2024.
- ii. Ministry vide letter No. FC-7/14/2024-FC dated. 28.08.2024 requested Regional Office, Shillong take action under Section 3A/3B. A reminder was also issued vide Ministry letter No. 3-ASC/255/2024/GHY dated 10.12.2024 regarding the same. Action taken report is awaited from Regional Office, Shillong.

In view of the above, it is proposed that the above proposal is submitted for the consideration of the AC meeting for further deliberation.

#### Annexures:

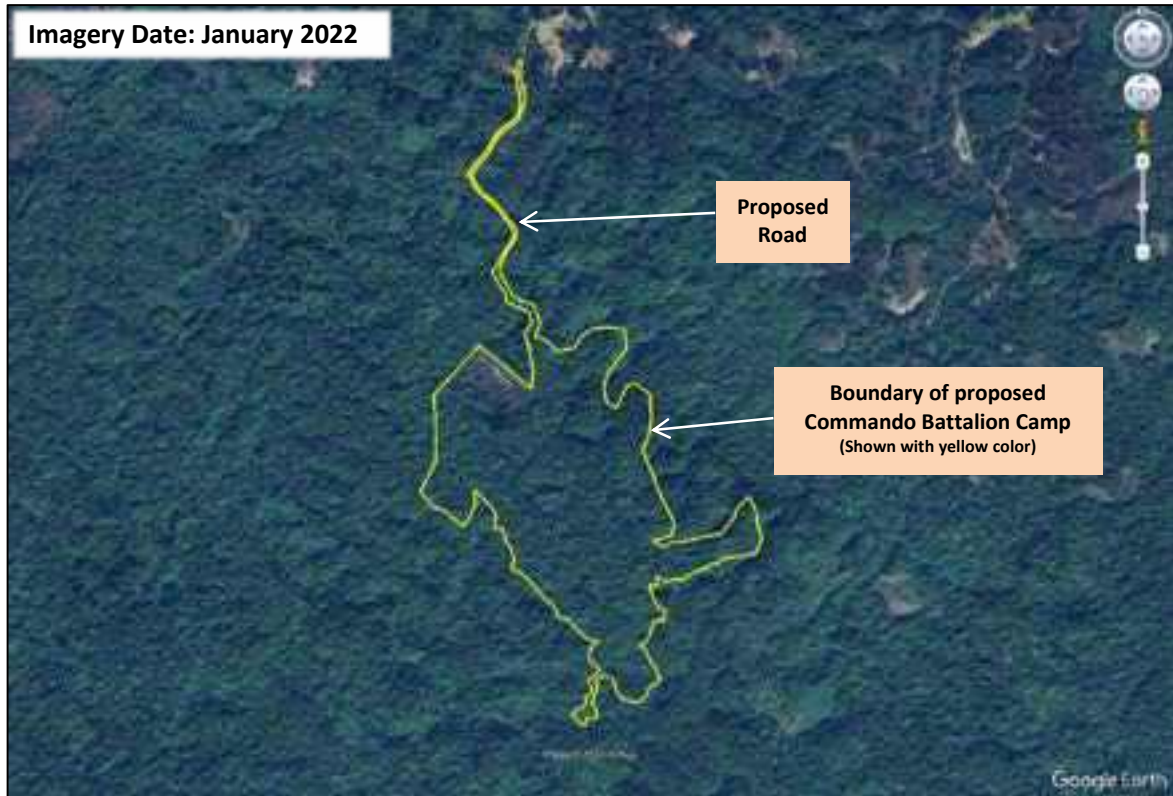
- (i) DSS reports.
- (ii) Site inspection report

\*\*\*\*\*

Proposal No.: FP/AS/OTHERS/478981/2024

**Proposal:** Diversion of 28 Ha. forest land for the purpose of the establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division.

Analysis of Land proposed for diversion



1. Proposed forest land for diversion falls under Sivasagar district of Assam State and its software calculated area is given below:

Components	Given Area (in ha)	Calculated Area (in ha)
Forest Area proposed for diversion	28	28

2. Proposed forest area falls under **Not-in High Conservation Value (HCV) Zone** as per Decision Rule 1. However, as per Decision Rule 2 the area falls in **High Conservation Value (HCV) Zone** as out of 4 Grids, 3 Grids are having score more than 70.
3. **Forest Cover:** entire area proposed for diversion is classified as open forest in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019-2020.
4. Observation based on Google Earth: construction work, felling of trees, road is visible in the proposed area and it can be verified with the help of available Google Earth images.
5. No Protected Area/ Tiger Reserve/ Tiger Corridor is located within 10 km radius from the proposed forest area.

#### Decision Rule 1:

Whether forms part of:

- I. Hydrological Layer:
  - a. Major River: N/A
  - b. Wetland (Area more than 10 ha.): N/A
  - c. Water bodies (irrigation/Hydropower/water storage): N/A
- II. Very Dense Forest patch (>1 sq km): N/A
- III. Remnant Forest Type: N/A
- IV. Protected area/Tiger Reserves/Tiger corridors: N/A

#### Decision Rule 2 (Grid selection based on using without 50% rule):



DESCRIPTION	RESULT
Total Number of Grids	4
Total no. of (1 Km X 1 Km) Grids having total score above 70	0
Final Status (based on 4 parameters)	High Conservation Value Zone

GRIDID	SCORE FCM	SCORE FTM	SCORE BR	SCORE LANDSCAPE	AGGREGATE SCORE
797679	53.74	45.64	53.73	71.97	56.27
799549	59.66	66.33	72.66	83	70.41
801417	60.91	60.76	86.2	86.97	73.71
799548	61.58	68.97	81.58	81.92	73.51

### **Forest Cover Map:**

In terms of standards followed in ISFR 2021 (interpretation of satellite data period 2019-2020) regarding density classes:

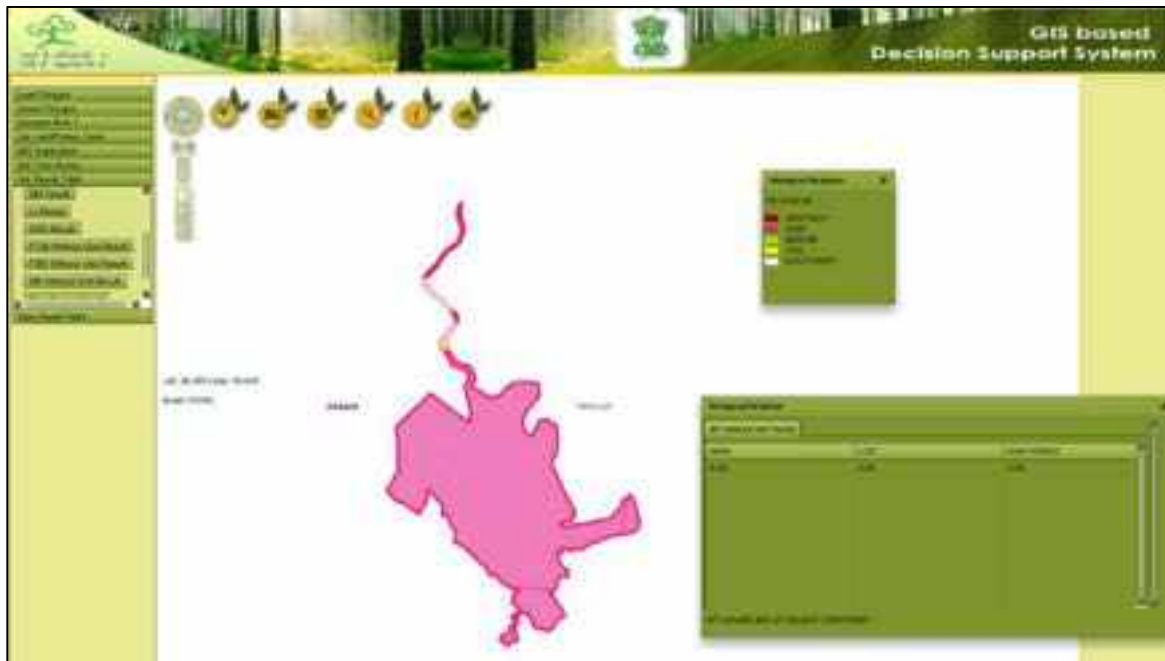
- I. Very Dense Forest (Canopy density 70% & above): 0 ha.
- II. Moderately dense Forest (canopy density 40-70%): 0 ha.
- III. Open Forest (canopy density 10-40%): 28 ha.
- IV. Scrub: 0 ha.
- V. Non-Forest: 0 ha.



**Forest Type Map:** 2B/2S2 Eastern Alluvial Secondary Semi- Evergreen forest: 28 ha



**Biological richness:** High: 28 ha.



### Proposed Compensatory Afforestation (CA) land

1. Compensatory afforestation land has been proposed in a single patch and its software-calculated area is found to be 28 ha.

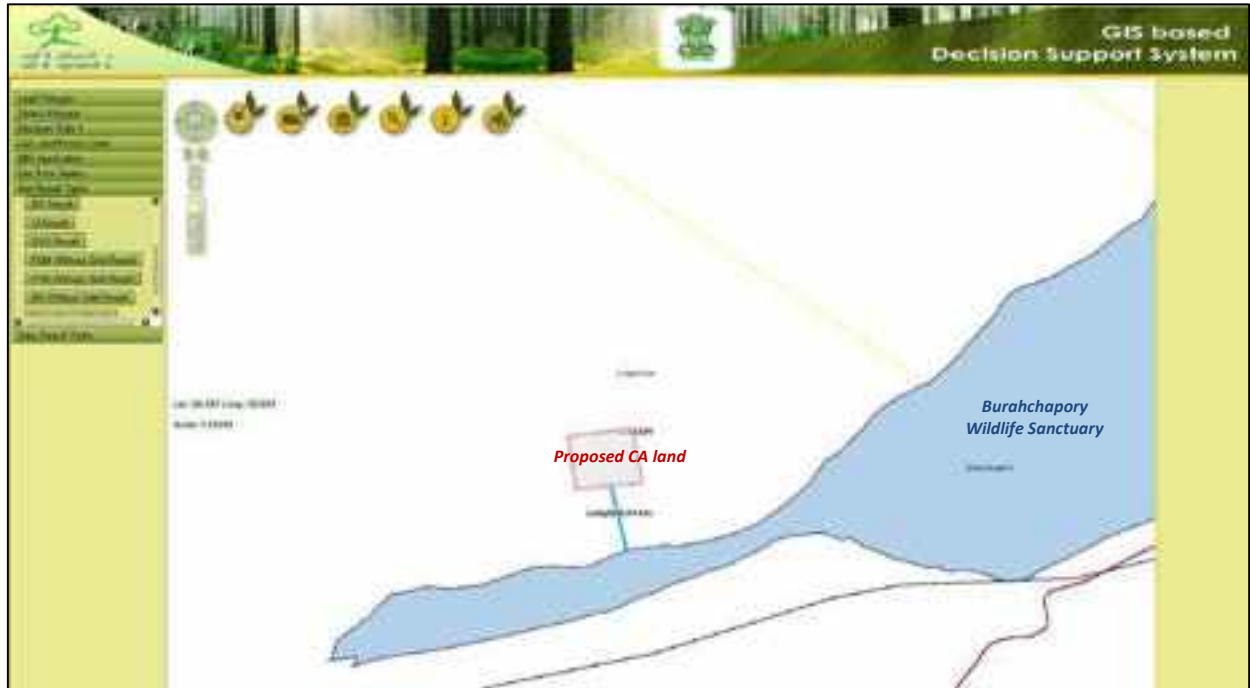


2. Out of total area proposed for compensatory afforestation, 28 ha of land is classified as Non-Forest (land without tree cover) in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019-2020. Vegetation density details of the proposed CA is given below:

S. No.	CA site	Given area (ha)	Software calculated area (ha)	VDF	MDF	OF	Scrub	Non-Forest
1	Patch-1	28	28	0	0	0	0	28



3. The legal status of the proposed CA site can't be verified due to unavailability of Recorded Forest Area (RF/PF) boundary for the State of Assam on DSS.
4. Observation based on Google Earth Images: cultivation land and settlement is visible in the proposed CA site.
5. Proposed CA land is located at a distance of 0.64 Km (approx.) from Burahchapory Wildlife Sanctuary.



Submitted for your kind consideration.

Shivani Sood,  
Sr.T.A.  
10.07.2024

Proposal No.: FP/AS/OTHERS/478981/2024

**Proposal:** Diversion of forest land for the purpose of the establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division.

Analysis of Land proposed for diversion



- Proposed forest land for diversion falls under Sivasagar district of Assam State and its software calculated area is given below:

Components	Given Area (in ha)	Calculated Area (in ha)
Forest Area proposed for diversion	26.10	26.068

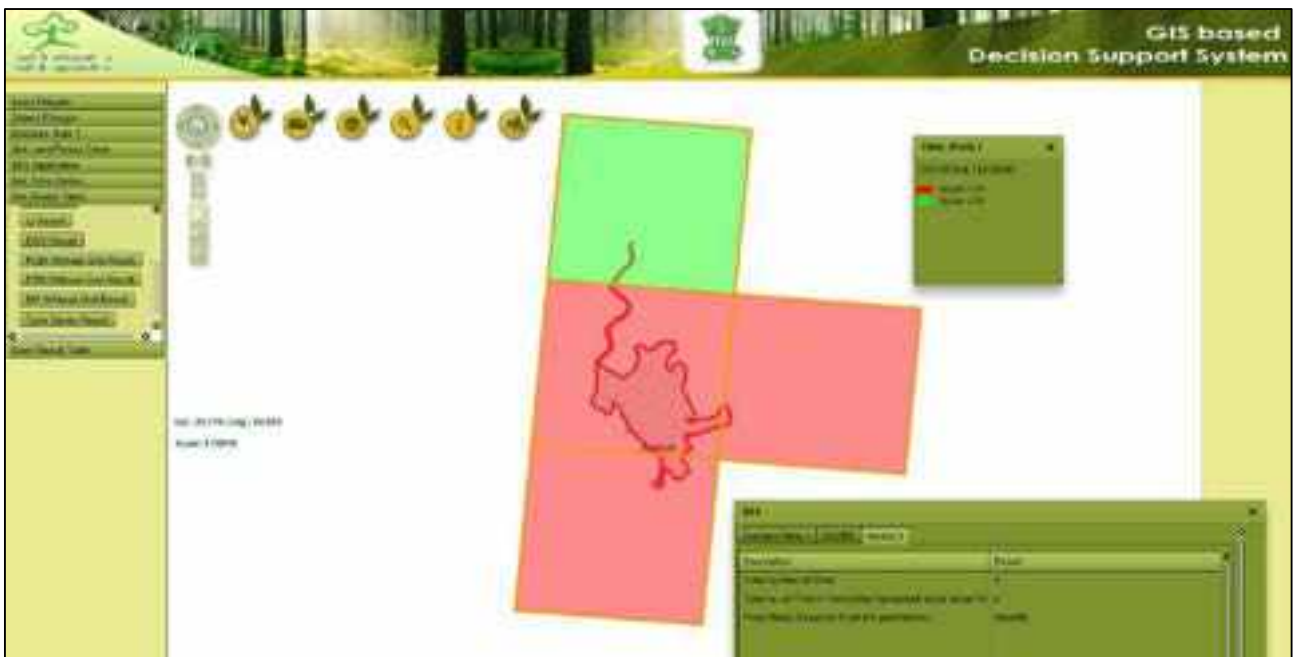
- Proposed forest area falls under **Not-in High Conservation Value (HCV) Zone** as per Decision Rule 1. However, as per Decision Rule 2 the area falls in **High Conservation Value (HCV) Zone** as out of 4 Grids, 3 Grids are having score more than 70.
- Forest Cover:** entire area proposed for diversion is classified as open forest in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019-2020.
- Observation based on Google Earth: construction work, felling of trees, road is visible in the proposed area and it can be verified with the help of available Google Earth images.
- No Protected Area/ Tiger Reserve/ Tiger Corridor is located within 10 km radius from the proposed forest area.

#### **Decision Rule 1:**

Whether forms part of:

- Hydrological Layer:
  - Major River: N/A
  - Wetland (Area more than 10 ha.): N/A
  - Water bodies (irrigation/Hydropower/water storage): N/A
- Very Dense Forest patch (>1 sq km): N/A
- Remnant Forest Type: N/A
- Protected area/Tiger Reserves/Tiger corridors: N/A

#### **Decision Rule 2 (Grid selection based on using without 50% rule):**



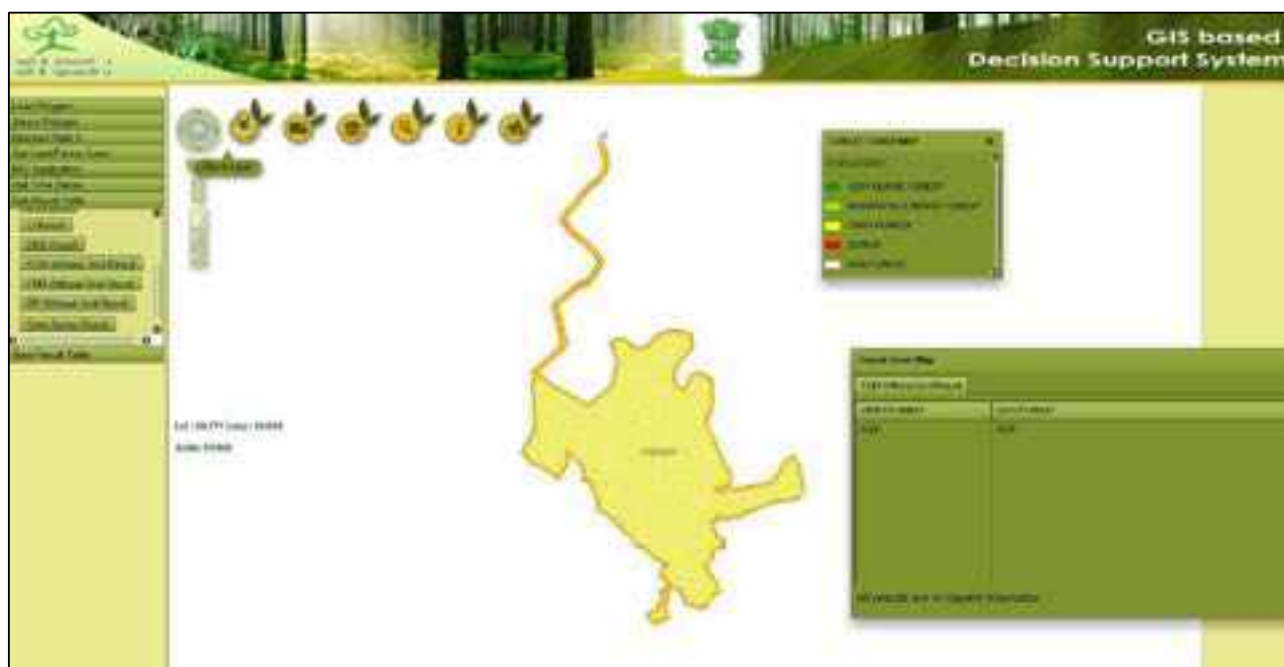
DESCRIPTION	RESULT
Total Number of Grids	4
Total no. of (1 Km X 1 Km) Grids having total score above 70	3
Final Status (based on 4 parameters)	High Conservation Value Zone

GRIDID	SCORE FCM	SCORE FTM	SCORE BR	SCORE LANDSCAPE	AGGREGATE SCORE
797679	53.74	45.64	53.73	71.97	56.27
799549	59.66	66.33	72.66	83	70.41
801417	60.91	60.76	86.2	86.97	73.71
799548	61.58	68.97	81.58	81.92	73.51

### Forest Cover Map:

In terms of standards followed in ISFR 2021 (interpretation of satellite data period 2019-2020) regarding density classes:

- I. Very Dense Forest (Canopy density 70% & above): 0 ha.
- II. Moderately dense Forest (canopy density 40-70%): 0 ha.
- III. Open Forest (canopy density 10-40%): 26 ha.
- IV. Scrub: 0 ha.
- V. Non-Forest: 0 ha.



**Forest Type Map:** 2B/2S2 Eastern Alluvial Secondary Semi- Evergreen forest: 26 ha



**Biological richness:** High: 26 ha.



Submitted please.

Shivani Sood,  
Sr.T.A., DSS Cell  
5.12.2024

**SITE INSPECTION REPORT****PROPOSAL FOR DIVERSION OF 28 HA FOREST LAND FOR THE PURPOSE OF THE ESTABLISHMENT OF COMMANDO BATTALION CAMP IN ASSAM-NAGALAND INTER STATE BORDER AREA OF GELEKY RESERVED FOREST UNDER SIVASAGAR FOREST DIVISION, ASSAM**

State Government of Assam vide online proposal No.FP/AS/OTHERS/478981/2024 on 06.06.2024 submitted the proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Sivasagar Territorial Forest Division, Assam for non-forestry use of 28.0 Ha. of forest land for establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division, Sivasagar District in the State of Assam.

The purposed of this proposal is to establish a Commando Battalion infrastructure in Assam-Nagaland border to resist further encroachment and further destruction of forest resource by the ever-increasing pressure for occupation of land by deployment of forest protection force.

**Background of proposal:**

The matter on the proposal for diversion of 28 ha forest land for the purpose of the establishment of commando battalion camp in Assam-Nagaland inter state border area of Geleky Reserved Forest under Sivasagar Forest Division was reported by “Northeast Now” newspaper dated 22.01.2024 titled as “Assam PCCF in hot water again: 28 hectare of Geleky Forest diverted for commando camp” wherein reported on violation of Forest Conservation Act, 1980 and the order of Supreme Court in Godavarman Thirumulkad Vs Union of India. The matter was further reported by national daily “Hindustan Times” dated 25.04.2024 titled “A second Battalion in Assam established without FC nod”.

Subsequently a court case O.A.105/2024/EZ, Shri Rohit Choudhury -Vs- State of Assam & Ors was filed and registered on 25-05-2024 by Shri Rohit Choudhury before the National Green Tribunal, Eastern Zone Bench Kolkata. Thereafter affidavit dated 30.07.2024 was e-filed on 01.08.2024 by the Ministry on the matter to Hon'ble NGT. The Hon'ble court observed that the matter relates to substantial environmental issue and violation of Forest (Conservation ) Act, 1980 and requires consideration. In pursuance to Hon'ble NGT, Kolkata first order dated 29.05.2024, Ministry vide its letter dated 05.06.2024 constituted the committee comprising of (a) Shri AK Mohanty, ADGF, MoEF&CC(FC), MoEF&CC, (b) Shri Tanmay Kumar, Addl. Secretary, MoEFCC & (c) Ms. Imtiena Ao, DDGF(C) MoEF&CC, Regional Office, Shillong and directed that the committee shall visit the site and submit its report on affidavit to the Hon'ble NGT and the ADG(FC) shall be the Nodal Officer for filing the report affidavit.

The Hon'ble NGT in its latest order dated 09.08.2024 observed that two months have already passed and no report has been placed before the Tribunal by the ADG(FC) MoEF&CC and further the court granted four weeks time for filing the said affidavit indicating what action has been taken against the PCCF Shri. M.K. Yadava who permitted diversion of Forest land in violation of the statute.

As per the provision of the F(C)Act,1980, the site inspection of this instant proposal was conducted by Sub Office Guwahati under Regional Office, Shillong, Shillong on 16.08.2024 and 17.08.2024 along with the following officials of the State Forest Department and representatives of User Agency:-

1. Ms Sayambrita Dutta, Divisional Forest Officer, Sivasagar

2. Shri Himangshu Gogoi, Range Officer, Sivasagar Range, Sivasagar Forest Division.
3. Sonam Kumar Gupta, Range Officer, Dhania Range, Burachoparia Wildlife Sanctuary, Nagaon Wildlife Division.
4. Shri Sambhu Jadav, Public Relation Officer, Badri Rai & Company.

### 1) The Legal Status of the forests land proposed for diversion

District	Forest Division	Area involved (ha)	Legal Status	Aerial distance of the proposed area from the nearest PA/WLS/NP
Sivasagar	Sivasagar	28	Geleky Reserved Forest	30 Km from Hollongapar Gibbon WLS.

Component wise break up of the proposed area (need to submit the revised):-

Sl. No.	Type of Building	As per the submitted documents (in ha)
1	Residential building	0.80
	Future Expansion	0.85
2	Non residential building	0.80
3	Activity Area	7.50
4	Utilities	0.10
5	Natural stream	1.80
6	Landscape and Park Area	3
7	Road/Footpath Area	3.50
8	Open Land Area	9.65
	<b>Total</b>	<b>28.00</b>

**2) Whether proposal involved any construction of buildings (including residential) or not. If yes details thereof:**

-Yes. The detail component wise proposed construction of building provided by the DFO Sivasagar are as under:

(i) Residential building details:-

RESIDENTIAL BUILDINGS								
SL. NO	NAME OF THE BUILDINGS	NO. OF UNITS			NO OF FLOOR	NO OF BLOCK	BUILT UP AREA PER BLOCK	TOTAL BUILT UP AREA
		PER BLOCK	TOTAL UNITS	PER UNIT/FLAT AREA (Sq. M)				
1	CO's Residence	1	1	250.00 (4BHK+Office+ Servant)	G+1	1	250	250
2	Deputy Commandant	4	4	165.00 (3BHK+Servant )	G+1	1	720	720
3	Assistant Commandant	4	8	138.00(3BHK+ Servant)	G+1	2	600	1200
4	Inspector/Sub-Inspector Residence	12	24	12 0.00(3BHK+ Servant)	G+2	2	1560	3120
		8	8	120.00(3BHK+ Servant)	G+2	1	1040	1040
5	Havildar's ASI, Constable Residence	12	96	84.00 (2BHK)	G+2	8	1101	8811.20
6	Followers QTR	8	8	65.00(2BHK)	G+1	1	640	640
7	Barrack Accommodations	60 Cap	240 Cap	216.00(30 Persons per floor)	G+2	4	1008	4032
8	Accommodation for SO's (Inspector/SI)	10 Rooms (Twin Sharing)	20 Cap	250.00(25 Sq m per Room)	G+1	1	600	600
<b>Total:-</b>								<b>20413.20</b>

## (ii) Non residential building components:

NON RESIDENTIAL BUILDINGS								
SL. NO	NAME OF THE BUILDINGS	MAIN FACILITIES OF BUILDING			No of Floor	No of Block	Built up Area per Block	Total Built up Area (Sq. M)
		Type	Nos./CAP	Area (Sq. M)				
1	COS Office Building	Conference Room	20 Cap	60.00	G+2	1	1080.00	1080.00
		CO Room with Attached Toilet	01 Nos.	48.00				
2	M.T. Garage with Office (Assam Type)	LMV	06 Nos.	174.00(29 sqm per vehicle)	G	1	870.00	870.00
		MMV	06 Nos.	174.00(29 sqm per vehicle)				
		HMV	06 Nos.	298.00(50 sqm per vehicle)				
		Office Block	10 Nos.	224.00				
3	Ration Store & Clothing Store (G+1)	Hall	02 Nos.	174.00 (87 sqm per hall)	G+1	1	300.00	300.00
4	Magazine/Kote Building & Sentry Post & Boundary Wall/Fencing (B/G)	Magazine/ Kote Building	10 Cap	218.00	G	1	350.00	350.00
		Explosive Depo Block	01 Nos.	96.00	B			
		Common Toilet Block	08 Cap	28.00	G			
5	GO's Mess (G+1)	Deluxe Rooms with Attached Toilet	04 Nos.	100.00 (25 sqm per room)	G+1	1	650.00	650.00
		Suites	02 Nos.	100.00 (50 sqm per room)				
6	SO's Mess(G+1)	Twin Sharing Rooms with Attached Toilet	14 Nos.	336.00 (24 sqm per room)	G+1	1	850.00	850.00
		Community Centre	75-100 Cap	253.00				
7	Community Centre with Canteen, Saloon & Laundry	Laundry/Saloon/ Daiyneeds	NA	120.00	G	1	600.00	600.00
		Canteen	48 Cap.	158.00				
8	Hospital-10 Beeded-(G)	10 Badded	10 Badded	330.00	G	1	330.00	330.00

9	Drill Shed (Assam Type)	Covered platform	150 Cap	400.00	G	1	400.00	400.00
10	Gate Complex with 10 Men Barrack (Assam Type)	10 Men Barrack	10 Cap.	100.00	G	1	175.00	175.00
11	Watch Towers (10 Nos.)-G	Watch tower	10 Cap.	50.00	G	1	50	50
12	Fire Station with Barrack(G+1)	Lecture room	10 Cap.	17.00	G+1	1	350.00	350.00
		Accomodation room	04 Badded	30.00				
		Fire tender parking space	02 Vehicles	140.00				
13	ATM(G)	NA			G	1	15.00	15.00
14	Control Room(G)	NA			G	1	50.00	50.00
15	Classroom Block with computer lab(G+1)	50 Seated classrooms	06 Nos.	390.00 (65.00 sqm per classroom)	G+1	1	700.00	700.00
16	Indoor Sports Complex with Gym(G)	Badminton hall	01 Court	208.00	G	1	800.00	800.00
		Table tennis hall	01 Table	152.00				
		Gym hall	40-50 Cap.	150.00				
17	Primary School (Assam Type)	30 Seated classrooms	05 Nos.	36.00	G	1	560.00	560.00
18	Family Welfare Centre (Assam Type)	Training hall	30 Cap.	98.00	G	1	500.00	500.00
19	Naamghar	Hall	50 Cap.	100.00	G	1	100.00	100.00
		Table tennis hall	1 Table	104.00				
20	Recreation Hall(G)	TV/Multipur pose hall	50 Cap.	76.00	G	1	400.00	400.00
21	Garrage-02 Nos. (For COS Office)-Assam Type	NA			G	1	80.00	80.00
22	Sentry Post-02 Nos. (For COS Office)-Assam Type	NA			G	1	8.00	8.00
23	Sentry Post-01 Nos. (For COS residence)- Assam Type	NA			G	1	16.00	16.00

24	Guard Sheed-01 Nos. (For COS Residence)- Assam Type	NA	G	1	74.00	74.00
25	Kill House (G)	NA	G	1	280.00	280.00
<b>Total:-</b>						<b>9588.00</b>

The building construction has been started on the proposed site. The component wise (%) work constructed and finished so far as provided by the DFO, Sivasagar is as under:

SI No	Name of Building	% completed
1	4 Nos of Barrack	92%
2	8 nos Havildar and 3 nos of Inspection building	79%
3	Hospital and 10 men barrack	95%
4	School and Fire station	75%-78%
5	Deputy Commandant Building	0%
6	Canteen and Recreation hall	0%
7	Namghar	75%
8	Indoor stadium	0%
9	CO Building	78%
10	CO Residence	0%
11	GO Mess Building	80%
12	SOS Mess Building	80%
13	Commandant Office Block	80%
14	SOS Accomodation Building	80%
15	Small components (ATM,Sentry post etc)	0%

**3) Total cost of the Project at present rates.**

The total cost of the project is Rs. 176.25 cr.

**4) Whether forest area proposed for diversion is important from wildlife point of view or not.**

No wildlife was cited on the day of inspection, however the DFO, Sivasagar informed that wildlife viz., Leopard, wild boar, Snakes etc. are reported in the surrounding area. However Divisional Forest Officer, Sivasagar informed the inspection team that Human wildlife conflict has been reported earlier around the proposed area.

**5) Vegetation**

Sl. No.	Forest Division	Reserve Forest & area (in ha)	Total Nos. of trees to be felled including poles
1	Sivasagar	Geleky RF & 28 ha	Few standing trees viz., <i>Duwabanga sp.</i> , <i>Sterculia villosa</i> , <i>Ficus spp</i> , <i>Sapium baccatum (Saleng)</i> , <i>Anthocephalo cadamba</i> etc were observed during the site visit

Effect of removal of trees on the general ecosystem in the area

The proposed area is broken and construction is on going on the day of inspection. The vegetation in the proposed area has been almost entirely clear felled except few standing trees viz, *Duwabanga sp.*, *Sterculia villosa*, *Ficus spp*, *Sapium baccatum (Saleng)*, *Anthocephalo cadamba* etc with pockets of baboo species like *Dendrocalamus hamiltonii* (kako bah), *Bambusa tulda* (Jati bah), *Bambusa balacoa* (Bholuka bah), *Schizostachyem dullooa*( *Dolo Bah*) etc.

The effect of tree removal in the area can be minimize by undertaking plantation measures under relevant guideline and rules.

**6) Background note on the proposal**

As given in the first paragraph.

**7) Compensatory Afforestation:**

The CA site has been proposed in 28 ha equivalent non forest land in the identified compensatory afforestation land bank of 830 ha evicted non forest land in Sonitpur district of Assam located adjacent to Burahchapory Wildlife Sanctuary under Nagaon Wildlife Division in Sonitpur district of Assam.

<b>District</b>	<b>Forest Division</b>	<b>Range/ Location</b>	<b>Area (in ha)</b>	<b>Financial outlay(Rs)</b>
Sonitpur	Nagaon Wildlife Division	Dhanias Range	28	2.12 crore

Whether land for compensatory afforestation is suitable from plantation and management point of view or not.

The Sate Govt of Assam vide its letter No ECF, 439104/2024/16 dated 29.07.2024 notified the evicted non forest land of 830 ha handed over to State Forest Department in Sonitpur district of Assam adjacent to Burahchapory Wildlife Sanctuary under Nagaon Wildlife Division for providing lands towards compensatory afforestation for forest diversion cases in Assam. The final notification of identified CA site to RF/PRF has not been completed however the Range Officer, Dhanias Range informed that it will be completed before grant of Stage II /Final Approval of the proposal.

The CA site is located around the submergence area of Brahmaputra river which is about 2 km from the identified CA site. The approach route to the CA site is through two nallahs i.e. Phultala Nallah and Boga Nallah by boat or temporarily constructed bamboo bridge. On the day of the site inspection, the Range Officer informed that temporary illegal settlement are still occupying the evicted CA land bank. The team observed that agricultural practices and rearing of livestock, cows etc are still continuing in this evicted land.

The identified CA site is an open forest with few standing trees species like *Streblus asper*, *Bombax ceiba* etc. The team observed continuous large scale cultivation of *Corchorus capsulansies sp.* (Jute) and other vegetables like Brinjal in the identified CA site. The Range Officer, Dhania Range informed that some illegal temporary settlement are still existing in the evicted CA land bank of 830 ha and forest department is in the process of eviction of such temporary settlement.



Photographs of approach route to CA site through two Nallahs  
(A) & (B) above, channels of Brahmaputra river



Photographs showing *Corchorus sp.* (Jute) and Brinjal crop in the CA site

The identified CA site is suitable for plantation. However following measures suggested:-

- (i) The complete demarcated and proper fencing of the boundary of identified CA site to prevent from encroachment, etc.
- (ii) State Govt to take necessary action for removing the existing temporary encroachment/encumbrances around the identified CA land.

Whether land for compensatory afforestation is free from encroachments/other incumbencies.

Yes, however temporary settlement observed around the identified CA land bank.

Whether land for compensatory afforestation is important from religious and archaeological point of view.

No.

Land identified for compensatory afforestation is in how many patches, whether patches are compact or not

One patch

Maps with the details.

Submitted in SoI toposheet as well as soft copies of shape file along with proposal.

Total financial outlay:

Rs. 2.12 crore

- 8) Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes a report on violation including action taken against the concerned officials:**

Yes.

The State Govt has not taken any action on the responsible officers/officials of the State Forest Department / user agency.

- 9) **Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Govt or not.**

No displaced person involved in this proposal.

- 10) **Reclamation Plan**

Not required.

- 11) **Cost Benefit ratio.**

The State Govt submitted that Cost benefit analysis could not be quantified as the proposed battalion is primarily for protection of forests and forest land.

- 12) **Recommendation of the Principal Chief Conservator of Forests/State Govt.**

The proposal has been recommended at all levels by the Govt of Assam.

- 13) **Recommendation of DDG(C), Regional Office, Shillong along with detailed reasons.**

The under construction camp of Commando Battalion spread over 28 ha is basically meant for forest protection, specifically the Geleky RF in the sensitive Assam-Nagaland border. The construction is large scale and of permanent nature with no resemblance to the activities specified in explanation (b) of Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The proposal for diversion was received on 06.06.2024 under Section 2 of the Adhiniyam, 1980 and approval by GoI is pending, however the construction is going on in full swing as seen during the site inspection on 16.08.2024. Therefore noting that it is prima facie a case of violation, it was sent to Ministry for consideration under Rule 10 (2) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023.

The establishment of the battalion with well trained and armed personnel could be of immense help to the State Forest Department for the protection, conservation and management of forest and forest resources.

The proposal is therefore recommended for ex-post facto approval.

- 14) DDG(C), Regional Office, Shillong shall give detailed comments on whether there are any alternatives examined for locating the proposal in non-forest land.**

-No alternative examined as the proposed area is an on going project.

- 15) Utility of the proposal.**

This proposal is for the purpose of the establishment of Commando Battalion Camp in Assam-Nagaland inter State Border area of Geleky Reserved Forest under Sivasagar Forest Division.

- 16) Whether land being diverted has any socio-cultural/religious value.**

Not involved.

- 17) Whether any scared grove or very old growth trees/forests exists in the area proposed for diversion.**

Not involved.

- 18) Situation w.r.t. any Protected Area**

The proposal area is 30 Km aerial distance from the nearest protected area i.e. Hollongapar Gibbon WLS. The proposed area does not fall under any Eco-Sensitive zone/protected area nor under any elephant /wildlife corridor. There was no encounter with any wildlife in the proposed area on the day of inspection, however the DFO, Sivasagar informed that wildlife viz., Leopard, Wildboar, snakes etc. are reported in the surrounding area and there are reports on Human wildlife conflict around the proposed area.

- 19) Whether the land under diversion forms part of unique eco-system.**

No

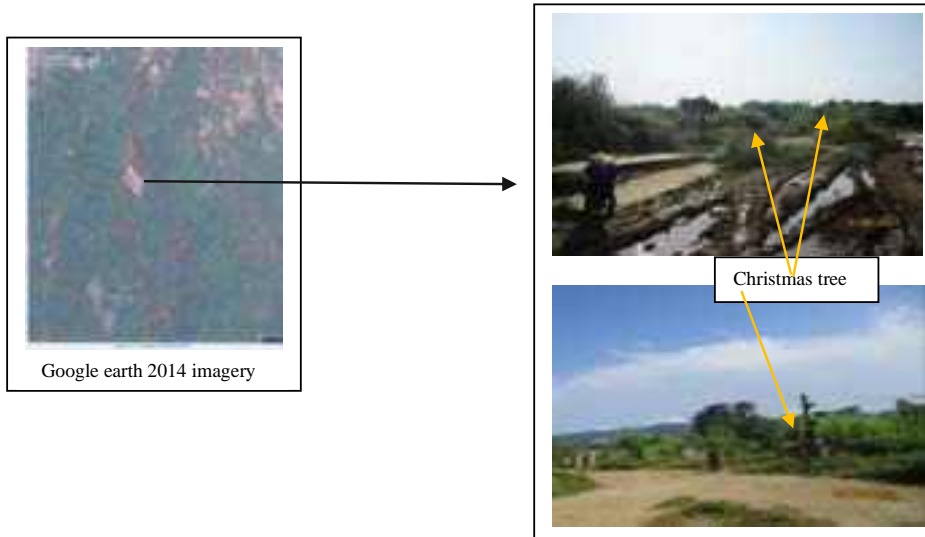
**20) Any other information relating to the proposal.**

The user agency for this proposed area is Divisional Forest Officer, Sivasagar Forest Division whereas the administrative approval and the Financial Sanction are in the name of Assam Police Headquarter and the Financial Sanction are marked to Assam Police Housing Corporation Limited as vendor which is a State Public Sector Undertaking under the administrative control of Assam Police.

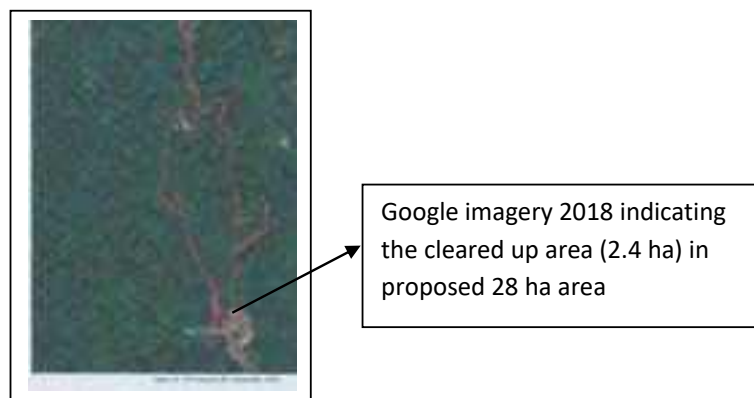
The Geleky Reserve Forest (5929.20 ha) where the proposed area has been proposed is under enormous anthropogenic pressure as 4000 ha i.e. 67 % of the RF has been reported encroached by the DFO, Sivasager. The Geleky RF is in contiguous with Dissoi valley RF, Dissoi RF, Tiru Hills RF and Abhayapur RF. The nearest village is Athkhel NC, Deopani Village in Assam which is about one and half km from the proposed area. The Nagaland State boundary is about 3.5 km away from the proposed area and nearest villages of Nagaland viz., Wamaken village, Anaki village and Kangtsung are 2- 3 km away from the proposed site.

The terrain of proposed area is undulating and observed to be broken and construction work was in full swing on the day of site visit with involvement of about 400 Nos. of workers. The proposed area is a prima facie case of violation of Section 2(1) (ii) Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as the work has been started without prior permission of Central Govt. One enquiry of the inspection team, work was initiated in the proposed area on 20.11.2022 and construction work started in 18 ha and remaining 10 ha is yet to be taken up for developmental. The DFO informed that 85% of work has been completed and 75% procurement of goods has been done. Moreover observed that 4.2 km of boundary wall has been constructed out of total 4.8 km.

The installed “03 Nos of Christmas tree” used for drilling exploration for oil and gas operations was observed within the proposed 28 ha area.



On enquiry, the DFO informed that 19.50 sq km of South Geleki area was earlier used by the ONGC, out of which 2.63 ha area is within this proposed 28 ha. This area was also verified from the google earth 2014 imagery. There is an existing approach road of 6 meter wide to this drilling sites which were used by the ONGC. The DFO further informed ‘Exploration of oil at nine site by ONGC- IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC was granted vide Ministry letter No.8-106/86/FC dated 6.5.1985 but not for the existing road. However no forest Clearance approval letter could be traced by the DFO, Sivasager.



Moreover the broken area on the southern part (2.4 ha) of the proposed area as seen in google earth 2018 imagery was the cleared up area by miscreants from Nagaland which was later on stopped by the Assam as per the DFO.

The establishment of battalion with well trained and armed personnel in the region will strengthen the State Forest Department to encounter protection, conservation and management of forest and forest resources and support in reducing the anthropogenic pressure in the region. Hence the proposal is recommended for ex post facto approval subject to the following:-

- (i) The Ministry may issue necessary direction for immediate stopping of the ongoing work and the detail Action Taken Report on violation of Section 2(1) (ii) Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be submitted by the State Govt as per para 1.16 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- (ii) The forest clearance letter of diversion of forest land “Exploration of oil at nine site by ONGC- IRG-17 and 18, well No.G-169 and G-160 in favour of ONGC” and the current status of the project.
- (iii) The diverted forest area for exploratory drilling by ONGC located within the proposed area is to be excluded from the proposed 28 ha, and necessary changes in the proposal is to be done, if required.
- (iv) The proposed approach road to the proposed site comprises of an old existing road without the forest clearance and newly broken area of 0.32 ha by the current user agency. However instead of using 0.32 ha another old existing approach road of 0.16 ha (approx.) to the proposed site is being used by the user agency in addition to the proposed area of 28 ha.



Indicating additional 0.16 ha ( in blue colour) approach road are to the proposed area being used by the user agency

- (v) State Govt shall ensure for no obstructing in the e-flow of the region by providing preventive and protective measures of the nalah existing within the diversion area which falls into permanent stream namely Deopani Nalah and Namti Nalah.
- (vi) The identified CA site boundary should be demarcated immediately to avoid confusion and possible encroachment.
- (vii) State Govt shall ensure to take necessary action immediately for removing of the existing temporary settlement/ encroachers/ encumbrances around the identified CA land.
- (viii) Re-enumeration of the standing trees as few standing trees viz., *Duwabanga sp.*, *Sterculia villosa*, *Ficus spp*, *Sapium baccatum* (Saleng), *Anthocephalo cadamba* etc were observed during the site visit.
- (ix) The Environment clearance of the proposed area shall be obtained, if applicable.
- (x) Comment of CWLW on the proposed site as conflict of human wild animal conflict has been reported around the proposed area.

Yours faithfully,



(Ms Lactitia Jean Syiemiong)  
Deputy Inspector General of Forests

PHOTOGRAPHS OF THE PROPOSED AREA



Construction site of Commandant Office Block



Construction site of Assistant Commandant Block



Photographs of SoS block



Work Station site



Hospital construction site  
Construction Site for Primary school



Temporary Labour shed



Undergoing construction sites in indoor sports complex



Constructed road inside the proposed area



Hawalder Barrack site



Construction site for Inspector Unit



Construction site for Barrack site



Hawalder Block site



Water Tank under construction site



Overhead water tank site



Constructed Boundary wall of the proposed site



Boundary wall and proposed site



Brick block material inside the proposed site



Levelled Parade Ground site



Under construction of culvert for the approach road



Approach road to the proposed site



Undergoing construction of the approach road

Friday, February 14, 2025 at 19:02:39 India Standard Time

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**Subject:** Proof of Service in Rejoinder in OA 192(EZ) of 2024 - Pradeep Singh Shekhawat  
**Date:** Friday, 14 February 2025 at 7:02:14 PM India Standard Time  
**From:** Madhav Bhatia  
**To:** mrdey@rediffmail.com, Dr. Ravi Kota, Shri Rajpal Singh, IFS, secy-moef@nic.in  
**Attachments:** Rejoinder - Applicant - OA 192 of 2024 -Flattened (optimized).pdf

Dear Sir,

Please find attached the rejoinder on behalf of the Applicant in the above captioned matter.

The matter is next listed on 19.02.2025.

Regards,

**Madhav Bhatia**

Partner

Vertari Legal

Address: A-446 (LGF), Defence Colony, New Delhi – 110024

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