



BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

O.A. NO. 347 OF 2016

1112

3 MAR 2020

IN THE MATTER OF:

CHANDRA BHAL SINGH

VERSUS

...PETITIONER

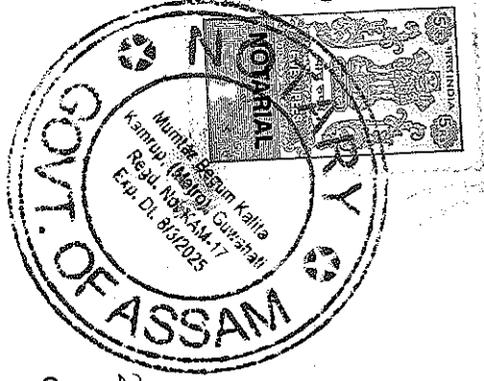
...RESPONDENTS

UNION OF INDIA & ANR.

AFFIDAVIT OF STATUS OF COMPLIANCE OF ORDER DATED

12.4.2019 & 9.8.2019 - ON BEHALF OF THE ASSAM

BIODIVERSITY BOARD - RESPONDENT NO. 30



I, K.S.P.V. Pavan Kumar S/o K.V.N.Nagendra Sayee, R/o C-205, Universal Ecogreen, Ahomgaon, Betkuchi, Guwahati, Assam, do hereby solemnly affirm and state as under.

1. That the deponent is the Member Secretary, Assam Biodiversity Board and in course of discharge of his official duties, deponent has become conversant with the facts of the instant case and the deponent has been duly authorized on this behalf by the Respondent No.30, the deponent is fully competent to swear the present affidavit.

That the Assam Biodiversity Board - Respondent No. 30 herein, has already filed Affidavit-in-Opposition in the present case on 2/5.8.2019 [Page 1532 to Page 1558]. Again, vide another Affidavit-in-Opposition dated 30.12.2019/16.01.2020 [Page 1822 to Page 1847], the progress made in compliance of the Biological Diversity Act, 2002, in State of Assam, was brought on record.

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[Signature]
Secretary
Mumbai Begun Kalita
Kamrup (Metro), Guwahati
Regd. No. KAM-13

[Signature]

Member Secretary
Assam State Biodiversity Board

3. That further to the aforesaid affidavits, the following is the present position (as on 15.2.2020) of compliance to the Orders of this Hon'ble Tribunal dated 12.4.2019 and 9.8.2019.

A. Regarding Biodiversity Management Committees (BMC):

- i. The State of Assam has local bodies and urban bodies as stated in the table below, column-2. Against this, the status of constitution of BMC is provided at column-4. 100% achievement on BMC formation has been done as on 31.01.2020 as indicated in the table below:

Sl. No.	Name of Local Bodies	Number of Local Bodies	Number of BMC formed	Remarks
1	Gaon Panchayat (GP)	2197	2197	100% formed
2	Anchalik Panchayat (AP)	185	185	
3	Zilla Parishad (ZP)	26	26	
4	Urban Bodies (MB)	100	100	
5	Guwahati Municipal Corporation (GMC)	1	1	
	Total	2509	2509	

- ii. In addition to the above, 40 BMCs have been formed in 3 Autonomous Councils of the State namely Bodoland Territorial Council (BTC), Dima Hasao Autonomous Council (DHAC) and Karbi Anglong Autonomous Council (KAAC) as per details below:



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Sl. No.	Name of the Autonomous Council	No. of BMC formed	Remarks
1.	BTC	21	As there is no legally constituted traditional local body in Autonomous Council
2.	KAAC	10	the BMCs have been formed co-terminus with Forest jurisdiction.
3.	DHAC	9	
	Total	40	

iii. Though all the BMCs have been created (2509-40 =2549), it needs to be mentioned that the Board has not been able to reach out to these BMCs for their sensitization and capacity building. In doing so, the Board will require additional man power, funds and about one-year time. These requirements have been communicated to the National Biodiversity Authority (NBA) on 16.09.2019.

Regarding People's Biodiversity Registers (PBR):

i. The present status of the preparation of PBR in Assam as on 15.02.2020 is as below:



Sl. No.	Level of Local Bodies	No. of PBRs to be prepared	PBRs Completed	Hard copy PBR received by ASBB	Remarks
1	Gaon Panchayat (GP)	2197	2197	0	The soft copies of all PBRs have been given to P&RD and MBs for adoption and printing of hard copies at their end. As of now, the ASBB had received 187 number of hard copies of PBR and the balance number are yet to be received
2	Anchalik Panchayat (AP)	185	185	122	
3	Zilla Parishad (ZP)	26	26	3	
4	Municipal Boards (MB)	100	100	54	
5	Guwahati Municipal Corporation (GMC)	1	1	0	
6	Autonomous Councils	40	40	8	
	Total	2549	2549	187	100% Completed (Soft Copies)

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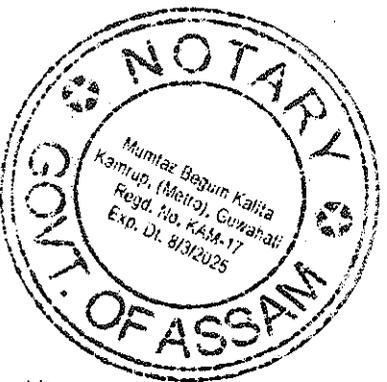
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ii. The soft copies in respect of 2197 PBRs which have been prepared by the Gaon Panchayat BMCs and 26 PBRs prepared by the Zilla Parishad BMCs have been sent to the P&RD Department for adoption and immediate printing of hard copies and submission to the Board for requisite action. The matter has already been taken up with the P&RD Department during January this year with a reminder on 13.02.2020.

iii. Subsequently, the soft copies in respect of 100 PBRs which have been completed by the Municipal Board BMCs have been sent to the 100 Municipal Boards (MB) for adoption and immediate printing of hard copies and submission to the Board for requisite action. Out of the 100 PBRs sent to the MBs, 54 MBs have submitted hard copies of PBRs and the balance of 46 MBs are yet to submit the hard copies of the PBRs for which the matter has already been taken up with them during January this year with a reminder on 14.02.2020.

iv. Similarly, the hard copy of the PBR in respect of Guwahati Municipal Corporation (GMC) BMC has not been received by the Board. The matter has already been submitted to the Commissioner, GMC during January 2020 with a reminder again on 14.02.2020 to ensure submission of the PBR by the GMC BMC without any further delay.

v. Methodology of PBR preparation adopted for newly formed BMCs: With respect to BMCs that have been set up recently at the Gaon Panchayat (GP), Zilla Parishad (ZP),

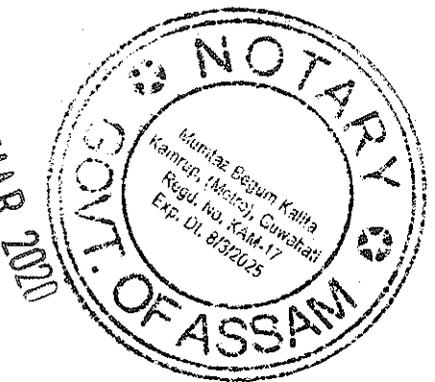


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Municipal Boards and Guwahati Municipal Corporation, the following process was adopted for writing of PBRs:-

- a) To begin with, the information on inventory of commonly used flora and fauna and associated traditional knowledge compiled at Anchalik Panchayat (AP) Level is being shared with the Gaon Panchayats (GP). This information formed the 1st draft PBR of the GP BMCs. Subsequently, the BMCs at the GP level shall be sensitized and their capacities shall be enhanced to upgrade the 1st draft PBR by incorporating localized information on flora, fauna, local markets and traditional knowledge.



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- b) Similarly, the information of the AP level PBR is being transmitted upwards to the Zilla Parishad (ZP) for preparing the 1st draft PBRs of the ZP BMCs, which will then be upgraded in due course by incorporation of specific details with respect to markets, traditional knowledge etc.
- vi. Although 100 % completion of task for preparation of PBR has been achieved as on 15.02.2020 as per the order of the Hon'ble NGT dated 09.08.2019, it will be an important task to upgrade these 1st draft PBRs with the help of the BMCs into a comprehensive document with details of traditional knowledge, marketing opportunities, ABS potential and biodiversity action plan. For this task, there shall be a need for commensurate financial and technical manpower resources.

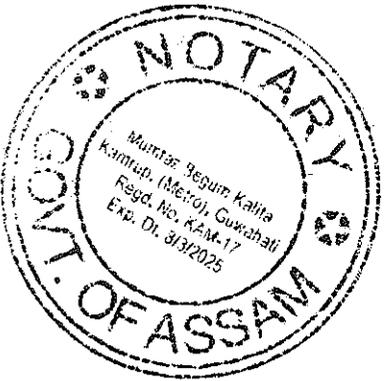
Member Secretary

Assam State Biciversity Ecard

The Assam State Biodiversity Board has already communicated the requirement of fund to the State Government, the same also highlighted in the affidavit submitted to Hon'ble NGT on 30.12.2019/ 16.1.2020.

C. Other related information:

- i) The Assam State Biodiversity Board have already filed an affidavit on the matter on 30.12.2019/16.1.2020. In this affidavit the Board has detailed its strategy for sensitizing newly formed BMCs and for improvement on the 1st draft of the PBRs through District Coordinators;
- ii) An advertisement has already been published in the local newspaper for engagement of District Coordinators. The last date for receipt of application was 20.02.2020. The engagement of the District Coordinators is subject to release of SD fund from Government of Assam.
- iii) The Board have submitted a SD proposal of 10% of total requirement of fund i.e. Rs 4.14 Cr for the purposes of strengthening of BMCs and improving of PBRs to the Government of Assam on 15.11.2019. Against this, a SD budget allocation of Rs 2.0 crore has been approved for FY 2019-2020 by the Government of Assam.
- iv) A schematic proposal under SOPD of Rs 1,40,93,000/- (One Crore forty lakh ninety three thousand only) has been submitted against the approved SD budget of Rs 2.0 crore,



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however, fund is yet to be released to the Board as of
03.03.2020.

4. That it is submitted that from the above stated facts it is clear that the answering respondent herein – the Assam State Biodiversity Board is progressing satisfactorily with respect to its mandated activities, such as formation of BMC's and preparation of PBRs.

[Handwritten Signature]

DEPONENT

Member Secretary,
Assam State Biodiversity Board

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above affidavit of mine are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therein.

Verified at _____ on this ___ day of March, 2020.

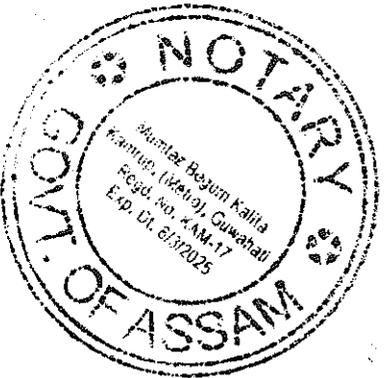
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DEPONENT

Member Secretary,
Assam State Biodiversity Board

Identified by me

Kakoli Bysan Baroi
AKALI BISOZAR BAROI
ADVOCATE
(Advocate ~~in~~ Clerk)



[Handwritten Signature]
NOTARY
Mumtaz Begum Kalita
Kamrup (Metro), Guwahati
Regd. No. KAM-17
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