

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 347 OF 2016

IN THE MATTER OF :

Chandrabhal Singh ...Applicant

Versus

Union of India & Ors. ...Respondent

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Dated: 06.10.2020
New Delhi



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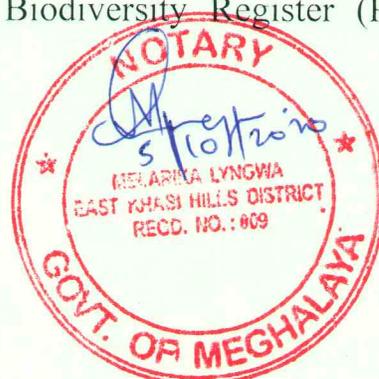
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**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT
NO.18- MEGHALAYA BIODIVERSITY BOARD**

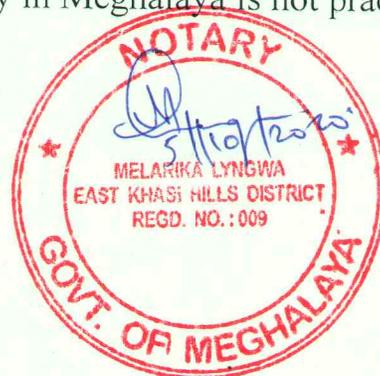
I, Shri. N. Luikham, IFS, S/o Late Shri. Misheal Luikham, aged about 45 years, resident of Block II, Quarter no. 3 (Type-V), MoEFCC Regional Office, Lumbatngen, Shillong-793021, East Khasi Hills District, Meghalaya do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of the Meghalaya Diversity Board and as such am conversant with the facts and records of this case and competent and authorized to swear this affidavit on behalf of the Meghalaya Biodiversity Board.
2. That the instant affidavit is being filed in pursuance of order dated 18.03.2020 passed by this Hon'ble Tribunal to place of record the present status of compliance of directions passed by this Hon'ble Tribunal vide orders dated 09.08.2019 and 18.03.2020 related to constitution of Biodiversity Management Committees (BMC) and preparation of the People's Biodiversity Register (PBR) by the BMCs so constituted.



Secretary,
State Biodiversity Board,
Meghalaya.

3. That the Meghalaya Biodiversity Board has earlier filed an affidavit dated 31.01.2020 which may please be treated as part and parcel of the present affidavit and the content thereto are not being repeated herein unnecessarily.
4. That the Meghalaya Biodiversity is also filing an application for modification of orders dated 09.08.2019 and 18.03.2020 passed by this Hon'ble Tribunal in the present case along with this additional affidavit and the content thereto may also be treated as part and parcel of the present affidavit and the content thereto are not being repeated herein unnecessarily.
5. That constitution of BMCs as per the provisions of the Central Act of 2002 and Central Rules of 2004 read with the Meghalaya Rules of 2010 mostly involves administrative exercise and one visit by State officials to all the concerned villages to identify persons who can be part of these BMCs to provide local expert knowledge and as such 4850 out of 6459 BMCs have already been constituted till date and rest shall be constituted latest by the end of this year.
6. That however, preparation of an exhaustive PBR documenting all the fauna, flora, aquatic life of such a dense biodiversity hotspot and peculiar topographical and geographical conditions of State of Meghalaya having places where humans are yet to set their foot will take time; and the short timeline to complete the preparation of all PBRs for other parts of the country in Meghalaya is not practical and feasible in the State of Meghalaya.



7. That till 30.09.2020 the status of constitution of BMCs and preparation of PBRs is as follows:

BMC			PBR		
BMCs formed till 31/01/2020	BMCs formed till 30/09/2020	Progress in formation of BMCs	PBRs formed till 31/01/2020	PBRs formed till 30/09/2020	Progress in formation of PBRs
3274	4850	1576	78	3224	3146

8. That furthermore, the present situation of COVID-19 pandemic and the restrictions imposed thereto has also impeded the pace of constitution of BMCs as physical visit to each of the 6459 villages of the State, most of them are inaccessible by paved road, is restricted and is taking more time than earlier planned and expected.
9. That similarly, preparation of the PBRs also require physical visits of the BMC members to their respective areas and consultation with local people which and in the present pandemic situation, such physical visits and interaction is also restricted expanding the time required for preparation of the PBRs as contemplated originally.
10. That in view of the aforesaid facts and circumstance and position of law, it is most respectfully submitted that this Hon'ble Tribunal may be pleased to modify its order dated 09.08.2019 and 18.03.2020 in respect of State of Meghalaya to the extent of permitting time till 31st March, 2021 to complete the task of constitution of BMCs in the State of Meghalaya and extend the time for preparation of PBRs by



the BMCs till 30th June, 2021 and to waive the cost imposed vide order dated 09.08.2019.

11. That the instant affidavit being filed by the Respondent No.18- Meghalaya Biodiversity Board may please be taken on record and appropriate orders, as prayed for, may please be passed by this Hon'ble Tribunal.

It is prayed accordingly.


DEPONENT
Secretary,
State Biodiversity Board,
Meghalaya.

VERIFICATION:

Verified at Shillong on this 5th day of October, 2020 that the content of the aforesaid affidavit is true and correct to the best of knowledge and belief of the above named deponent based on official records of the Respondent No.18- Meghalaya Biodiversity Board and no part of it is false and nothing material is concealed therefrom.


DEPONENT
Secretary,
State Biodiversity Board,
Meghalaya.

