

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

APPEAL No.32 & 34 of 2020

1. 1.D.Ranjith Kumar,
S/o.T.Dheenadhayalan,
No.19 Vellar Street,
Manallur Village Post,Gummudipundi,
Thiruvallur District 601202.

2. S.Jagan Kumar,
S/o.Srinivasalu,
No.88, Malliah Street,
Manallur Village Post Gummudipundi Taluk,
Chennai- 601202

**.....Appellants IN
APPEAL 32 OF 2020**

3. G. Praveena
D/o. D. Gurunathan,
No.568, Sathapet,
Manallur Village Post,Gummudipundi,
Thiruvallur District 601202.

4. S.Sivakumar,
S/o. Sivalingam,
No.40, Perumal Kovil Street,
Soorapondi Village,
Gummudipundi Taluk,
Chennai- 601202

**.....Appellants in IN
APPEAL 34 OF 2020**

-Vs-

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

*R. Shree**
Asst. General Manager (Legal)

1. Union of India
Rep. by its Secretary
The Ministry of Environment, Forests
and Climate Change New Delhi
Indra Paryavaran Bhawan,
Jor Bagh Road, Ali Ganj,
New Delhi.
2. The Tamil Nadu Pollution Control Board,
Rep. by its Member Secretary
No.76, Mount Salai,
Guindy, Chennai- 600032
3. The District Environmental Engineer
Tamil Nadu Pollution Control Board,
EPIP Building(AO Block)
SIPCOT Industrial Complex,
Gummudipoondi- 601201
Thiruvallur District.
4. State Industries Promotion Corporation
of Tamil Nadu (SIPCOT)
Rep. by its Managing Director
No.19A, Rukmani Lakshmi pathy Road,
Egmore, Chennai -600 008.

... 4TH Respondents
IN APPEAL 32/2020
AND 2ND
RESPONDENT IN
APPEAL 34/2020

**COMMON ADDITIONAL COUNTER AFFIDAVIT FILED BY THE 4TH
RESPONDENT IN APPEAL 32 AND 2ND RESPONDENT IN APPEAL
34 OF 2020**

I, Thiru. M.S. Heeroon Rasheed, S/o Late. R. Syed Mamoon Rasheed, Muslim aged about 44 years, working as Assistant General Manager in State Industries Promotion Corporation of Tamil Nadu (SIPCOT) and having office at 19-A, Rukmani Lakshmi pathy Road, Post Box No.7723, Egmore, Chennai 600008 do hereby solemnly affirm and sincerely state as follows:-

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

M. Rasheed
Asst. General Manager (Legal)

1. I am the Assistant General Manager of the 4th respondent in Appeal 32 and 2nd respondent in Appeal 34 of 2020 and I am authorized to sign on behalf of the 4th respondent and I am well acquainted with the facts of the case. This respondent proposed to develop Industrial Park at Manallur and Sooraipoondi Villages, Gummidipoondi Taluk for housing 90% of the plot area for Non-EC Category Industries i.e., Industries which does not attract the provision of EIA Notification, 2006 and its amendments and only 10% of 5(f) Category Industries for Synthetic acrylic polymers and resins, Synthetic resins and water proofing compounds, etc. Wherein ENVIRONMENTAL Clearance from the 1st Respondent was mandatory No integrated Paint industries were proposed. The proposed site is relatively flat.

2. I submit that the present Appeal 34 of 2020 and Appeal 32 of 2020 were filed by the Appellants Challenging THE ENVIRONMENTAL Clearance Issued by the 1st respondent on the file of 21-59/2015-IA.III Dated 10.11.2020. I submit that this respondent is a State Owned Corporation and is under the aegis of Government of Tamilnadu, in promoting industrialization in the State and is acting in the general interest for the benefit of the units located within its Industrial Complexes / Parks / Growth Centres.

This respondent has filed a detailed counter substantiating the stand of the Respondent since the Appellants have pointed out certain factual allegations. This respondent is filing this additional counter to clarify the stand of this Respondent before this Hon'ble Tribunal.

1. The Respondent submits that while applying for Environmental Clearance whatever shortfall found in 230th and 239th meeting were rectified and during the process the Respondent has been informed that National Board of Wild Life clearance was to be filed simultaneously and we filed the same. The law prior to notification dated 8.8.2019 was that only after obtaining NBWL clearance an

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

*Asheo**
Asst. General Manager (Legal)

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application for EC can be processed. However Ministry of Environment, Forest and Climate Change notified on 8.8.2019 as follows:-

4(iii) "Proposals involving developmental activity/project located within 10 km of National Park/Wildlife Sanctuary wherein final ESZ notification is not notified (or) ESZ notification is in draft stage, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference/environmental clearance as well as wildlife clearance"

2.This respondent submits that The EC granted to this project as stated by the 1st Respondent in Reply Affidavit in Page 5 para 14 is subject to the approvals / consent / permissions etc., under any other Acts / Regulations or Statues. This Respondent reiterates that only after complying with the approval of NBWL clearance this process will commence. This Respondent is taking every step to comply with the same.

3. Without prejudice to the above mentioned submission the respondent also submits that at the 44th meeting of the Expert Committee for Declaration of Eco-Sensitive Zone (ESZ) dated 18/1/2021 at item No. 3.20 the following has been mentioned

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

*M. Sheo**

Asst. General Manager (Legal)

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Item No. 3.20 – Pulicat Bird Sanctuary, Tamil Nadu

The Principle Chief Conservator of Forest (PCCF), Government of Tamil Nadu, represented the State Government and stated that the proposal for ESZ around Pulicat Bird Sanctuary is under pre-draft stage with zero extent on sides of the Protected Area. It was stated that surrounding areas of the Protected Area are private non forest land and the sanctuary already includes 13 villages. The distance between the boundary of these villages from HTL of the lake ranges from about 450 m to more than 5 kms at certain places and therefore this zone provides sufficient shelter and buffer to the birds. The State Government representative informed that they are working on feasibility of proposing non-zero boundaries extent. It was assured that a proposal will be submitted soon.

The Principle Chief Conservator of Forest, Government of Tamil Nadu after going through every relevant aspect has found that zero extent on sides of Pulicat Bird Sanctuary can be considered.

4. *This respondent further states that Government of Tamil Nadu has also notified most of the boundary of lake as ESZ boundary and only in few places 1km has been ESZ boundary. The relevant map is annexed as annexure to this affidavit.*
5. *In compliance with the minutes of Ministry of Environment, Forest and Climate Change sent to Government of Tamil Nadu also has sent proposal and the same is pending with MOEF and CC*
6. *In the event of approval of said proposal then there shall be no necessary for getting NBWL clearance.*

In the above circumstances, taking note of the fact that there is no procedural violation as stated by this respondent the Appeals may be dismissed.

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

*R. Sheo**
Asst. General Manager (Legal)

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It is submitted that all the grievances raised in the Appeal has been answered by this respondent and therefore the appeal filed deserves no merits and it is prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with exemplary costs and thus render justice.

FOR STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.,

*Narsho**

Asst. General Manager (Legal)

BEFORE ME

Solemnly affirmed at Chennai on
this the 23rd day of June 2021
and signed her name in my presence.

M 1967/2015

ADVOCATE: CHENNAI

*M. Nareesh Advocate
122 law chamber
High Court
Madras - 106*

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**BEFORE THE NATIONAL GREEN
TRIBUNAL
SOUTHERN ZONE, CHENNAI
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2. S.Jagan Kumar,
-**Appellants IN APPEAL 32 OF 2020**
3. G. Praveena
4. S.Sivakumar,
-**Appellants in IN APPEAL 34 OF 2020**

-Vs-

1. Union of India
2. The Tamil Nadu Pollution Control Board,
3. The District Environmental Engineer Tamil Nadu Pollution Control Board,
4. State Industries Promotion Corporation of Tamil Nadu (SIPCOT)
...4TH Respondents
IN APPEAL 32/2020 AND 2ND
RESPONDENT IN APPEAL 34/2020

**COMMON ADDITIONAL COUNTER
AFFIDAVIT FILED BY THE 4TH
RESPONDENT IN APPEAL 32 AND
2ND RESPONDENT IN APPEAL 34
OF 2020**

M/s.

Ramesh Venkatachala Pathy

Counsel for 4th Respondent

**RAMESH VENKATACHALAPATHY
ADVOCATE
No : 103, SANTHOME HIGH ROAD,
FORESHORE ESTATE, CHENNAI- 600028.
CELL : 9840026172**

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

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Rep.by its Member Secretary
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2	08.08.2019	Office Memorandum F. No. 22-43/2018 – IA.III	26-
3		Map of Eco-Sensitive Zone along with coordinates	29

Certified that the above documents are true copies of their respective originals

Dated at Chennai this the day of June 2021



Counsel for 4th Respondent

MINUTES OF 44th MEETING OF THE EXPERT COMMITTEE FOR THE DECLARATION OF ECO-SENSITIVE ZONE (ESZ) AROUND PROTECTED AREAS (WILDLIFE SANCTUARIES/NATIONAL PARKS/TIGER RESERVES) THROUGH VIDEO CONFERENCING (VC) HELD ON 18th JANUARY, 2021.

The 44th Meeting of the Expert Committee on Eco-Sensitive Zone was held under the Chairmanship of Shri Ravi Agrawal, Additional Secretary, Ministry of Environment, Forest & Climate Change (MoEFCC) on 18th January, 2021 through Video Conferencing. The list of participants is enclosed as **Annexure**.

2. At the outset, the Chairman welcome the members, participants from the State Governments/UT administration of Andaman and Nicobar. After a brief introduction, the Chairman invited State Governments/UT administration representatives to present their proposals as per the Agenda items. The following twenty proposals listed in the agenda were taken up *ad-seriatim*:

Item No.	State/UT	Protected Area	Remarks
	Andaman & Nicobar	Campbell Bay National Park	Fresh proposal
		Galathea Bay National Park	Fresh proposal
	Himachal Pradesh	Renukaji Wildlife Sanctuary	Re-notified draft proposal
		Chail Wildlife Sanctuary	Re-notified draft proposal
		Gangul Siyabehi Wildlife Sanctuary	Re-notified draft proposal
		Nargu Wildlife Sanctuary	Re-notified draft proposal
	Kerala	Thaltekad Wildlife Sanctuary	Revised proposal received from State Govt.
		Silent valley National Park	Re-notified draft proposal
		Aralam Wildlife Sanctuary	Revised proposal received from State Govt.
		Idduki Wildlife Sanctuary	Revised proposal received from State Govt.
		Kottiyoor Wildlife Sanctuary	Revised proposal received from State Govt.
		Malabar Wildlife Sanctuary	Revised proposal received from State Govt.
	Jammu and Kashmir	Ramnagar Wildlife	Re-notified draft proposal

	Kashmir	Sanctuary	
	Rajasthan	Bassi Wildlife Sanctuary	Revised proposal received from State Govt.
	Odisha	Simlipal Tiger Reserve and Hadagarh Sanctuary	Revised proposal awaited from State Govt.
	Haryana	Sukhna Wildlife Sanctuary	Proposal awaited from State Govt.
	Assam	Dehing Patkai Wildlife Sanctuary	For consideration of ECC's recommendation.
3.18	Madhya Pradesh	Bandhavgarh Tiger Reserve	For Amendment
3.19	Pradesh	Gandhi Sagar Wildlife Sanctuary	For Amendment
3.20	Tamil Nadu	Pulicat Bird Sanctuary	Proposal under pre-draft stage

The deliberations held and the decisions taken are as under:

Item No. 3.1: Campbell Bay National Park, Andaman and Nicobar Island

The draft notification for declaration of ESZ around Campbell Bay National Park was published on 28th October, 2020 for seeking public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) notification are as follows:

Area of PA : 426.23 sq. km

Proposed ESZ area : 65.81 sq. km

Proposed Extent : 0 to 1 kilometre (Zero extent of ESZ as the boundary of the National Park coincides with the boundary of Bay of Bengal)

A presentation was made by the PCCF and Chief Wildlife Warden, UT administration of Andaman and Nicobar before the Expert Committee. The Secretary (Environment), Government of UT was also present in the meeting. It was informed that the Campbell Bay National Park and its adjoining areas is a biodiversity rich area and houses endemic species like Nicobar Megapode, Crab eating Macaque, Giant Robber Crab, Nicobar Pigeon etc.

The Committee was informed that no comments/ objections have been

received in respect of the draft notification for declaration of ESZ around the Campbell Bay National Park within the stipulated 60 days and till date. The Committee was also informed that zero ESZ extent on the Western side and the Northern side of the boundary of the Park is due to the fact the National Park directly ends and merges with the Bay of Bengal, and whereas, on the Eastern side, it is already a tribal area protected under the Forest Act. The representatives of the UT Administration further informed that the area beyond zero extent on the coastal sides are already protected under CRZ regulations. The Expert Committee agreed to the above justification for zero extent of ESZ on these sides.

The Committee informed the UT administration representatives that the Ministry is in the process of integrating the ESZ boundaries in the Digital Support System and therefore requested that digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made deliberations held the Committee recommended finalisation of the ESZ notification of Campbell Bay National Park.

Item No. 3.2: Galathea National Park, Andaman and Nicobar Island

The draft notification for declaration of ESZ around Galathea National Park was published on 28th October, 2020 for seeking public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA	:	110 sq km
Proposed ESZ area	:	14.93 sq km
Proposed Extent	:	0 to 1 kilometre (Zero extent of ESZ as the major geographical area of the Great Nicobar Island is covered under Protected Area Network and Tribal Reserve with almost no area left for development.)

A presentation was made by the PCCF and Chief Wildlife Warden, Govt. of Andaman and Nicobar before the Expert Committee. The Secretary (Environment), Government of UT was also present in the meeting. It was

informed that the Galathea National Park and its adjoining areas are rich in biodiversity which includes endemic faunal species like Nicobar Megapode, Crab eating Macaque, Giant Robber Crab, Salt water crocodile, Nicobar Pigeon and floral species like tree fern etc.

The Committee discussed on the zero extent of the ESZ in major stretches along the boundary of the National Park. On this issue, the UT administration representatives stated that zero extent is proposed since major geographical area of the Great Nicobar Island where the Park is located, is covered under Protected Areas Network and Tribal Reserves; therefore, there is hardly any area left for holistic development. Further, to protect the development and inhabitants from unforeseen natural disaster like Tsunami, rising water level, a 750 m buffer is proposed from the coast and near the National Park boundary. It was also stated that Island has tremendous strategic significance for the country and the Government of India is in the process of development of strategic projects on this side; therefore, there is no scope for ESZ left.

The Committee also considered detailed justification provided in the letter of even date that gave following justification.

1. The Great Nicobar Island with an area of 910.74 sqkm (as per Survey of India) is strategically located in the South, very close to the major international shipping route of Malacca Strait.
 2. Out of total geographic area of 910.74 sqkm, the area under revenue is 44.20 sqkm which constitutes only 4.8% of the total geographic area, whereas the remaining 95.2% is either National Parks, Protected Forests and Tribal Reserve leaving little area for development.
 3. As per the Vision Document prepared by NITI Aayog, a contiguous stretch of land is required in the south-eastern and south-western part of the island, which has a narrow strip ranging from 1.83 km to 3.8 km in the eastern side and 1.3 km to 5.4 km in the western side from the Galathea National Park which also happens to be Protected Forest and Tribal Reserve.
 4. In the eastern side, the NITI Aayog has proposed to construct an Airport, requiring 21.64 sqkm of land at the south eastern part and construction of Rapid Mass Transit System originating from Campbell Bay and terminating somewhere in the western part and running parallel to the coast line.
 5. In the southern part, besides the development of a major Transshipment Port, the area is also earmarked for future strategic Defence use in view of the developing geo-political scenario in the area.
 6. The south-western and western part of Great Nicobar Island outside the Galathea National Park are narrow and proposed to be used as Free Trade Zone as ancillary to the transshipment port leaving little area for declaration of ESZ.
-

The Committee also reiterated that the Ministry is in the process of integrating the ESZ boundaries in the Digital Support System and therefore requested that digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made, the letter dated 18th January, 2021 and deliberations held the Committee recommended finalisation of the ESZ notification of Galathea National Park.

Item No. 3.3: Renukaji Wildlife Sanctuary, Himachal Pradesh

The draft ESZ notification for declaration of ESZ around Renukaji Wildlife Sanctuary was first notified on 21.07.2016; however, could not be finalised due to non-timely submission of information/revision of the proposal by the State Government. The draft was re-notified on 13.10.2020 inviting public comments. The salient features of the extant draft Eco-Sensitive Zone (ESZ) are as follows

Area of PA	:	4.028 sq. km
Proposed ESZ area	:	15.29 sq. km
Proposed Extent	:	0 to 2.042 km

A presentation was made by the Chief Conservator of Forest (WL), Government of Himachal Pradesh before the Expert Committee. It was informed that the Renukaji Wildlife Sanctuary has varied flora and fauna such as sal, bel, khair, shirsain, common leopard, Asiatic black bear, leopard cat goral, porcupine etc. The Renuka Lake falls under the Sanctuary and is the largest natural fresh water lake in Himachal Pradesh, which has been preserved over the years due to its religious and cultural significance.

The Committee highlighted that zero extent of ESZ boundary has been proposed on quite a large portion, in particular on the Western side of the Wildlife sanctuary. To this, the representative of the State Government stated that there is a nallah adjoining near the boundary of the WLS and also a cliff thereafter; therefore, zero extent has been proposed on these sides. The Committee noted the same and advised that nallah may be included in the ESZ boundary. The State Government agreed to submit a revised map boundary and revised geo-coordinates along with a comprehensive note and assured the Committee that the same will be submitted in a week's time.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent including nallah as decided in the instant case.

Based on the presentation made and deliberations held the Committee approved the boundaries including nallah, as mentioned above and recommended for finalisation of the notification.

Item No. 3.4: Chail Wildlife Sanctuary, Himachal Pradesh

The draft ESZ notification for declaration of ESZ around Chail Wildlife Sanctuary was notified on 20.11.2015 but its validity had lapsed due to non-submission of requisite information by the State Government. It was thereafter re-notified on 15.10.2020 for seeking public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

- Area of PA : 16 sq. km
- Proposed ESZ area : 34.04 sq. km
- Proposed Extent : 0.458 (0.5 km) to 3.26 km

A presentation was made by the CCF, Government of Himachal Pradesh before the Expert Committee. It was stated that the Chail Wildlife Sanctuary supports threatened fauna such as common leopard, barking deer black bear, ghoral, jackal, Himalayan yellow throated martan, Himalayan Civet, flying squirrel etc.

The Committee deliberated on the incidents of man-animal conflict in the area and desired to know whether the ESZ extent is sufficient for avoiding such incidents. To this, the State Government representative clarified that the instances of man-animal conflict are insignificant in the area and the ESZ extent is quite sufficient.

The Committee noted that a minimum extent to 0.5 km ESZ has been proposed on the side bordering Damodar Protected Forest and the maximum ESZ extent is 3.26 Km. The Committee noted that though the extent of ESZ in earlier draft notification published was 0.7 km to 4.2 km, the ESZ area in the earlier



draft and the re-notified draft remains the same. The Committee advised the State Government to submit a written justification on the reduction on ESZ extent along with calculation on the ESZ area remaining the same after ground truthing.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as may be decided after ground truthing as noted above.

Based on the presentation made and deliberations held the Committee recommended the notification for finalisation subject to furnishing requisite information.

Item No. 3.5: Gangul Siyabeh Wildlife Sanctuary, Himachal Pradesh

The draft ESZ notification for declaration of ESZ around Gangul Siyabeh Wildlife Sanctuary was published on 03.06.2016; however, its validity lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on receipt of revised proposal from the State Government on 27.10.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

- Area of PA : 108.40 sq.km
- Proposed ESZ area : 28.90 sq.km
- Proposed Extent : 0 to 1.0 km

A presentation was made by the CCF, Government of Himachal Pradesh before the Expert Committee. It was informed that the Gangul Siyabeh Wildlife Sanctuary supports fauna such as fox, Himalayan tahr, musk deer, goral, leopard, brown & black bear, monal, chakor, koklas etc.

The Committee observed that the extent of ESZ in the 1st draft

published on 3.6.2016 was upto 3.3 kms, whereas, in the re-notified draft, the ESZ extent revised to 1.0 km, even though the ESZ area has been kept same. The Committee desired that the possibility for retaining upto 3.0 km ESZ extent may be examined. To this the representative of the State Government stated that they will re-examine the same and revert back within ten days.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as may be decided after ground truthing as noted above.

Based on the presentation made and deliberations held the Committee decided that on receipt of the clarification/revision as noted above the matter may be reconsidered in the next meeting.

Item No. 3.6: Nargu Wildlife Sanctuary, Himachal Pradesh

The draft ESZ notification for declaration of ESZ around Nargu Wildlife Sanctuary was notified on 24.02.2016; however, its validity lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 27.10.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

- Area of PA : 108.40 sq.km
- Proposed ESZ area : 28.90 sq.km
- Proposed Extent : 0 to 1 km (zero extent of eco sensitive zone is due to continuation of the Nargu wild life sanctuary with Dhauladhar wildlife Sanctuary towards north side and Khokhan Wildlife Sanctuary towards the south east side.)

A presentation was made by the CCF, Government of Himachal Pradesh before the Expert Committee. It was informed that the Nargu Wildlife Sanctuary supports fauna such as leopard cat, jungle cat, Himatayan civet, Himalayan yellow throated marten, black bear, porcupine, flying squirrel, monkey;



It was observed that the extent of ESZ has been kept zero on the side adjoining Dhouladhar Wildlife Sanctuary and also on the side of the Parvati Protected Forest. The Committee observed that there could be "no zero" extent of ESZ on the side adjoining Parvati Protected Forest. The State Government representative agreed to re-examine the same and revert back within 18 days.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as may be decided after ground truthing as noted above.

Based on the presentation made and deliberations held the Committee decided that on receipt of the clarification/revision, as noted above, the matter may be reconsidered in the next meeting.

Item No. 3.7: Thattekkad Wildlife Sanctuary, Kerala

The draft ESZ notification for declaration of ESZ around Thattekkad Wildlife Sanctuary was notified on 27.01.2016; however, the validity of the notification lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 29.09.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA	:	25.16 sq km
Proposed ESZ area	:	28.444 sq km
Proposed Extent	:	1.0 km uniform

It was informed that Thattekkad Wildlife Sanctuary is located in Kothamangalam Taluk of Ernakulam District and is home to one of the richest bird habitats in south India. The important fauna in the Sanctuary are slender loris, tiger, leopard, Indian elephant, mouse deer, Indian pangolin, sloth bear, spiny dormouse, bonnet macaque, jungle cat, etc.

The representative of the State Government stated that the State Government has submitted a revised proposal, wherein, the area of ESZ has been indicated as 16.0 sq. km with an extent ranging from 0 (zero) to 1.0 km. It was stated that the zero extent of ESZ on the Eastern and South-Eastern side of

the Protected Area is due to the fact that there is high density human habitation on these sides. It was stated that people have tremendous apprehension of any ESZ on these sides. To this the Committee desired to know on what activities the people at large apprehending for areas coming in the ESZ and raising objections. The representative of the State Government informed that villagers have a notion that ESZ declaration would entail restrictions in agricultural and allied activities.

The Committee observed that there is no prohibition in agriculture practices within the ESZ and stated that it is the state Government's responsibility to sensitise the people appropriately so that such wrong notions are not conceived. The Committee therefore observed that the scope of expanding the ESZ extent from zero to a suitable distance on the Eastern and South-Eastern direction, in particular from GPS points 15 to 17 shall be examined, where water bodies exist. The proposal shall be suitably revised and submitted. The representative of the State Government agreed to the suggestion.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as noted above.

Based on the presentation made and deliberations held the Committee decided to reconsider the proposal on receipt of the clarification/revision in the next meeting.

Item No. 3.8: Silent valley National Park, Kerala

The draft ESZ notification for declaration of ESZ around Silent Valley National Park was notified on 06.01.2016; however, lapsed due to non-timely submission of requisite information by the State Government. The draft was thereafter re-notified on 27.10.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA : 69.52 sq. km



Proposed ESZ area : 148 sq. km
Proposed Extent : 0 (zero) to 9.8 kms

It was informed that Silent Valley National Park is situated in Palakkad district of Kerala and its landscape is the sole surviving pristine rain forest in Sahyan ranges supporting populations of the endangered species of the lion tailed macaque. The ESZ extent ranges from 0 to 9.8 kms. Zero extent has been kept on the side adjoining the Mukurthi National Park.

The Committee was informed that public hearing was held and during the hearing it was initially local people had presumed the ESZ as the same with National Park, which was duly clarified. It was also stated that comments/objections and suggestions received from persons and stakeholders in response to the draft notification have been duly considered by the State Government.

The Committee reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made and deliberations held the Committee recommended that the draft notification can be finalised and the State Government shall submit the digitised maps as noted above in a week's time.

Item No. 3.9: Aralam Wildlife Sanctuary, Kerala

The draft ESZ notification for declaration of ESZ around Aralam Wildlife Sanctuary was notified on 26.03.2016; however, lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 20.07.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA : 55 sq.kms
Proposed ESZ area : 10.136 sq.kms
Proposed Extent : 0 (zero) to 3.06 km

The DCF, Government of Kerala made a presentation before the

Committee and informed that Aralam Wildlife Sanctuary is located in the northwest slopes of Western Ghats. The forests of Aralam and adjacent areas represent compact protected patch of vegetation with unique vegetation of Dipterocarpus-Mesua-Palaquium sub-type and the area is well-known for its butterflies.

It was stated that the area of Eco-sensitive Zone has been revised and it is now proposed as 7.136 sq.km after exclusion of some highly populated areas in the South-Western boundary of the Protected Area. The justification stated for such a reduction was that these areas are farmland and tribal settlements, and local people have strong objections for inclusion in the ESZ area.

The Committee observed that such exclusion of farmlands and tribal settlements is not appropriate as the inclusion does not in any way hinders agricultural or traditional activities (if any) being undertaken in the area. The Committee agreed that it is the State Government's responsibility to sensitise the people appropriately so that such wrong notions are not conceived. The Committee was also apprised that man-wildlife conflict is a frequent occurrence in the area and the Forest Department has constructed a wall on the boundary of protected area. The Committee therefore decided that the State Government shall revisit the zero extent of ESZ and submit a revise proposal.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as noted above.

Based on the presentation mad and deliberations held the Committee decided that on receipt of the clarification/revision as noted above the proposal will be reconsidered in the next meeting.

Item No. 3.10: Idduki Wildlife Sanctuary, Kerala

The draft ESZ notification for declaration of ESZ around Idduki Wildlife Sanctuary was notified on 28.07.2016; however, lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on

13.08.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

- Area of PA : 105.364 sq.kms
- Proposed ESZ area : 88.238 sq.kms
- Proposed Extent : 450 m to 1.0 km

A presentation was made by the State Government of Kerala on the draft ESZ notification of Idukki Wildlife Sanctuary. It was stated that the Sanctuary is situated in Idukki district of Kerala and is characterized by evergreen deciduous forests having terrain of marshy lands dominated by grasses, sedges, shoals, etc. with least human interferences. The Sanctuary also harbours 28 species of mammals and 172 species of birds.

The representative of the State Government also informed that the ESZ area in the Instant proposal have been revised to 20.0714 sq.km from 88.24 sq.km. The ESZ is proposed only on the North-Western direction of the Protected Area and zero extent of ESZ is proposed on all three sides of Protected Area. It was stated that the zero extent of ESZ has been proposed due to strong objections of public especially on the side where there is high density human habitation.

The Committee observed that there is no prohibition to agriculture practices within the ESZ and stated that it is the state Government's responsibility to sensitise the people. The Committee observed that the justification given by the State Government for zero extent ESZ is not acceptable and the same shall be re-examined. It was also highlighted that the district is a high landslide prone area and the State should be mindful of permitting developmental activities in such a region.

The Committee also noted that the proposal has MLA of the district as a member of the Monitoring Committee which is not being practised in such notifications. The State Government representative agreed to the suggestion and decided to delete it.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted

to the Ministry at the earliest incorporating revision of ESZ extent as noted above.

Based on the presentation made and deliberations held the Committee decided that on receipt of the clarification/revision as noted above the proposal will be reconsidered in the next meeting.

Item No. 3.11: Kottiyoor Wildlife Sanctuary, Kerala

The draft ESZ notification for declaration of ESZ around Kottiyoor Wildlife Sanctuary was earlier notified on 09.09.2016; however, lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 24.08.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA	:	30.38 sq.kms
Proposed ESZ area	:	12.91 sq.kms
Proposed Extent	:	0 (zero) to 2.1 kms

A presentation was made by the State Government of Kerala on the draft ESZ notification on Kottiyoor Wildlife Sanctuary and informed that the Protected Area is situated in the North-Western slopes of Western Ghats contiguous with the forests of Coorg (Kodagu) District of Karnataka State. The main species found in the Sanctuary are mainly cobra and king cobra, while other major species such as Asian elephant, leopard, barking deer, sambar deer, slender loris, small Indian civet, wild boar, common Indian monitor, etc. are also recorded from the Sanctuary.

It was also informed that ESZ area has been revised by reducing extent in South and South-West direction of the Protected Area adjoining high density human population and the ESZ area is reduced from 12.91 sq.kms to 10.87 sq.kms.

The Committee also noted that the proposal has MLA of the district as a member of the Monitoring Committee which is not being practiced in such notifications. The State Government representative agreed to the suggestion and decided to delete it.

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The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest incorporating revision of ESZ extent as noted above.

Based on the presentation made and deliberations held the Committee recommended the proposal of the State for finalisation.

Item No. 3.12: Malabar Wildlife Sanctuary, Kerala

The draft ESZ notification for declaration of ESZ around Malabar Wildlife sanctuary was notified on 31.12.2015; however, lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 05.08.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA	:	74.22 sq kms
Proposed ESZ area	:	53.60 sq kms
Proposed Extent	:	0 (zero) to 1.0 km

A presentation on the draft ESZ of Malabar WLS was made by the representative of the State Government of Kerala and it was informed that sanctuary is located in Kozhikode district of Kerala and spread over an area of 74.22 sq.kms. The area of ESZ was earlier envisaged as 53.60 sq. km ; however, subsequently revised to 42.815 sq.km. It was stated that the reduction is due to exclusion of densely populated human settlements from the ESZ area after strong objections from local people. It was also stated that the ESZ extent has been kept at zero to 1.0 km and the zero extent in the Southern side is due to location of a hydroelectric project and on the Western and North Western side of the Protected Area it is zero due to tribal and other settlements. The Committee observed that the zero extent in the instant case may be considered in view of the fact that there seems no much scope of ESZ extent in the Southern and Western side. However, the State Government shall submit the written justification to the Ministry.

It was noted that comments/objections and suggestions received from persons and stakeholders in response to the draft notification have been duly

considered by the State Government. The representative of State Government also stated that the proposal was revised after due consultation with local people.

The Committee also noted that the proposal has MLA of the district as a member of the Monitoring Committee which is not being practised in such notifications. The State Government representative agreed to the suggestion and decided to delete it.

The Committee reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made and deliberations held the Committee decided that on receipt of written justification from the State Government, the proposal will be reconsidered in the next meeting.

Item No. 3.13: Ramnagar Wildlife Sanctuary, Jammu and Kashmir

The draft ESZ notification for declaration of ESZ around Ramnagar Wildlife Sanctuary was notified on 18.03.2016; however, lapsed due to non-submission of requisite information by the UT administration. The draft was re-notified on 13.10.2020 inviting public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA : 12.75 sq. km

Proposed ESZ area : 10.73 sq. km

Proposed Extent : 0 to 1.85 km (Zero extent of ESZ towards south, south-west and west side is due to existing Jammu City municipal area)

A presentation was made by the Regional Wildlife Warden, Government of Jammu and Kashmir before the Expert Committee. It was informed that the Ramnagar Wildlife Sanctuary is located on the Northern fringe of Jammu City and is a small green patch of forest, which is valued as the only green lung of the city. The major faunal species found in the Sanctuary are common leopard, spotted deer, barking deer, rhesus monkey, jackal, hare, porcupine, wild boar, mongoose, nilgai.

The Committee noted that zero extent ESZ has been proposed on the Southern and Western side. This was clarified by the UT administration representatives that the zero extent of ESZ towards South, South-West and West side is due to existing Jammu city municipal area prevailing since generations. The Committee decided that the zero extent may be agreed.

The representatives of UT administration also requested for correction in the proposed Monitoring Committee, which is indicated as headed by the Chief Secretary, as this would be impractical and not the practice for a composition of a Monitoring Committee. The Committee agreed to the request and clarified that perhaps this may be due to an inadvertent error.

The Committee also reiterated that as deliberated in the preceding items, In order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made and deliberations held the Committee recommended finalisation of the notification subject to prior submission of the digitised maps as noted above.

Item No. 3.14: Bassi Wildlife Sanctuary, Rajasthan

The draft ESZ notification for declaration of ESZ around Bassi Wildlife Sanctuary was notified on 12.10.2015; however, lapsed due to non-submission of requisite information by the State Government. The draft was re-notified on 04.11.2019 involving public comments. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

- Area of PA : 138.69 sq km
- Proposed ESZ area : 108 sq km
- Proposed Extent : 0 to 3 km (Zero extent at some places are due to National Highway and PWD Road)

The proposal was earlier considered during the 39th and 42nd meetings of the Expert Committee (ESZ), wherein, the State Government was requested to submit few additional information pertaining to public consultation.

A presentation was made by the DCF Chittorgarh, Government of Rajasthan before the Expert Committee. It was informed that the Bassi Wildlife Sanctuary is situated along Chittorgarh-Kota NH-76 and is an ideal habitat for a variety of fauna such as Panther, Chinkara, Wild Boar, Chital, four horned antelopes.

The representative of the State Government informed that about 58 hectares of the ESZ area has been excluded from the total ESZ area and the ESZ area reduced to 10691.94 hectares (or 106.91 sq km) from 10749.94 hectares (107.50 sq.km). It was informed that this was required to be done based on the stakeholder's representation and subsequent public consultations. The Committee noted the same and decided that it may be agreed, as it is marginal reduction having public consensus.

The representative of State Government requested for slight corrections in geo-coordinates of Eco-sensitive zone and also inclusion of fishing under prohibited activity category instead of regulated activity. The Committee deliberated the request and agreed to request of the State Government to bring fishing activity under prohibited category. The errors in the geo-coordinates may be corrected appropriately.

The Committee also reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Based on the presentation made and deliberations held the Committee recommended finalisation of the notification subject to prior submission of the digitised maps as noted above.

Item No. 3.15: Simlipal Tiger Reserve and Hadagrah Sanctuary, Odisha

The draft ESZ notification for declaration of FSZ around Simlipal Tiger Reserve and Hadagrah Sanctuary was notified on 19.1.2019 for seeking public comments. The salient features of the draft Eco-Sensitive Zone (FSZ) are as follows:

Area of PA : 5246.6 sq. km.
Proposed ESZ area : 1765.295 sq km
Proposed Extent : 0 to 5 km

The proposal was earlier considered during the 35th, 37th and 40th meetings of the Expert Committee and recommended for finalisation of the ESZ notification; however, the proposal was put on hold on the request of the State Government as they intend to revise the proposal. The State Government had informed that they are submitting a revised proposal with a reduced area of the ESZ and ESZ extent from 5.0 km to 1.0 km on the Eastern side of Simlipal. The revised proposal is still awaited. The representatives of NTCA also informed the Committee that NTCA has not received such a revised proposal.

The Committee observed that considerable delay has already been caused in finalisation of the draft ESZ notification and the draft notification would lapse soon; therefore, Ministry should immediately write a letter to the State Government for early submission of the revised proposal with sound justification for reduction of the ESZ area and ESZ extent. It was decided that in the event the same is not received in a month's time, a decision may be taken in the next meeting. Accordingly, the proposal was deferred for reconsideration at a later stage.

The Committee further reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Item No.3.16: Sukhna Wildlife Sanctuary, Haryana

The proposal for declaration of ESZ around Sukhna Wildlife Sanctuary, Haryana has not been received from the State Government as yet. The State Government representative informed that the proposal is under pre-draft stage.

The Committee informed the representatives of the State Government that as they are aware as per the directions of Hon'ble High Court of Punjab & Haryana in Civil Writ Petition No.18253 of 2009 & other connected petitions vide order dated 2nd March, 2020, the stipulated time period for the submission of

proposal by the State Government was three months. The Ministry has flagged this issue time and again but no credible action seems to have been taken up by the State Government. Representative of the Haryana Government informed the Committee that ESZ proposal for Sukhna Wildlife Sanctuary, Haryana is being prepared and currently they are seeking inputs from other Departments.

The Committee therefore informed the State that the State is responsible for non-submission of proposal.

Further, the Committee reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

The Committee based on the deliberation advised the State Government to immediately submit the draft ESZ proposal to the Ministry keeping in view the legal obligations.

Item No. 3.17: Dehing Patkai Wildlife Sanctuary, Assam

APCCF, Government of Assam, made a presentation and informed that the draft ESZ notification of Dehing Patkai Wildlife Sanctuary was published on 30th May, 2019. The salient features of the draft Eco-Sensitive Zone (ESZ) are as follows:

Area of PA	:	111.19 sq km
Proposed ESZ area	:	215.82 sq km
Proposed Extent	:	0 (zero) to 7.5 kms

It was informed that the proposal was earlier discussed during the 42nd meeting of the Expert Committee and recommended for submission of revised proposal after the upgradation to National Park. It was also informed that the Empowered Coordination Committee (ECC) had suggested that such recommendation would delay the ESZ notification and MoEFCC has been advised to consider the proposal in its present form. That amendment, as may be required, could be carried out at a later date after the sanctuary is updated to a National Park.

The representative of the State Government informed that upgradation process for the National Park is still underway and it may take some more time before it is finally designated as a National Park. Some forest patches adjoining the outer boundary of the Wildlife Sanctuary are presently considered for inclusion in the proposed National Park. On the query by the Committee regarding impact of ESZ with such changes, the representatives of the State Government informed that ESZ extent would be about 1.0 kilometre from the proposed National Park.

The Committee discussed and deliberated the implications of upgradation to a National Park and the ESZ and decided that keeping in view the proposed National Park, a revised proposal extrapolating the ESZ extent with a larger outer boundary of the layout of the proposed National Park (instead of the Wildlife Sanctuary) may be delineated as an interim boundary of ESZ, which may be later amended as may be so required. The representative of the State Government agreed to this suggestion and stated that a revised proposal would be submitted to the Ministry within one month. The State Government was also requested to submit other pending proposals including Kaziranga National Park to the Ministry at the earliest.

The Committee further reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Item No. 3.18: Bandhavgarh Tiger Reserve, Madhya Pradesh (for amendment)

The ESZ notification around Bandhavgarh Tiger Reserve was issued on 13.12.2016 with an ESZ extent of upto 2.0 kms and ESZ area 1030.40 sq.km. The State Government was represented by the PCCF and other officials.

It was stated that the final ESZ notification around Bandhavgarh Tiger Reserve does not contain entire buffer area of the Tiger Reserve and is also not in consonance with the report of NTCA which suggest inclusion of entire buffer of the Tiger Reserve in the ESZ. It was mentioned that the notifications have few variations with the proposal submitted by the State Government and requires an

amendment. It was also stated that amendments are also required in the ESZ notifications of Satpura Tiger Reserve, Son Gharial WLS, Narsingarh WLS and Nauradehi WLS.

The Committee noted the request. The State Government should submit the details along with digitised maps and geo-coordinates for inclusion in the ESZ extent to the Ministry at the earliest to enable Ministry to take further course of action. It was also decided that details of amendments as may be required in respect of ESZ notifications of Satpura Tiger Reserve, Son Gharial WLS, Narsingarh WLS and Nauradehi WLS etc. should also be submitted along with justification/rational.

The Committee further reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be submitted to the Ministry at the earliest.

Item No. 3.19: Gandhi Sagar Wildlife Sanctuary, Madhya Pradesh (for amendment)

The ESZ notification around Gandhi Sagar Wildlife Sanctuary was issued on 05.12.2016 with an ESZ extent of upto 3.0 kms and ESZ area 368.92 sq.kms. The State Government was represented by The State Government was represented by the PCCF and other officials.

It was stated that the final ESZ notification around Gandhi Sagar Wildlife Sanctuary have few corrections and requires an amendment in respect of the ESZ extent and the ESZ area.

The Committee noted the request. The State Government should submit the details along with digitised maps and geo-coordinates for inclusion in the ESZ extent to the Ministry at the earliest to enable Ministry to take further course of action.

The Committee further reiterated that as deliberated in the preceding items, in order to enable the Ministry in integrating the ESZ boundaries in the Digital Support System, digitized map of the ESZ and protected area shall be

submitted to the Ministry at the earliest.

Item No. 3.20: Pulicat Bird Sanctuary, Tamil Nadu

PCCF, Government of Tamil Nadu, represented the State Government and stated that the proposal for ESZ around Pulicat Bird Sanctuary is under pre-draft stage with zero extent on sides of the Protected Area. It was stated that surrounding areas of the Protected Area are private non forest land and the sanctuary already includes 13 villages. The distance between the boundary of these villages from HTL of the lake ranges from about 450 m to more than 5 kms at certain places and therefore this zone provides sufficient shelter and buffer to the birds. The State Government representative informed that they are working on feasibility of proposing non-zero boundaries extent. It was assured that a proposal will be submitted soon.

4. Any other item with the permission of the Chair:

The Committee urged all the State Government/UT administration representatives to submit digitized maps (kml/shape files) of the notified Eco-sensitive Zone and Protected Areas boundaries in respect of their States/UT to enable the Ministry in integrating the ESZ boundaries in the Digital Support System.

The meeting ended with vote of thanks to and from the Chair.

ANNEXURE

LIST OF PARTICIPANTS

Members of Expert Committee

1. Shri Ravi Agrawal, Additional Secretary, Chairperson, MoEF&CC.
2. Dr. Satish C. Garkoti, Adviser, ESZ-Division, MoEF&CC.
3. Shri. Rakesh Kumar Jagenia, Deputy Inspector General of Forest, Wildlife Division, MoEF&CC.
4. Dr. K. Chandra Shekar, Scientist-'E' G.B. Pant Institute of Himalayan Environment & Development, Almora.
5. Dr. Gautam H. Talukdar, Scientist-'E', WII, Dehradun.
6. Dr. K. Shankar, Director, SACON
7. Ms. Vishalsh Uppal, Director, WWF India.
8. Dr. Kailash Chandra, Director, Zoological Survey of India, Kolkata.
9. Shri. Sanjay K. Agarwal, Deputy Director, Forest Survey of India.
10. Dr. Hitendra Padalia, IIRS/ISRO, Dehradun.
11. Dr. Vaibhav C. Mathur, AIGF, NTCA, New Delhi.
12. Dr. Sanjay Singh, Scientist 'D', ICFRE.

Ministry of Environment, Forest and Climate Change, GOI

13. Shri. W. Bharat Singh, Director (SC-'F'), MoEF & CC.
14. Dr. Veenu Joon, Joint Director (SC-'D'), MoEF&CC.
15. Dr. Shaikhom Inaotombi Singh (Consultant), MoEF&CC.
16. Ms. Ritu Narwaria, (Consultant), MoEF&CC.
17. Ms. C. Yadav, ASO, MoEF&CC
18. Shri R.K. Sethi, ASO, MoEF&CC.

Officials of Government of Assam

19. Shri. M. K. Yadav, APCCF, Government of Assam.

Officials of Government of Rajasthan

20. Dr. T. Mohan Raj, IFS, DCF Wildlife (Chittorgarh), Government of Rajasthan.

21. Shri. R. K. Khairwar, CCF, Government of Rajasthan.

Officials of Government of Jammu & Kashmir

22. Dr. Kumar MK, Regional Wildlife Warden, Government of Jammu & Kashmir.

Officials of Government of Madhya Pradesh

23. Shri. Sanjay Kumar Chauhan, DFO, Government of Madhya Pradesh.

Officials of Government of Tamil Nadu

24. Shri. Syed Muzammil Abbas, I.F.S., Principal Chief Conservator of Forests and Chief Wildlife Warden, Government of Tamil Nadu

Officials of Government of Kerala

25. Shri. Surendra kumar IFS, PCCF (Wildlife) & Chief Wildlife Warden, Government of Kerala.

26. Wildlife Warden Idduki, Government of Kerala.

27. Wildlife Warden Silent Valley, Government of Kerala.

28. Shajna Karim, Wildlife Warden, Government of Kerala.

Officials of Government of Andaman & Nicobar Islands

29. Ms. Veditha Reddy, IAS, Secretary (Forest), Government of Andaman & Nicobar Islands.

30. Shri. D. M. Shukla, PCCF & CWLW, Government of Andaman & Nicobar Islands.

31. Shri. A.K Paul, ACF, Government of Andaman & Nicobar Islands.

Officials of Government of Odisha

32. Shri. M. Yogajayanand, IFS, Field Director, Simlipal, Government of Odisha.

Officials of Government of Himachal Pradesh

33. Shri. Anil Thakur, CCF, Government of Himachal Pradesh.

Officials of Government of Haryana

34. Shri. Shyam Sunder, PCCF (WL), Forest Department, Government of Haryana

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F.No. 22-43/2018-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi - 110003

Dated: 8th August, 2019

OFFICE MEMORANDUM

Subject: Procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 - regarding.

The Hon'ble Supreme Court vide its Order dated 4.12.2006 in Writ Petition No. 460 of 2004 - Goa Foundation Vs. Union of India, has inter-alia directed that Ministry of Environment and Forests "(MoEF) would also refer to the Standing Committee of the National Board for Wildlife, under section 5(b) & (c) (ii) of the Wildlife Protection Act, 1972, the cases where environmental clearances has already been granted where activities are within 10km. zone" of the boundaries of the Sanctuaries and National Parks."

2. In this regard, the erstwhile MoEF vide Circular No. I-11011/7/2004-IA.II (D) Part dated 27.02.2007 and Office Memorandum No. J-11013/41/2006-IA.III dated 02.12.2009 delineated a procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary for grant of environmental clearance under EIA Notification, 2006. As per the stipulated procedure, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) would be required for the developmental projects located within 10km of the National Park/Wildlife Sanctuary.

3. Over a period of time, Ministry has notified number of Eco Sensitive Zones (ESZs) around Protected Areas (PAs). Many of developmental activities are prohibited/regulated in these ESZs inter-alia including mining operations to be carried out in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in

W P (C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W P (C) No. 435 of 2012 as per the notifications issued for their constitution.

4. In light of the aforesaid Orders passed by the Hon'ble Supreme Court, the issues related to the prior clearance from SCNBWL for the notified ESZs and the remaining areas have been examined in detail. In this regard, it has been decided by the Competent Authority in the Ministry to adopt a following procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the EIA Notification 2006, in supersession of the earlier O.M.s dated 27.2.2007 and 2.12.2009:

- i. Proposals involving developmental activity/project located within the notified Eco-Sensitive Zones (ESZ) shall be regulated and governed by the concerned ESZ notification. However for the developmental project/activity located within the notified ESZ and covered under the schedule of the EIA Notification 2006, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference as well as wildlife clearance.
- ii. Proposals involving developmental activity/project located outside the stipulated boundary limit of notified ESZ and located within 10 km of National Park/Wildlife Sanctuary, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) may not be applicable. However, such proposals from environmental angle including impact of developmental activity/project on the wildlife habitat, if any, would be examined by the sector specific Expert Appraisal Committee and appropriate conservation measures in the form of recommendations shall be made. These recommendations shall be explicitly mentioned in the environmental clearance letter and shall be ensured by the member secretary concerned.
- iii. Proposals involving developmental activity, project located within 10 km of National Park/Wildlife Sanctuary wherein final ESZ notification is not notified (or) ESZ notification is in draft stage, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference, environmental clearance as well as wildlife clearance.

- iv. Proposals involving mining of minerals within the ESZ (or) one kilometer from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarma Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
- 5. This issues with the approval of the Competent Authority.

(Sharath Kumar Pallerla)
Director

To

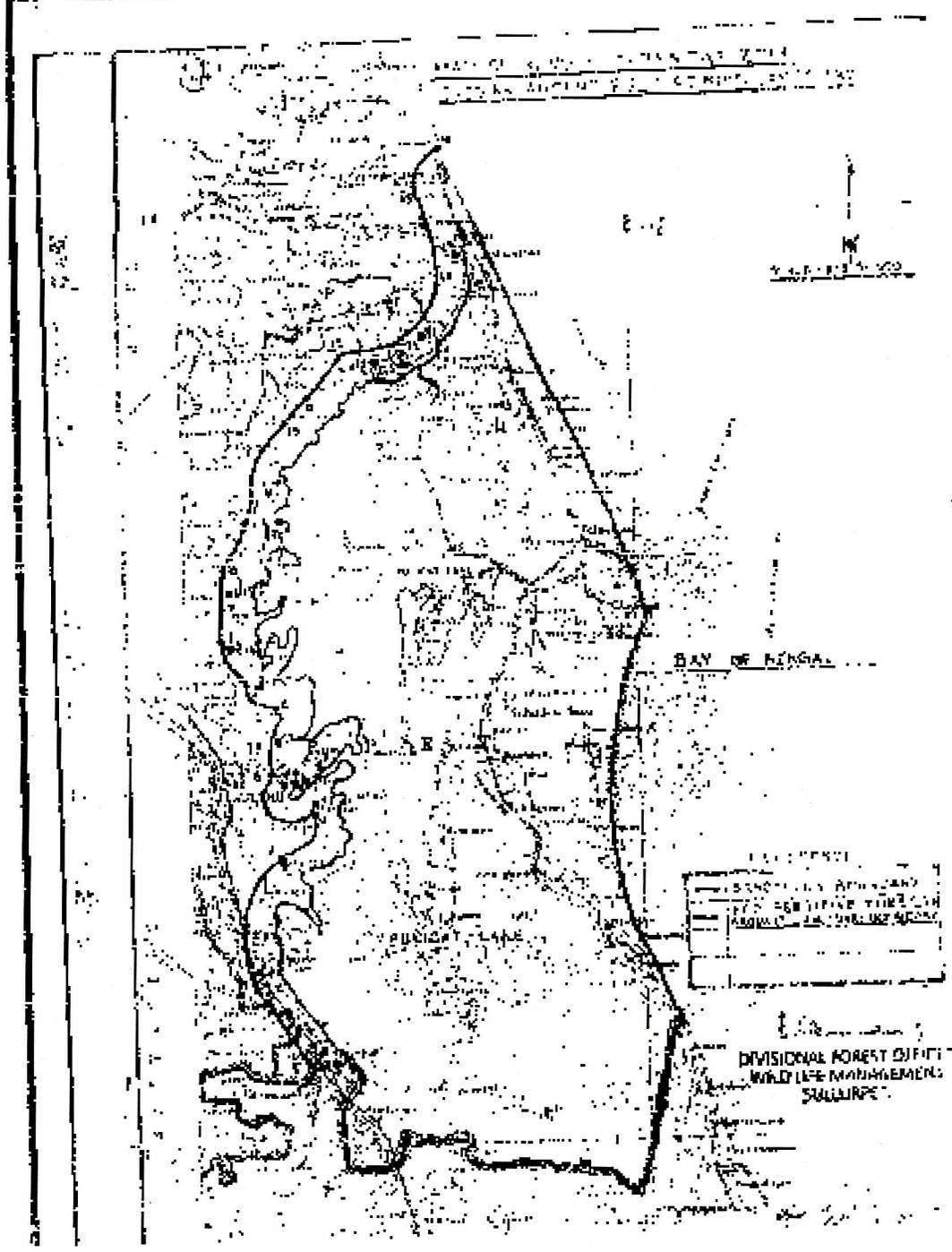
- 1. Chairman, Central Pollution Control Board (CPCB).
- 2. Chairman of all the Expert Appraisal Committees
- 3. Chairperson, Member Secretaries of all the SEIAs/SEACs
- 4. All the Officers of J.A. Division
- 5. Chairpersons/Member Secretaries of all SPCBs/UTPCCs

Copy for information to:

- 1. PS to Hon'ble Minister for Environment, Forest and Climate Change
- 2. PS to Hon'ble MoS (EF&CC)
- 3. PPS to Secretary (EF&CC)
- 4. PPS to SSI(AKJ)
- 5. PPS to AS (KSEI)
- 6. PPS to JS (GM)/ JS(RM)/ JS(AKN)
- 7. Website, MoEF&CC
- 8. Guard file.

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Map of Eco-sensitive Zone along with coordinates



Station No.	Longitude	Latitude
1	80 06430	13.54570
2	80 02710	13.62600
3	80 05350	13.64849
4	80 07013	13.68507
5	80 04316	13.69985
6	80 04981	13.73569
7	80 01249	13.77264
8	80 01540	13.81469
9	80 03244	13.83767
10	80 04722	13.89051
11	80 05759	13.90740
12	80 09156	13.97855
13	80 12279	13.92966
14	80 14064	13.90220
15	80 13368	13.91651
16	80 14561	13.91674

List of Villages falling within the Eco sensitive Zone

Annexure III

LIST OF VILLAGES FALLING WITHIN ECO SENSITIVE ZONE			
S.No.	Name of the Revenue Village	Lat.	Long.
V1	Bheemunivari Palem kuppam	13.5461200	80 0525000
V2	Bheemunivari Palem	13.5448200	80 0675000
V3	Padi	13.5600200	80 0525200
V4	Tada	13.5874800	80 0427800
V5	Tada Kandriga	13.5951500	80 0292800
V6	Vatambedu	13.6543200	80 0687400
V7	Karjajha.	13.6831100	80 0657000
V8	Dayadigunta	13.6952700	80 0430700
V9	KCN Gunta	13.6968500	80 0658000
V10	Kudin	13.7071800	80 0701400
V11	Mannemutturu harmana wada	13.7182100	80 0307800
V12	Abaka	13.7469500	80 01465
V13	Togaramudi	13.7875500	80 0150000
V14	Seelhananalli	13.7712200	80 02020
V15	Kalluru Kandriga	13.8036000	80 0267200
V16	Kattavapalle	13.8308500	80 0425700
V17	Kattavapalle harmana wada	13.8326500	80 0400000
V18	Siraganalutturu	13.8607800	80 0569300
V19	Yelluri	13 9131500	80 0513000
V20	Pallangathu	13 9211700	80 0520000
V21	Kokkapattem	13 9268000	80 0510000
V22	Duggurajapatnam	13 9803000	80 0506000
V23	Taupilipalem	13 9835000	80 0420000

**BEFORE THE NATIONAL GREEN
TRIBUNAL**

SOUTHERN ZONE, CHENNAI

APPEAL No.32 & 34 of 2020

1. 1.D.Ranjith Kumar,

2. S.Jagan Kumar,

**.....Appellants IN APPEAL 32 OF
2020**

3. G. Praveena

4. S.Sivakumar,

**.....Appellants in IN APPEAL 34 OF
2020**

-Vs-

1. Union of India

2. The Tamil Nadu Pollution Control
Board,

3. The District Environmental
Engineer Tamil Nadu Pollution Control
Board,

4. State Industries Promotion
Corporation of Tamil Nadu (SIPCOT)

...4TH Respondents

IN APPEAL 32/2020 AND 2ND
RESPONDENT IN APPEAL 34/2020

COMMON TYPE SET FILED BY THE

4TH RESPONDENT IN APPEAL 32

AND 2ND RESPONDENT IN APPEAL

34 OF 2020

M/S-

Ramesh Venkatachala Pathy

Counsel for 4th Respondent

**RAMESH VENKATACHALAPATHY
ADVOCATE**

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