

**BEFORE THE NATIONAL GREEN TRIBUNAL****NEW DELHI (PRINCIPAL BENCH)****Original Application No. 203 / 2023****IN THE MATTER OF:****TUSHAR GOSWAMI****...APPLICANT****VERSUS****UNION OF INDIA & ORS.****...RESPONDENTS****INDEX**

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Filed By:



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Enroll – D/684/2011

**BEFORE THE NATIONAL GREEN TRIBUNAL****NEW DELHI (PRINCIPAL BENCH)****Original Application No. 203 / 2023****IN THE MATTER OF:**

TUSHAR GOSWAMI

...APPLICANT

VERSUS

UNION OF INDIA &amp; ORS.

...RESPONDENTS

**SUPPLEMENTARY REPLY AFFIDAVIT ON BEHALF OF****RESPONDENT NO. 11 - M/S. PRAVEG LIMITED****MOST RESPECTFULLY SHOWETH:**

I, Kalpesh Patel, s/o Ramanlal Patel, aged about 45 years, authorized representative of Praveg Limited (formerly known as Praveg Communications (India) Limited), having registered office at 214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota, Ahmedabad, Gujarat - 382481, do hereby state on oath as follows:

1. That I am the authorized representative of Respondent No. 11. I am aware of the facts of the case and competent to swear to this Supplementary Reply Affidavit.
2. The present Supplementary Reply Affidavit is being filed in addition to the Reply Affidavit dated 21.10.2023 filed on behalf of Respondent No. 11. Vide the present Supplementary Reply Affidavit, Respondent No. 11 is replying to the allegations and averments raised by the Applicant in the present Original Application dated 11.03.2023, affidavit filed in response to the Joint

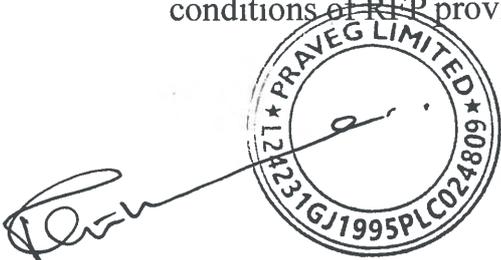
 

Committee Report dated 05.09.2023, and supplementary affidavit dated 13.12.2023.

3. At the outset, the Deponent denies all averments, allegations, and contentions made against it in the present Original Application dated 11.03.2023, affidavit filed in response to the Joint Committee Report dated 05.09.2023, and supplementary affidavit dated 13.12.2023 filed by the Applicant *in toto*. The application and affidavits filed by the Applicant are misconceived, false, vexatious, and wholly untenable in law and on facts. It is also submitted that specifically non-reverting to any contention of the Applicant would not be treated as an admission except for those which are a matter of record and specifically admitted by the Deponent in this Supplementary Reply Affidavit.
4. The Deponent prays that the Reply Affidavit dated 21.10.2023 filed by the Deponent in the present application before this Hon'ble Tribunal be read as part and parcel of this Supplementary Reply Affidavit.

#### **BRIEF BACKGROUND**

5. It is stated that Varanasi Development Authority ("VDA") had invited parties through Request for Proposal dated 21.07.2022 ("RFP") for developing tent city on the banks of River Ganga at Varanasi, Uttar Pradesh. Pursuant to the same, Respondent No. 11 emerged as the successful bidder and VDA issued Letter of Intent dated 01.12.2022 ("LoI") to Respondent No. 11 for development of the tent city.
6. The RFP provided for various terms of conditions including condition no. 2.2 of RFP wherein VDA was responsible for securing the available land and providing land free of all encumbrances to Respondent No. 11. Further, the conditions of RFP provided that Respondent No. 11 shall be responsible for



end-to-end development and operations of the tent city on a license basis only.

7. In pursuance of the same, License Agreement dated 01.12.2022 (“Agreement”) was entered into between VDA and Respondent No. 11 for duration of 5 years. The Respondent No. 11 being a licensee, was only required to develop, construct, operate, and dismantle the tent city every year during the operational season (approx. 7-8 months). Further, Respondent No. 11 was required to develop the tent city at the proposed site location given by VDA and then maintain, promote, dismantle, and handover the same to VDA at the end of the contract duration.
8. The Respondent No. 11 obtained Consent to Establish (“CTE”) dated 12.01.2023 from Uttar Pradesh Pollution Control Board (“UPPCB”) for establishing the tent city on the land allotted by VDA and constructing temporary structures of 140 tents. In terms of the CTE, Respondent No. 11 constructed the temporary structures of tents in two patches wherein Patch one comprised of 58 tents and Patch two comprised of 82 tents.
9. The tent city was made operational from 15.01.2023 to 31.05.2023. Subsequent to the same, the tent city was dismantled completely by 30.06.2023 before arrival of monsoon season. It is stated that during the operation of the tent city, Respondent No. 11 complied with all applicable laws including environmental laws and took all necessary steps to protect the flora and fauna.
10. The Deponent was shocked to know about the present Original Application dated 11.03.2023 filed by the Applicant before this Hon’ble Tribunal. The Deponent denies all allegations made by the Applicant pertaining to discharge of sewage in river Ganga and harm caused to flora and fauna.



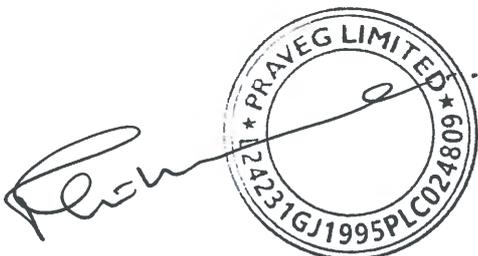
11. It is stated that the project premise of tent city was free from indiscriminate littering and no violation of provisions of environmental laws took place during the operation of tent city. Further, no environmental damage has been caused to holy river Ganga.

**RESPONSE TO THE APPLICATION AND AFFIDAVITS**

12. It is respectfully submitted that the Applicant vide its present Original Application and two additional affidavits makes various allegations against Respondent No. 11. The Deponent has grouped them together and responded to them as follows in lieu of a para-wise traversal.

*Applicant's allegation that various concrete structures and iron tank including iron rods are still in existence in the riverbed of river Ganga.*

13. It is stated that the temporary construction of the tent city was started by Respondent No. 11 on 01.12.2022. It was made operational on 15.01.2023 and the same was closed by 31.05.2023. The Respondent No. 11 had only constructed temporary structures for the operation of the tent city. In any event, Respondent No. 11 had already removed all the tents and structures on 30.06.2023 and the place was restored same as before the construction of the tent city.
14. It is pertinent to note that the structures shown in the pictures annexed by the Applicant in the supplementary affidavit dated 13.12.2023 were constructed by the Electrical Department for installation of transformer and UP Jal Nigam Limited for sewage collection. The same were not constructed and owned by Respondent No. 11 and therefore, Respondent No. 11 could not remove the said concrete structures including iron tank and iron rods which were constructed by the Electricity Department and UP Jal Nigan Limited

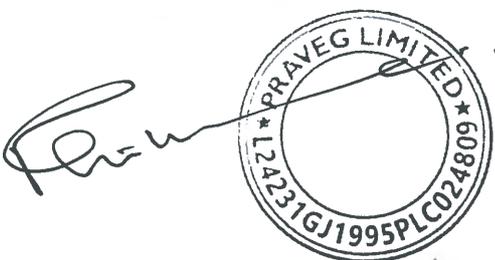


respectively. The Respondent No. 11 had no power to dismantle and remove the property belonging to the public authorities.

15. While the onus to remove these structures was never on Respondent No. 11, VDA and UPPCB vide letters dated 16.12.2023 requested Respondent No. 11 to remove the concrete structures including iron tank and iron rods constructed by them. Therefore, the Respondent No. 11 in good faith and as directed immediately took steps in this regard and removed all the structures even though the same were not constructed by Respondent No. 11. A copy of the said letters dated 16.12.2023 issued by VDA and UPPCB are annexed herewith as **Annexure R11 / 3 (colly)**.
16. It is also pertinent to mention here that no concrete structures including iron tank and iron rods are lying in the place of tent city at the site at present. In this regard, Respondent No. 11 also issued letters dated 08.01.2024 to the Regional Officer, UPPCB and the Vice Chairman, VDA informing about the removal of the structures and enclosing the photographs after such removal. A copy of the said letters dated 08.01.2024 issued to the Regional officer, UPPCB and the Vice Chairman, VDA are annexed herewith (along with annexures) as **Annexure R11 / 4 (colly)**.

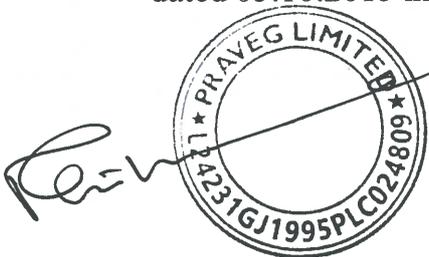
*Applicant's allegation that Turtle Sanctuary was de-notified only to accommodate construction of tent city.*

17. The said allegation is false and baseless. In response to this allegation, the Deponent relies on the response dated 19.10.2023 filed by Respondent No. 6, State of Uttar Pradesh and additional affidavit dated 27.01.2024 filed by Respondent No. 1, Ministry of Environment, Forests and Climate Change in the present Application before this Hon'ble Tribunal. The notification / de-notification is essentially a policy matter for which Respondent No. 11 being a mere contractor / licensee and a private entity cannot be held liable.

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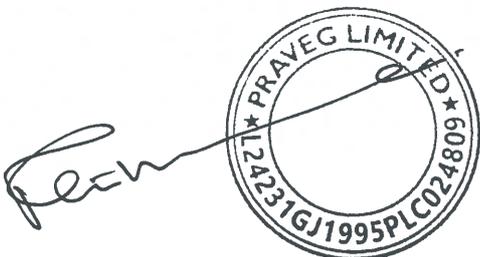
However, for the sake of convenience, the status with respect to the notification / de-notification is summarised below.

18. The Turtle Wildlife Sanctuary at Varanasi was created by Government of Uttar Pradesh vide Notification No. – 1485/14-4-2008-823/2008 dated 21.05.2009. In 2018, Wildlife Institute of India (WII), a premier institute of internationally acclaimed under the Ministry of Environment, Forest, and Climate Change, conducted a study to assess the ground realities of the Kachhua Wildlife Sanctuary.
19. In this regard, WII submitted a report titled “Assessment of the wildlife values of the Ganga river from Bijnor to Ballia including Turtle Wildlife Sanctuary, Uttar Pradesh” vide its letter no. – WII/SAH-TWSU.P/2018 dated 06.07.2018. The said report mentioned that only 05 freshwater turtle species were encountered in the aforesaid sanctuary area out of the 13 species reported from the river Ganga. Also, the capture rate for turtle species was very low in the sanctuary indicating low abundance of turtle during the sampling period and high anthropogenic disturbance within the sanctuary. Thus, it was proposed for the selection of other site for harmonization/rationalization of existing sanctuary boundaries. A copy of the WII report is annexed herewith as **Annexure R11 / 5**.
20. The Government of Uttar Pradesh based on the findings of the aforesaid report, observed that a very low rate of turtles in the sanctuary indicates high human disturbance leading to habitat within a very small protected area, and the area was found no longer suitable for adequate ecological, floral, geomorphological, natural and zoological significance for the purpose of protecting, propagating wildlife and its habitat.
21. It is also pertinent to mention here that the Supreme Court of India vide order dated 05.10.2015 in W.P. (C) No. 202/1995 had directed all matters relating



to grant of permissions for implementations of projects in areas falling in sanctuaries to be considered by Standing Committee of the National Board for Wild Life (“SCNBWL”). Further, all proposals regarding rationalisation / alteration of boundaries / denotification of a sanctuary are forwarded by State / Union Territory Governments to the Ministry of Environment, Forest and Climate Change for placing before SCNBWL after thorough scrutiny by the State / Union Territory Governments / Administrators and the State Boards for Wild Life (“SBWL”) headed by the respective Chief Ministers / Administrators.

22. It is stated that SCNBWL which also includes eminent ecologists, conservationists, and environmentalists, takes informed decisions on the proposals placed for its consideration. In this regard, the proposal for denotification of Kachhua Wildlife Sanctuary was considered in 50<sup>th</sup> meeting of the SCNBWL held on 7<sup>th</sup> September 2018. After discussion in the meeting, SCNBWL recommended that the State Government of Uttar Pradesh may proceed with the process of de-notification of the existing Kachhua Wildlife Sanctuary. In this regard, the proposal for de-notification of Kachhua Wildlife Sanctuary was received in the Ministry of Environment from the State Government along with recommendations of the SBWL and Chief Wildlife Warden, Uttar Pradesh. A copy of the said Minutes of Meeting dated 07.09.2018 is annexed herewith as **Annexure R11 / 6**.
23. Accordingly, the Government of Uttar Pradesh based on recommendations of report of WII and proposal of SCNBWL, decided to denotify the Kachhua Wildlife Sanctuary vide notification no. – 336/81-4-2020-823-2008 T.C. dated 17.03.2020.
24. Moreover, it is stated that the said sanctuary was denotified in 2020 and VDA had invited parties for selection of agency for the development of tent city



on banks of river Ganga through RFP which was after more than 2 years of denotification of sanctuary. There exists no nexus between denotification of wildlife sanctuary and the construction of tent city.

***Applicant's allegations regarding observations by the Joint Committee Report***

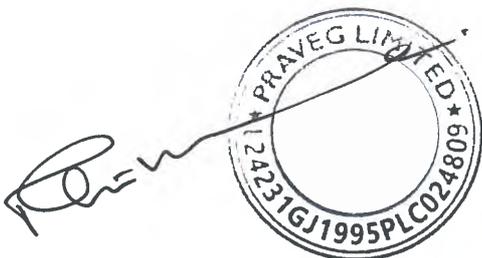
***(i) No approval from NMCG for setting up of tent city by VDA***

25. It is stated that VDA had invited tenders for construction of tent city on the banks of river Ganga. In terms of the RFP, the Respondent No. 11 was only required to construct and operate the tent city on the banks of River. As per RFP's condition No. 2.2, VDA was responsible for providing land free of all encumbrances to the Respondent No. 11 and VDA had to secure the available land. For the same, VDA had issued letter dated 13.07.2022 to National Mission Clean Ganga ("NMCG") communicating about construction of tent city and seeking necessary directions for the same. A copy of the letter dated 13.07.2022 issued by VDA to NMCG is annexed herewith as **Annexure R11 / 7**.
26. In view of the above, it is stated that VDA admittedly was required to obtain approval from NMCG for setting up the tent city before inviting tenders. In accordance with the tender terms and conditions provided by VDA, Respondent No. 11 had obtained all required permissions and No Objection Certificates ("NOCs") and had operated the tent city responsibly by ascertaining the operational environmental sustainability practices.
27. It is reiterated that Respondent No. 11 has operated the city in compliance with all applicable laws and all the approval from NMCG was to be obtained by VDA. The Respondent No. 11 while operating the tent city, had only constructed temporary structures and has not caused any harm to the flora and fauna as well as water of river Ganga.



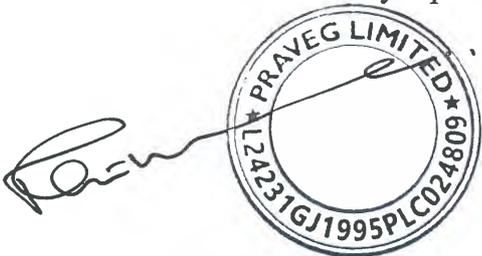
(ii) Tent city was established on river bed of the river Ganga and structure for bathing as well as jetty for boating in almost mainstream of river Ganga.

28. It is stated that Respondent No. 11 was allotted 20 hectares of land to develop the tent city on the opposite side of Assi Ghat of River Ganga. However, the tent city was temporarily constructed by Respondent No. 11 only on 11 hectares of land. It is denied that the tent city was established on the riverbed. The Joint Inspection Committee report also observed that the river was flowing approximately 60 meters away from the boundary of the tent city at the time of inspection.
29. The terms and conditions of the RFP provided that Respondent No. 11 shall only be responsible for end-to-end development and operations of the tent city on a license basis. The Respondent No. 11 being a licensee, was only required to construct the temporary structure at the proposed site location given by VDA and then operate, maintain, promote, dismantle, and handover the same to VDA at the end of contract duration.
30. In accordance with the same, the temporary structures for bathing and jetty were constructed by Respondent No. 11 at the proposed site and location given by VDA. Further, the Joint Committee Report also mentioned that the floating jetty established was temporary and operation of the tent city did not obstruct the flow of the river.
31. Hence, it is denied that any structure was constructed in the mainstream of river Ganga. The Respondent No. 11 had complied with all applicable rules, regulations, and laws while operating the tent city and obtained necessary approvals as per RFP. The Respondent No. 11 has followed all the directions relating to compliance with environmental laws and protection of river from pollution.



(iii) Tent city was operational without getting CTO

32. It is submitted that UPPCB had granted Consent to Establish (“CTE”) vide letter no. 174835/UPPCB/Varanasi (UPPCBRO)/CTE/VARANASI/2023 dated 12.01.2023 for establishing the tent city at the proposed location. Further, the application for Consent to Operate (“CTO”) was submitted in May 2023 which was granted only vide letter no. 185912/UPPCB/Varanasi(UPPCBRO)/CTO/ both/VARANASI/2023 dated 04.07.2023 to Respondent No. 11 for operation of the tent city.
33. It is stated that UPPCB had issued letters dated 06.11.2023, 23.11.2023, and 16.12.2023 imposing environmental compensation of INR 17,12,500 on the Respondent No. 11 for making the tent city operational without obtaining CTO. A copy of the said letters dated 06.11.2023, 23.11.2023, and 16.12.2023 issued by UPPCB are annexed herewith as **Annexure R11 / 8 (colly)**.
34. The Respondent No. 11 has replied to the show cause notices of UPPCB vide letters dated 20.12.2023 and 10.01.2024, 23.01.2024 stating that the Respondent No. 11 has not caused any environmental damage in setting up the Tent City. Further, the Respondent No. 11 was eventually granted CTO at a belated stage on 04.07.2023 implying that the activities carried out by Respondent No. 11 were not in violation of the provisions of the environmental laws. A copy of the letters dated 20.12.2023 and 10.01.2024, 23.01.2024 have been produced herewith as **Annexure R11 / 9 (colly)**.
35. It is to be noted that in terms of Central Pollution Control Board Guidelines, environmental compensation is levied based on Polluters Pay Principal in case of damage and harm caused to the environment by any person. However, the failure to obtain CTO by Respondent No. 11 in a timely manner was only a procedural violation with no damage to the environment



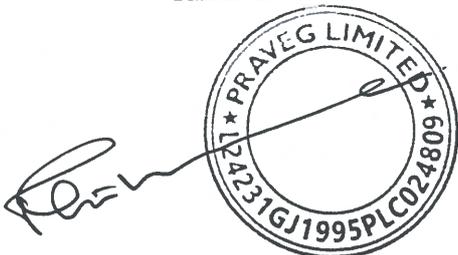
or a third party. The Joint Inspection Committee also mentioned in the report that the tent city premise was found to be free from discharge of emissions or indiscriminate littering.

36. In light of the same, Respondent No. 11 has requested the department to drop the show cause notice imposing environmental penalty as no environmental damage has been caused and all environmental laws have been complied with except one procedural lapse which was unintentional.

(iv) The system made for sewage management is not proper for collection of sewage

37. It is stated that Respondent No. 11 had maintained proper sewage management and placed mechanism for the collection of sewage / solid waste and its conveyance to the existing sewage treatment plant (STP) / municipal solid waste (MSW) processing facility with no discharge/disposal either into river or on the riverbed.

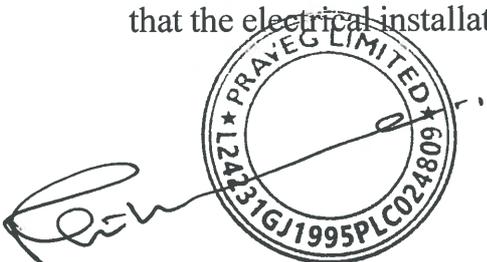
38. The Respondent No. 11 had necessary arrangements with municipal authorities for the collection of solid and liquid waste from the tent city. Accordingly, different tanks were placed in the tent city for the collection of dry and liquid waste by local municipal authorities. The Respondent No. 11 had provided 20 PVC tanks with a capacity of 5000 litre each for storage of fresh water. Further, 6 tanks were installed for collection of waste-water which was lifted through tanker by local municipal authorities and sent to common waste water collection tank (capacity: 13 KL). The said waste-water from collection tank was pumped to Ramnagar STP (Capacity-10 MLD). A copy of photographs showing the tanks placed at the tent city for collection of waste by municipal authorities are annexed herewith as **Annexure R11 / 10 (colly)**.



39. It is also stated that solid waste from each tent and common area was collected in three collection bins installed in tent city. The solid waste from these bins was lifted by Varanasi Nagar Nigam on each alternate day and processed at Solid Waste Processing Plant.
40. The Joint Committee Report also observed that no sewage was directly discharged in the river Ganga and the site was found to be largely free from indiscriminate littering of municipal solid waste or sewage on the tent city premises and adjoining river / riverbed.
41. In light of the same, the allegation of the Applicant that sewage was discharged in the river and system for sewage management was not proper is false and baseless.

*(v) More no. of D.G. sets have been installed as given in CTE and some permanent brick structure has been made*

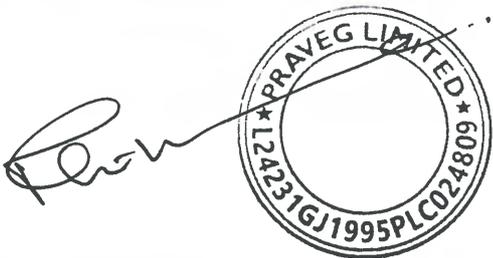
42. It is stated that Respondent No. 11 has obtained permanent power connection from UPPCL for 1200 KVA. It is also stated that 4 D.G. sets with capacity 3X250 KVA and 1X125 KVA were installed in the tent city. However, actually only 2 D.G. sets with capacity of 250 KVA were operational as per condition no. 2 of CTE. The other 2 D.G. sets were only kept for backup in case of emergency. The Joint Committee Report also observed that the installed D.G. sets were used very occasionally during power cuts.
43. Additionally, Respondent No. 11 vide letter dated 11.01.023 was granted Electrical Safety Certificate by the Assistant Director, Electrical Safety, Govt. of U.P. after inspection of high voltage electrical installation in the tent city. The said certificate was only granted after ensuring compliance with laws relating Indian Power Regulation, 1956. It was also noted by the department that the electrical installation was intact, satisfactory, and in compliance with



applicable laws. A copy of the said Electricity Certificate dated 11.01.2023 is annexed herewith as **Annexure R11 / 11**.

**Applicant's allegation regarding violation of River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016**

44. It is stated that Section 6(3) of River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 prohibits construction of permanent or temporary structure for any purpose in river Ganga, banks of river Ganga or its tributaries or active flood plain area. However, it is pertinent to mention here that the proviso to this para states that in exceptional circumstances like natural calamities or religious events at traditional locations, temporary structures can be raised after prior approval from NMCG.
45. The Deponent states that the concept of tent city arises from ancient religious practice of Kalpwas. The practice of Kalpwas holds a special place in Indian spirituality as devotees performing Kalpwas spend some days staying at the banks of holy river for performing various religious activities including daily dips in holy river, meditation, reading spiritual books, and attending religious discourses etc. The purpose of this practice is to purify the soul and bringing the devotees closer to enlightenment and divine grace with transformative power of sacred river Ganga.
46. It is stated that Varanasi attracts a large number of devotees and cultural enthusiasts from not only India but across the globe every year. A huge number of devotees travel to Varanasi and look forward to performing the spiritual activities on the banks of river Ganga.
47. In light of the same, VDA proposed to develop a tent city based on religious practice of Kalpwas with modern facilities like library, yoga, ayurvedic therapies, cultural center etc. It was proposed to construct the tent city with

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temporary structures for seasonal approx. 7-8 months. The complete tent city was required to be dismantled every year in May. Therefore, no permanent structures were constructed in the location of tent city.

48. The Deponent states that the construction of tent city is not prohibited in law as it was carried out only for religious event near river Ganga with temporary structures which were dismantled in May 2023. In this regard, Respondent No. 11 vide letter dated 13.07.2022 had informed NMCG about the operation of the project.
49. The operation of the tent city did not cause any harm to the environment or flora and fauna of the river Ganga. The Respondent No. 11 at all times had complied with applicable laws and taken all precautions and steps to protect the river from pollution or discharge of sewage.
50. In light of the above facts and circumstances, the Application, Reply Affidavit, and Supplementary Affidavit filed by the Applicant are bereft of merits and deserve to be dismissed with costs.

**WHEREFORE**, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the Application, Reply Affidavit, and Supplementary Affidavit filed by the Applicant in the interests of justice.

**Ahmedabad**

**Date:** 05.02.2024

FILED BY



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**Advocate for Respondent No. 11**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
NEW DELHI (PRINCIPAL BENCH)**

**Original Application No. 203 / 2023**

**IN THE MATTER OF:**

TUSHAR GOSWAMI

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

**VERIFYING AFFIDAVIT**

I, Kalpesh Patel, s/o Ramanlal Patel, aged about 45 years, authorized representative of Praveg Limited (formerly known as Praveg Communications (India) Limited), having registered office at 214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota, Ahmedabad, Gujarat - 382481, do hereby state on oath as follows:

1. That I am the authorized representative of the Respondent No. 11. I am aware of the facts of the case and competent to swear to this Supplementary Reply Affidavit.
2. I state that what is stated in paras 1 to 50 of the accompanying Supplementary Reply Affidavit are true to the best of my knowledge, information, and belief.
3. The documents produced at Annexure No. R11 / 3 to R11 / 11 are true copies of the respective originals.

**Identified by me**

**Advocate**



*Kalpesh Patel*  
DEPONENT



VERIFICATION

I, Kalpesh Patel, the authorized representative of the Deponent above named, do hereby state that this is my true name and signature, and what is stated above is true and correct to the best of my knowledge, information, and belief.

Ahmedabad

Date:

*[Handwritten Signature]*  
DEPONENT



Sr. No. D-85/2024

*[Handwritten Signature]*  
MANHAR A. PATEL  
NOTARY  
GOVT. OF INDIA

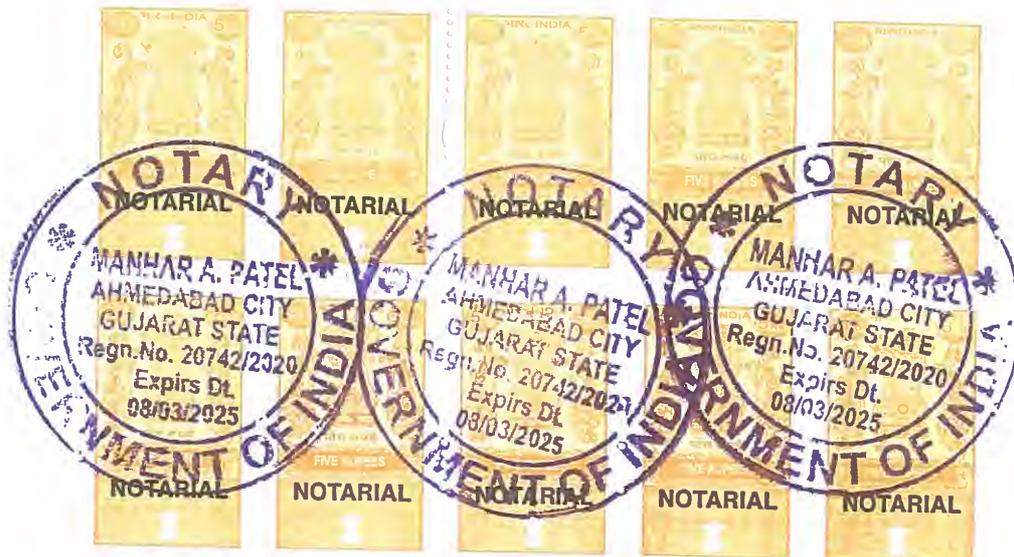
03 FEB 2024



SOLEMNLY AFFIRMED  
BEFORE ME

*[Handwritten Signature]*  
MANHAR A. PATEL  
NOTARY  
GOVT. OF INDIA

03 FEB 2024





# उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी

## UTTAR PRADESH POLLUTION CONTROL BOARD, VARANASI



संदर्भ सं० / Ref.No. 1952 / प्रवेग कम्युनिकेशन (इण्डिया) लि० / 23-24

दिनांक 16-12-23

सेवा में,

मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०,  
214, एथिना एवेन्यू, जैगवार शोरूम के पीछे,  
एसजी हाइवे, गोटा, अहमदाबाद,  
गुजरात-382481।

अतिआवश्यक / महत्वपूर्ण  
मा० एन०जी०टी० प्रकरण

विषय:- जनपद-वाराणसी में पूर्व में स्थापित/संचालित टेन्ट सिटी पैच नं०-1 एवं 2, अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक का सन्दर्भ ग्रहण करने का कष्ट करें। उक्त के सम्बन्ध में अवगत कराना है कि आपकी इकाई द्वारा जनपद-वाराणसी में पूर्व में स्थापित/संचालित टेन्ट सिटी पैच-1 एवं 2, अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल का निरीक्षण इस कार्यालय के कार्मिकों द्वारा दिनांक 16.12.2023 को किया गया। निरीक्षण के समय टेन्ट सिटी स्थल पर निम्नलिखित स्थलों (जिओ को-आर्डिनेट्स सहित) पर स्ट्रक्चर्स पड़े पाये गये।

क्र० सं०	जिओ को-आर्डिनेट्स सहित स्थल पर पाये गये टेन्ट सिटी के स्ट्रक्चर्स/अवशेष सामग्री का विवरण	स्थल का जिओ को-आर्डिनेट्स	गंगा नदी के वर्तमान में जल प्रवाह से टेन्ट सिटी के स्ट्रक्चर्स/अवशेष सामग्री से दूरी (लगभग मी०) में
1	ब्रोकेन ब्रिक मैसोनरी स्ट्रक्चर एण्ड एम०एस० पाईप	अक्षांश-25.295143, देशान्तर-83.013528	400 मीटर
2	कवर्ड एम०एस० टैंक एण्ड एम०एस० बार	अक्षांश-25.296483, देशान्तर-83.013773	405 मीटर
3	फिक्स्ड एम०एस० बार	अक्षांश-25.295086, देशान्तर-83.015375	550 मीटर

निरीक्षण के समय उक्त स्थलों से लिये गये फोटोग्राफ्स अवलोकनार्थ संलग्न हैं।

अवगत हों कि आपकी इकाई द्वारा राज्य बोर्ड को उपलब्ध कराये नोटरी सत्यापित शपथ पत्र दिनांक-28.06.2023 के बिन्दु संख्या 01 में निम्नवत् उल्लेख किया गया था :-

"यह कि राज्य बोर्ड से जारी स्थापनार्थ सहमति (सी०टी०ई०) का अनुपालन किया जा रहा है। बिन्दुवार अनुपालन आख्या संलग्न है। संस्था द्वारा दिनांक 31.05.2023 से बुकिंग बन्द कर दिया गया है तथा सभी स्ट्रक्चर दिनांक 18.06.2023 को पूर्णतया हटा लिया गया है।"

निरीक्षण के समय आप द्वारा पूर्व में स्थापित टेन्ट सिटी स्थल पर पाये गये स्ट्रक्चर्स शपथ-पत्र में किये गये उल्लेख का उल्लंघन करना दर्शाता है। मा० एन०जी०टी० में योजित ओ०ए० नम्बर 203/2023 तुषार गोस्वामी बनाम यूनियन ऑफ इण्डिया एण्ड अदर विचाराधीन है। प्रश्नगत प्रकरण की दिनांक 15.12.2023 को सुनवाई के दौरान मा० अधिकरण द्वारा अप्रसन्नता व्यक्त की गयी है।

अतः आपको निर्देशित किया जाता है कि आपकी इकाई द्वारा अदर साईड ऑफ गंगा रिवर, कटेसर, वाराणसी में पूर्व में स्थापित किये गये टेन्ट सिटी स्थल पर पड़े समस्त स्ट्रक्चर्स को एक सप्ताह में वैज्ञानिक ढंग से हटाने हुए रेमिडिएशन की कार्यवाही करना सुनिश्चित करें तथा कृत कार्यवाही से इस कार्यालय एवं बोर्ड मुख्यालय, लखनऊ को सूचित करना सुनिश्चित करें।

संलग्नक-उपरोक्तानुसार।

भवदीय,  
(डॉ० एस०सी० शुक्ला)  
क्षेत्रीय अधिकारी

पृ०सं० एवं दिनांक : उपरोक्त।

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. उपाध्यक्ष महोदय, वाराणसी विकास प्राधिकरण, वाराणसी को इस अनुरोध के साथ प्रेषित कि मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०, 214, एथिना एवेन्यू, जैगवार शोरूम के पीछे, एसजी हाइवे, गोटा, अहमदाबाद गुजरात को टेन्ट सिटी स्थल पर पड़े समस्त स्ट्रक्चर्स को वैज्ञानिक ढंग से हटाने हेतु अपने स्तर से भी निर्देशित करने का कष्ट करें।
2. सदस्य सचिव महोदय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. मुख्य पर्यावरण अधिकारी (वृत्त-6), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
4. विधि अधिकारी (प्रथम), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी



मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लिमिटेड, टेन्ट सिटी, कटेसर, रामनगर, वाराणसी



उत्तर प्रदेश UTTAR PRADESH

GN 184983

शपथ पत्र

समक्ष :

सदस्य सचिव,

उ०प्र० प्रदूषण नियंत्रण बोर्ड,  
लखनऊ।

मैं शपथकर्ता वरुण कुमार पाण्डेय स्व० रामेश्वर पाण्डेय, उम्र 35, निवासी 80/1 कुंजलता निवास डुबकिया, चौबेपुर, वाराणसी का निवासी हूँ। मैं मेसर्स प्रवेग कम्प्यूनिकेशन लिमिटेड (टेन्ट सिटी), कटेसर, रामनगर, वाराणसी का प्रबंधक हूँ। मैं शपथपूर्वक राज्य बोर्ड द्वारा दिनांक 17-06-2023 को रेज्ड व्लेरिफिकेशन का प्रतिउत्तर निम्नवत प्रस्तुत कर रहा हूँ :-

- 1 यह कि राज्य बोर्ड से जारी स्थापनार्थ सहमति (सी०टी०ई०) का अनुपालन किया जा रहा है। बिन्दुवार अनुपालन आख्या संलग्न है। संस्था द्वारा दिनांक 31-05-2023 से बुकिंग बन्द कर दिया गया था तथा सभी स्ट्रक्चर दिनांक 18-06-2023 को पूर्णतया हटा लिया गया है। यह कि संस्था द्वारा Provisions of notification dt. 07-10-2016 of Ministry of Water Resources, River Development and Ganga Conservation GOI का अनुपालन किया जायेगा। अत्रेतर टेन्ट सिटी की पुनर्स्थापना किये जाने से पूर्व उक्त नोटिफिकेशन का पूर्णतया अनुपालन किया जायेगा।
- 3 यह कि संस्था को अवगत कराया गया है कि टेन्ट सिटी की स्थापना हेतु वाराणसी विकास प्राधिकरण द्वारा The River Ganga (Rejuvenation, Protection and Management) Authorities order, 2016 के अन्तर्गत अनुमति प्राप्त करने हेतु आवेदन किया गया है, जो प्रक्रियाधीन है। टेन्ट सिटी की आगे पुनर्स्थापना एन०एम०सी०जी० से अनुमति मिलने के पश्चात ही किया जायेगा।
- 4 बिन्दु संख्या 03 में दी गयी सूचनानुसार।
- 5 यह कि टेन्ट सिटी से जनित लिक्विड वेस्ट का ट्रीटमेन्ट रामनगर स्थित सीवेज ट्रीटमेन्ट प्लांट के माध्यम से किया जाता था। वर्तमान में टेन्ट सिटी को हटा लिया गया है। टेन्ट सिटी से जनित सॉलिड वेस्ट का निस्तारण नगर निगम के माध्यम से किया जाता था तथा अग्रे भी किया जायेगा।
- 6 यह कि वेस्ट वाटर से सम्बन्धित लॉगबुक की कॉपी संलग्न है।
- 7 यह कि संस्था द्वारा भू-जल के निष्कर्षण हेतु भू-गर्भ जल विभाग से एन०ओ०सी० प्राप्त किया गया है, जिसकी प्रति संलग्न है।



कमश: 2/-पर.....

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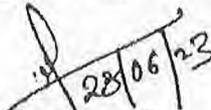
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- 8 यह कि संस्था द्वारा टेन्ट सिटी को पुनर्स्थापित करने से पूर्व मा० एन०जी०टी० द्वारा ओ०ए० संख्या 203/2023 में पारित आदेश दिनांक 29-05-2023 एवं मा० अधिकरण द्वारा पारित होने वाले आदेश का पूर्णतया अनुपालन किया जायेगा।
- 9 यह कि संस्था द्वारा अभिन शमन विभाग, इलेक्ट्रिक एण्ड सेपटी विभाग, भू-जल विभाग आदि से एन०ओ०सी० प्राप्त किया गया है। एन०ए०सी०जी० से अनुमति हेतु आवेदन वी०डी०ए० द्वारा किया गया है, जो प्रविश्याधीन है।
- 10 यह कि संस्था द्वारा मा० राष्ट्रीय हरित अधिकरण, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, राज्य प्रदूषण नियंत्रण बोर्ड एवं अन्य मा० न्यायालयों से पारित आदेश का पूर्णतया अनुपालन किया जायेगा।
- 11 यह कि संस्था द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986, प्लास्टिक वेस्ट मैनेजमेंट रूल्स, 2016 (संशोधित), जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 (संशोधित), वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 (संशोधित), सॉलिड वेस्ट मैनेजमेंट रूल्स, 2016, हैजाइस एण्ड अदर्स वेस्ट (मैनेजमेंट एण्ड ट्रांस बाउण्ड्री मूवमेंट) रूल्स, 2016 में वर्णित प्राविधानों का अक्षरशः अनुपालन किया जायेगा।
- 12 यह कि संस्था द्वारा टेन्ट सिटी पुनर्स्थापित होने पर 250 के०वी०ए० के दो अदद कैनोपीयुवत डी०जी० सेट्स का प्रयोग किया जायेगा। डी०जी० सेट्स के एग्जास्ट पर संलग्न विमनी की ऊँचाई निर्धारित मानकों के अनुरूप रखी जायेगी। यदि अतिरिक्त डी०जी० सेट की आवश्यकता होगी तो राज्य प्रदूषण नियंत्रण बोर्ड से सी०टी०ई० एवं सी०टी०ओ० प्राप्त करने के उपरान्त ही प्रयोग में लाया जायेगा।
- 13 यह कि संस्था द्वारा लिविड वेस्ट के अस्थाई एक्शन हेतु पी०वी०सी० टैंक का ही प्रयोग किया जायेगा तथा किसी भी दशा में स्थल पर लिविड वेस्ट को निस्तारित नहीं किया जायेगा। टेन्ट सिटी से जनित होने वाले ठोस अपशिष्ट का एक्शन श्रोत पर आर्गेनिक (गीला कूड़ा) एवं इनआर्गेनिक (सूखा कूड़ा) मटेरियल को पृथक-पृथक रखा जायेगा। तत्पश्चात निस्तारण नगर निगम के माध्यम से नगरीय ठोस अपशिष्ट प्रबंधन नियम, 2016 के प्राविधानों के अनुसार करया जायेगा।
- 14 यह कि संस्था द्वारा सभी पर्यावरण मानकों का पूर्णतया अनुपालन किया जायेगा।



उपरोक्त सूचनायें मेरे द्वारा पूर्ण हेश हवास में दी गयी है। उपरोक्त बिन्दु संख्या 01 से 14 तक में उपरोक्त सूचनायें मेरे द्वारा पूर्णतया सत्यनिष्ठा से दी गयी है। मेरे द्वारा कोई भी तथ्य छिपाया नहीं गया है। ईश्वर

शपथकर्ता,

  
 (वरुण कुमार पाण्डेय)  
 प्रबंधक

Uttar Pradesh Pollution Control Board, Varanasi

L. No.1952/Parveg Communication (India) Ltd/23-24,  
Dated 16.12.2023

Registered Post/Important  
Hon'ble N.G.T. Case

To

M/s. Parveg Communication (India) Limited  
214, Athena Avenue, Behind Jaguar Showroom,  
S.G. Highway, Gota, Ahmedabad, Gujrat -382 481.

Sub: Regarding removing structures lying at Tent City  
Patch No.1 & 2, Other side of River Ganga, Katesar,  
Ramangar, Varanasi established/operated earlier in  
District Varanasi scientifically.

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Sir,

Please refer matter on the above-said subject. In this connection it is hereby made aware that officers/employees of this office conducted inspection of Tent City Patch-1 and Patch-2, other side of River Ganga, Katesar, Ramnagar, Varanasi established earlier by your unit in District Varanasi on 16.12.2013. During the inspection the following structure (geo with coordinates) were found at the site of Tent City:-

  
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Sr. No.	Description of Structures/residue material of Tent City found at site alongwith geo coordinates.	Geo coordinates of site	Distance of structure/residue material of Tent City from current water flow of Ganga river (amount meters)
1	Broken brick masonry structure & M.S. Pipe	Latitude – 25.295143, Longitude – 83.013528	400 meter
2	Covered M.S. Tank & M.S. Bar	Latitude – 25.296483, Longitude – 83.013773	400 meter
3	Fixed M.S. bar	Latitude – 25.295086, Longitude – 83.015375	400 meter

Photographs taken from the said sites at the time of inspection are annexed for perusal.

Be aware of that your unit had mentioned in Point No.1 of Affidavit dated 28.06.2023 duly notarized made available to State Board as under:-

“That compliance of consent for establishing (C.T.E.) issued from the State Board is being ensured, point-

  
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wise compliance report is annexed herewith. Sanstha had stopped booking since dated 31.05.2023 and the whole structure has been removed completely on 18.06.2023.”

Mentioning structures found at the site of Tent City established by your unit previously at the time of inspection in affidavit, shows violation. O.A. No.203/2023 Tushar Goswami Vs. Union of India & Others filed in Hon'ble N.G.T. is pending disposal. During hearing of case, in question on 15.12.2023, Hon'ble Tribunal has expressed resentment.

Therefore, ensure initiating proceedings of remediation while removing structures lying at Tent City Patch No.1 & 2, Other side of River Ganga, Katesar, Ramangar, Varanasi established/operated earlier in District Varanasi scientifically within the period of one week and inform Office of Regional Officer and Uttar Pradesh Pollution Control Board Headquarter, Lucknow.  
Encl: As above.

Yours faithfully,  
Sd/-  
(Dr. S.C. Shukla)  
Regional Officer

Endst No.& date : As above.

  
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Copy forwarded to the following-mentioned for information & necessary action:

1. Vice-Chairman, Varanasi Development Authority, Varanasi with the request to issue directions from your level for M/s. Parveg Communication (India) Ltd, 214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota Ahmedabad, Gujrat for removing whole structure lying at the site of Tent City scientifically.
2. Member Secretary, Uttar Pradesh Pollution Control Board, Lucknow.
3. Chief Environment Officer (Circle-6), Uttar Pradesh Pollution Control Board, Lucknow.
4. Law Officer (First), Uttar Pradesh Pollution Control Board, Lucknow.

Regional Officer

On Non-judicial Stamp Paper worth Rs.100/-

Affidavit

Before: Member Secretary,

U.P. Pollution Control Board,

Lucknow

I, deponent, Varun Kumar Pandey son of late Rameshwar Pandey, age 35 years, am resident of 80/1, Kunjlata Niwas Dubkia, Choubeypur, Varanasi and happens to be Manager of M/s. Parveg Communication Limited (Tent City), Katesar, Ramnagar, Varanasi. I, deponent, am submitting reply to the clarifications raised by the State Board on 17.06.2023 as under:-

1. That compliance of consent for establishing (C.T.E.) issued from the State Board is being ensured, point-wise compliance report is annexed herewith. Sanstha had stopped booking since dated 31.05.2023 and the whole structure has been removed completely on 18.06.2023.
2. That Sanstha will comply with provisions of notification dated 07.10.2016 of Ministry of water Resources, River Development and Ganga Conservation, GOI. Prior to re-establishment of

  
True Copy

further Tent City, scrupulous compliance of the said notification will be ensured.

3. That Sanstha has been made aware that Varanasi Development Authority has submitted application for obtaining permission under the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 which is under process. Further re-establishment of Tent City will be undertaken only after getting permission from N.M.C.G.
4. As per information given in Serial No.3.
5. That Liquid waste emitted from Tent City had been treated through Sewage Treatment Plant established at Ramnagar. At present Tent city has been removed. Solid Waste emitted from Tent City had been disposed of through Municipal Corporation and in future also it would continue.
6. That Copy of log book pertaining to waste water is annexed.
7. That N.O.C. has been obtained by the Sanstha from Groundwater Department for extraction of ground water, copy of which is annexed herewith.

  
True Copy

8. That prior to Rejuvenation of Tent City, Sanstha will ensure scrupulous compliance of order dated 29.05.2023 passed by Hon'ble N.G.T. in O.A. No.2-03/2-23 and order to be passed by the Hon'ble Tribunal.
9. That Sanstha has obtained N.O.C. from Fire Fighting Department, Electric & Safety Department, Groundwater Department etc. V.D.A. has submitted application for obtaining permission from N.M.C.G. which is under process.
10. That Sanstha would ensure scrupulously compliance of orders passed by the Hon'ble National Green Tribunal, Central Pollution Control Board, state Pollution Control Board and other Hon'ble courts.
11. That Sanstha would ensure compliance of provisions mentioned in Environment (Conservation) Act, 1986, Plastic Waste Management Rules, 2016 (as amended), Water (Prevention & Control of Pollution) Act, 1974 (as amended), Air (Prevention & Control of Pollution) Act, 1981 (as amended), Solid Waste

Management Rules, 2016, Hazards & Other Waste (Management & Trans Boundary Movement) Rules, 2016 in toto.

12. That on Rejuvenation of Tent City, Sanstha will use two D.G. Sets of 250 K.V.A.. with Canopy. Height of chimney attached on exhaust of D.G. sets will be kept in accordance with prescribed standard parameters. In case additional D.G. Sets are required then it would be used only after obtaining C.T.E. and C.T.O. from the State Pollution Control Board.
13. That Sanstha will use P.V.C. Tank only for temporary collection of liquid waste and liquid waste will not be dumped at the site under any situation.. Solid waste emitted out of Tent City will be segregated between organic (wet waste) and inorganic (dried waste) material at collection source itself, therefore, it would be disposed of through Municipal Corporation according to the provisions of Urban Solid Waste Management Rules, 2016.
14. That Sanstha would ensure scrupulous compliance of all the environmental parameters.

I have submitted above-said information in my sound mind & health. The above-said Point No.1 to 14 are absolutely true to my knowledge. I have not concealed any fact.

Deponent  
Sd/-  
(Varun Kumar Pandey)  
Manager



## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पन्ना लाल पार्क, वाराणसी-221002  
फ़ोन 2280326-0542 :ईमेल :vdavaranasi@gmail.com

प्रेषक,

उपाध्यक्ष,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

M/S Praveg Communication (India) Limited.  
214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota,  
Ahmedabad, Gujarat-382481.

पत्रांक:-

/वि0प्रा0/न0नि0/2023-24

दिनांक:-

विषय:-

जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2, अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी के कार्यालय पत्र संख्या-1952/प्रवेग कम्यूनिकेशन (इण्डिया) लि0/23-24, दिनांक 16.12.2023 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से अदर्स साईड ऑफ गंगा रिवर, कटेसर, वाराणसी में पूर्व में स्थापित किये गये टेंट सिटी स्थल पर पड़े समस्त स्ट्रक्चर्स को एक सप्ताह में वैज्ञानिक ढंग से हटाते हुए रेमिडिएशन की कार्यवाही कराना सुनिश्चित करें तथा कृत कार्यवाही से क्षेत्रीय अधिकारी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड मुख्यालय लखनऊ को सूचित करने के निर्देश दिये गये हैं।

उक्त के क्रम में आपको निर्देशित किया जाता है कि जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2 अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटावाते हुए फोटोग्राफ्स सहित क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, मुख्यालय लखनऊ के साथ-साथ अधोहस्ताक्षरी के कार्यालय को भी अवगत कराना सुनिश्चित करें।

भवदीय,

(पुलकित गर्ग)  
उपाध्यक्ष

पत्रांक:-  
प्रतिलिपि-

1303/वि0प्रा0/न0नि0/2023-24

दिनांक:- 21/11/2023

1. नगर आयुक्त, नगर निगम, वाराणसी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
2. मुख्य पर्यावरण अधिकारी (वृत्त-6) उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी।
4. अधिशासी अभियंता (निर्माण) वा0वि0प्रा0 को आवश्यक कार्यवाही हेतु।

(पुलकित गर्ग)  
उपाध्यक्ष

Varanasi Development Authority Varanasi  
Raja Uday Pratap Marg, Panna Lal Park, Varanasi – 221  
Phone No.0542-2280326 Email: vdavaranasi@gmailcom  
From,

Vice-Chairman,  
Varanasi Development Authority,  
Varanasi.

To

M/s. Parveg Communication (India) Limited  
214, Athena Avenue, Behind Jaguar Showroom,  
S.G. Highway, Gota, Ahmedabad, Gujrat -382 481

L. No. /D.A./N.Ni./2023-24 Dated

Sub: Regarding removing structures lying at Tent City  
Patch No.1 & 2, Other side of River Ganga, Katesar,  
Ramangar, Varanasi established/operated earlier in  
District Varanasi scientifically.

-----  
Sir,

Please refer Office Letter No.1952/Praveg  
Communication (India) Ltd./23-24 dated 16.12.2023 of  
the Regional Officer, Uttar Pradesh Pollution Control  
Board, Varanasi on the above-said subject vide which  
directions were issued to ensure initiating proceedings of  
remediation while removing structures lying at Tent City  
Patch No.1 & 2, Other side of River Ganga, Katesar,  
Ramangar, Varanasi established/operated earlier in  
District Varanasi scientifically and inform Office of

  
True Copy

Regional Officer and Uttar Pradesh Pollution Control Board Headquarter, Lucknow.

In pursuant of the above-said you are hereby directed that while removing structures lying at Tent City Patch No.1 & 2, Other side of River Ganga, Katesar, Ramangar, Varanasi established/operated earlier in District Varanasi scientifically and inform Office of Regional Officer, Office of the Uttar Pradesh Pollution Control Board, Varanasi and Uttar Pradesh Pollution Control Board Headquarter, Lucknow alongwith photographs simultaneously with the office of the undersigned.

Yours faithfully,  
(Pulkit Garg)  
Vice Chairman

L.No.1303/D.A.N. Ni./2023-24 Dated 21.12.2023

Copy forwarded to --

1. City Commissioner, Municipal Corporation for information & necessary action.
2. Chief Environmental Officer (Circle-6), U.P. Pollution Control Board, Lucknow.
3. Regional Officer, Uttar Pradesh Pollution Control Board, Varanasi.
4. Executive Engineer (Works), V.D.A. for necessary action.

Sd/-  
(Pulkit Garg)  
Vice Chairman

  
True Copy

Ahmedabad,  
Dated 8<sup>th</sup> January 2024.

To,  
The Regional Officer,  
Uttar Pradesh Pollution Control Board  
Awasthi Vikash Office Complex,  
Jawahar Nagar, Bhelupur,  
Varanasi, Uttar Pradesh- 221 010

Dear Sir/Madam,

Sub: Scientific removal of structure from the Tent City at Patch-1 and Patch-2 on the other side of Assi Ghat on the banks of River Ganga-reg.  
Ref: Uttar Pradesh Pollution Control Board letter no. 1952/Praveg Limited/2023-24 dated 16-12-2023.

With reference to your letter no. 1952/Praveg Limited/2023-24 dated 16-12-2023, you are aware that the Varanasi Development Authority selected M/s Praveg Limited on annual license fee basis through e-tendering process for the development, maintenance, operate and management of Tent City at patch-1 and Patch-2 land on the other side of "Assi Ghat" on the banks of River Ganga in Varanasi. Accordingly, M/s Praveg Limited developed the world class tent city.

Vide your above referred letter, you have informed us to remove the structures lying in the place of Tent City along with photographs showing status as on dated 16-12-2023. In this regard, it is to bring to your notice that we have removed the structures scientifically as per your instructions even though the structures were not constructed by us. The removal details of the structure showing before and after removal are below:

1. The structure shown at photograph no.1 dated 16-12-2023 attached with your letter was constructed by the Electrical Department for installation of transformer. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 1 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the Electrical Department.
2. The structure shown at photograph no.2 dated 16-12-2023 attached with your letter was constructed by the UP Jal Nigam Limited for sewage collection. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 2 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the UP Jal Nigam Limited.
3. The structure shown at photograph no.3 dated 16-12-2023 attached with your letter was also constructed by the UP Jal Nigam Limited for sewage collection. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 3 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the UP Jal Nigam Limited.

## PRAVEG LIMITED

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, 3. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | E: info@praveg.com | Website: www.praveg.com

True Copy



So, we have removed the structures scientifically and complied the instructions of your above letter. Therefore, you are requested to take note of it on record.

Thanking you,  
Yours faithfully,  
For M/s Praveg Limited

Director



Enclosed: Page No.1 to 3 with photographs status.

Copy to:

The Member Secretary,  
Uttar Pradesh Pollution Control Board  
T.C- 12 V, Vibhuti Khand, Gomtinagar,  
Lucknow, Uttar Pradesh-226010.

For information please

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom | G. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

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## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पत्रा लाल पार्क, वाराणसी-221002  
फ़ोन 2280326-0542 :ईमेल :vdavaranasi@gmail.com

प्रेषक,

उपाध्यक्ष,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

M/S Praveg Communication (India) Limited.  
214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota,  
Ahmedabad, Gujarat-382481.

पत्रांक:-

/वि0प्रा0/न0नि0/2023-24

दिनांक:-

विषय:-

जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2, अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी के कार्यालय पत्र संख्या-1952/प्रवेग कम्यूनिकेशन (इण्डिया) लि0/23-24, दिनांक 16.12.2023 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से अदर्स साईड ऑफ गंगा रिवर, कटेसर, वाराणसी में पूर्व में स्थापित किये गये टेंट सिटी स्थल पर पड़े समस्त स्ट्रक्चर्स को एक सप्ताह में वैज्ञानिक ढंग से हटाते हुए रेमिडिएशन की कार्यवाही कराना सुनिश्चित करें तथा कृत कार्यवाही से क्षेत्रीय अधिकारी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड मुख्यालय लखनऊ को सूचित करने के निर्देश दिये गये हैं।

उक्त के क्रम में आपको निर्देशित किया जाता है कि जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2 अदर साईड ऑफ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटावाते हुए फोटोग्राफस सहित क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, मुख्यालय लखनऊ के साथ-साथ अधोहस्ताक्षरी के कार्यालय को भी अवगत कराना सुनिश्चित करें।

भवदीय,

(पुलकित गर्ग)  
उपाध्यक्ष

पत्रांक:-

1302/वि0प्रा0/न0नि0/2023-24

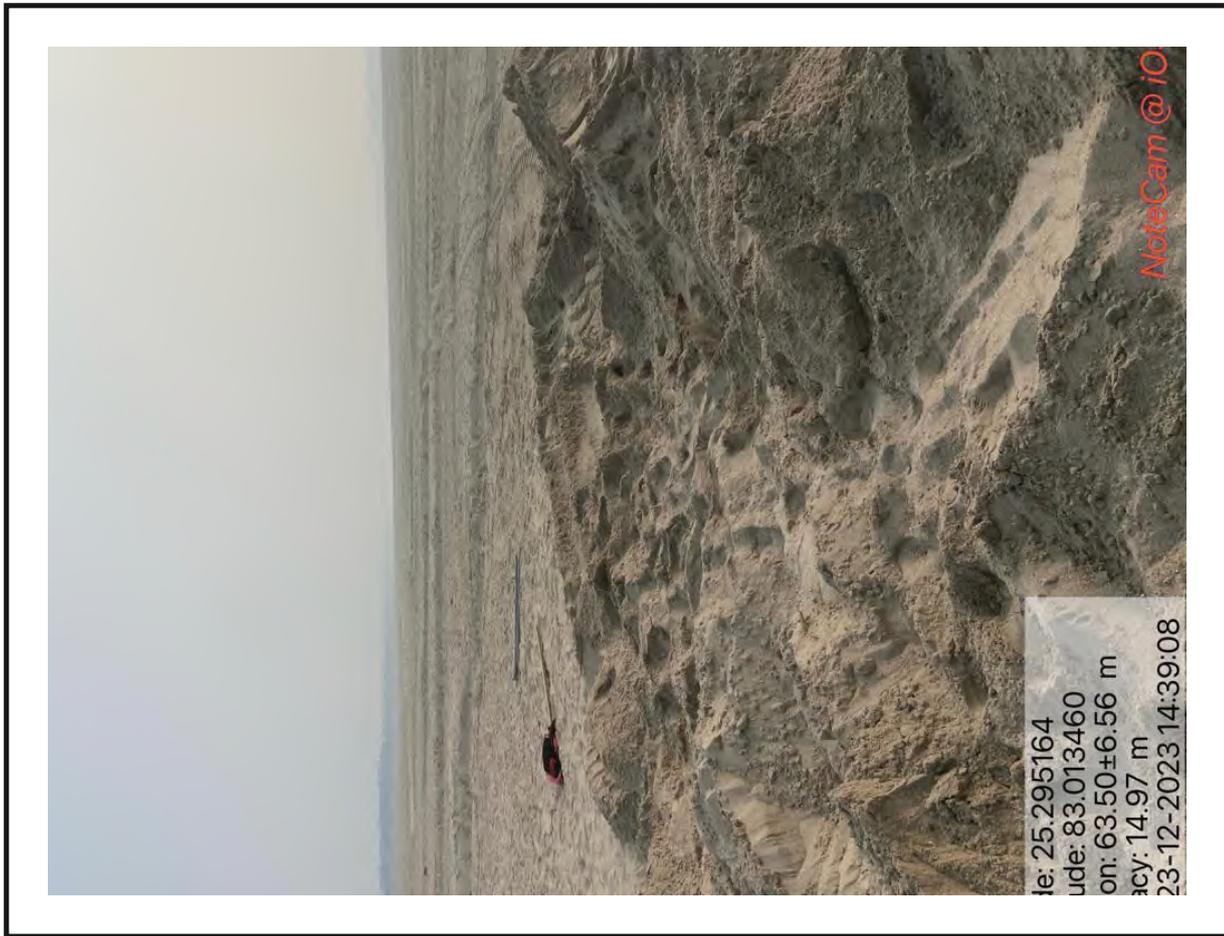
दिनांक:- 21/1/2023

प्रतिलिपि-

1. नगर आयुक्त, नगर निगम, वाराणसी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
2. मुख्य पर्यावरण अधिकारी (वृत्त-6) उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी।
4. अधिशासी अभियंता (निर्माण) वा0वि0प्रा0 को आवश्यक कार्यवाही हेतु।

(पुलकित गर्ग)

उपाध्यक्ष



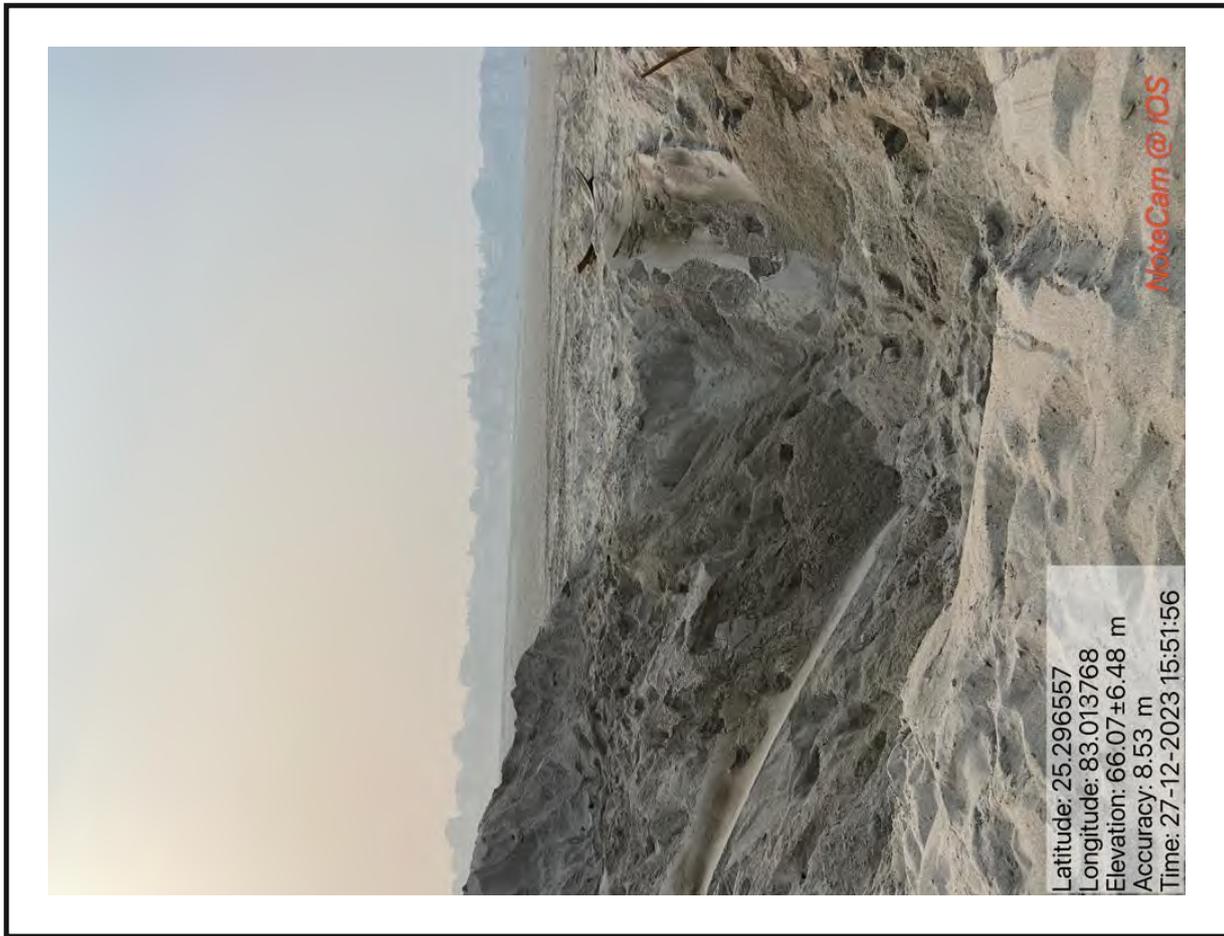
**AFTER**



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**BEFORE**

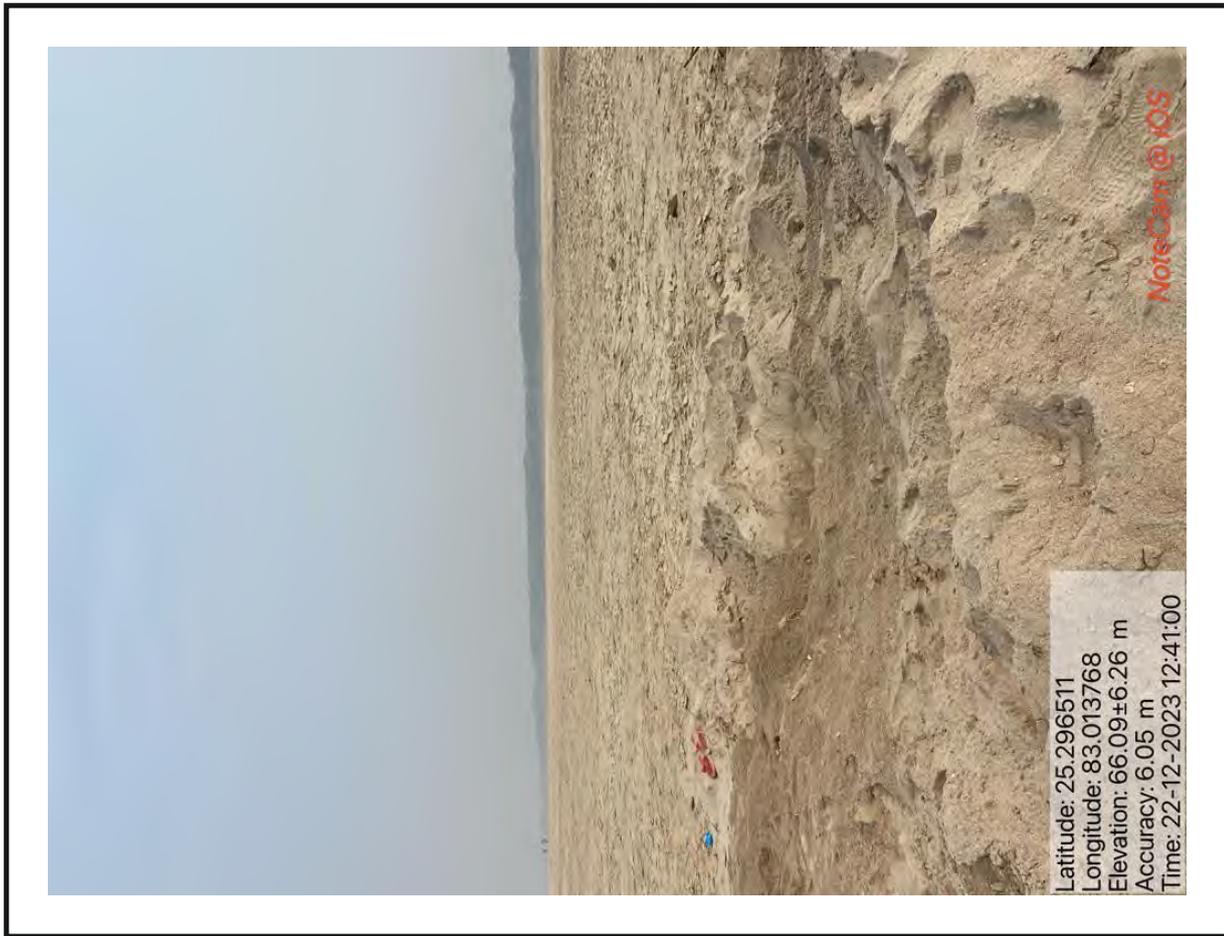
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**AFTER**



**BEFORE**



**AFTER**



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**BEFORE**

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o/c

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**PRAVEG**

HOSPITALITY | EVENTS | EXHIBITIONS | MEDIA | ADVERTISING

Accelerating ideas

Ahmedabad,  
Dated 8<sup>th</sup> January 2024.

To,  
The Vice Chairman,  
Varanasi Development Authority,  
Raja Uday Pratap Marg,  
Panna Lal Park,  
Varanasi, Uttar Pradesh- 221 002.

Dear Sir/Madam,

Sub: Scientifically removal of structure from the Tent City at Patch-1 and Patch-2 on the other side of Assi Ghat on the banks of River Ganga-reg.  
Ref: VDA letter no.1303/2023-24 dated 21-12-2023.

With reference to the Uttar Pradesh Pollution Control Board letter no.1952/Praveg Limited/2023-24 dated 16-12-2023, you are aware that the Varanasi Development Authority selected M/s Praveg Limited on annual license fee basis through e-tendering process for the development, maintenance, operate and management of Tent City at patch-1 and Patch-2 land on the other side of "Assi Ghat" on the banks of River Ganga in Varanasi. Accordingly, M/s Praveg Limited developed the world class tent city.

Vide your above referred letter, you have also informed us to remove the structures lying in the place of Tent City. In this regard, it is to bring to your notice that we have removed the structures scientifically as per your instructions even though the structures were not constructed by us. The removal details of the structure showing before and after removal are below:

4. The structure shown at photograph no.1 dated 16-12-2023 attached with your letter was constructed by the Electrical Department for installation of transformer. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 1 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the Electrical Department.
5. The structure shown at photograph no.2 dated 16-12-2023 attached with your letter was constructed by the UP Jal Nigam Limited for sewage collection. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 2 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the UP Jal Nigam Limited.
6. The structure shown at photograph no 3 dated 16-12-2023 attached with your letter was also constructed by the UP Jal Nigam Limited for sewage collection. However, considering your instructions, we have removed it even though it is not constructed by us. The page no 3 attached herewith photographs of dated 23-12-2023 showing the status before and after removal of the structure constructed by the UP Jal Nigam Limited.

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

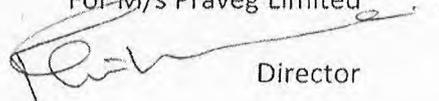
Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom G. Highway, Gota, Ahmedabad-382481.  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com



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So, we have removed the structures scientifically and complied the instructions of your above letter. Therefore, you are requested to take note of it on record.

Thanking you,  
Yours faithfully,  
For M/s Praveg Limited

  
Director

Enclosed: Page No.1 to 3 with photographs status.

Copy to:

1. The Member Secretary,  
Uttar Pradesh Pollution Control Board1.  
T.C- 12 V, Vibhuti Khand, Gomtinagar,  
Lucknow, Uttar Pradesh-226010
2. The Regional Officer,  
Uttar Pradesh Pollution Control Board  
Awasthi Vikash Office Complex,  
Jawahar Nagar, Bhelupur,  
Varanasi, Uttar Pradesh- 221 010



For information please

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, G. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496727 | Email: info@praveg.com | Website: www.praveg.com

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## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पत्रा लाल पार्क, वाराणसी-221002  
फ़ोन 2280326-0542 :ईमेल :vdavaranasi@gmail.com

प्रेषक,

उपाध्यक्ष,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

M/S Praveg Communication (India) Limited.  
214, Athena Avenue, Behind Jaguar Showroom, S.G. Highway, Gota,  
Ahmedabad, Gujarat-382481.

पत्रांक:-

/वि0प्रा0/न0नि0/2023-24

दिनांक:-

विषय:-

जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2, अदर साईड ऑफ़ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी के कार्यालय पत्र संख्या-1952/प्रवेग कम्यूनिकेशन (इण्डिया) लि0/23-24, दिनांक 16.12.2023 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से अदर्स साईड ऑफ़ गंगा रिवर, कटेसर, वाराणसी में पूर्व में स्थापित किये गये टेंट सिटी स्थल पर पड़े समस्त स्ट्रक्चर्स को एक सप्ताह में वैज्ञानिक ढंग से हटाते हुए रेमिडिएशन की कार्यवाही कराना सुनिश्चित करें तथा कृत कार्यवाही से क्षेत्रीय अधिकारी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड मुख्यालय लखनऊ को सूचित करने के निर्देश दिये गये हैं।

उक्त के क्रम में आपको निर्देशित किया जाता है कि जनपद वाराणसी में पूर्व में स्थापित/संचालित टेंट सिटी पैच नं0-1 एवं 2 अदर साईड ऑफ़ रिवर गंगा, कटेसर, रामनगर, वाराणसी स्थल पर पड़े स्ट्रक्चर्स को वैज्ञानिक ढंग से हटावाते हुए फोटोग्राफ्स सहित क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी कार्यालय एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, मुख्यालय लखनऊ के साथ-साथ अधोहस्ताक्षरी के कार्यालय को भी अवगत कराना सुनिश्चित करें।

भवदीय,

(पुलकित गर्ग)  
उपाध्यक्ष

पत्रांक:-

1303/वि0प्रा0/न0नि0/2023-24

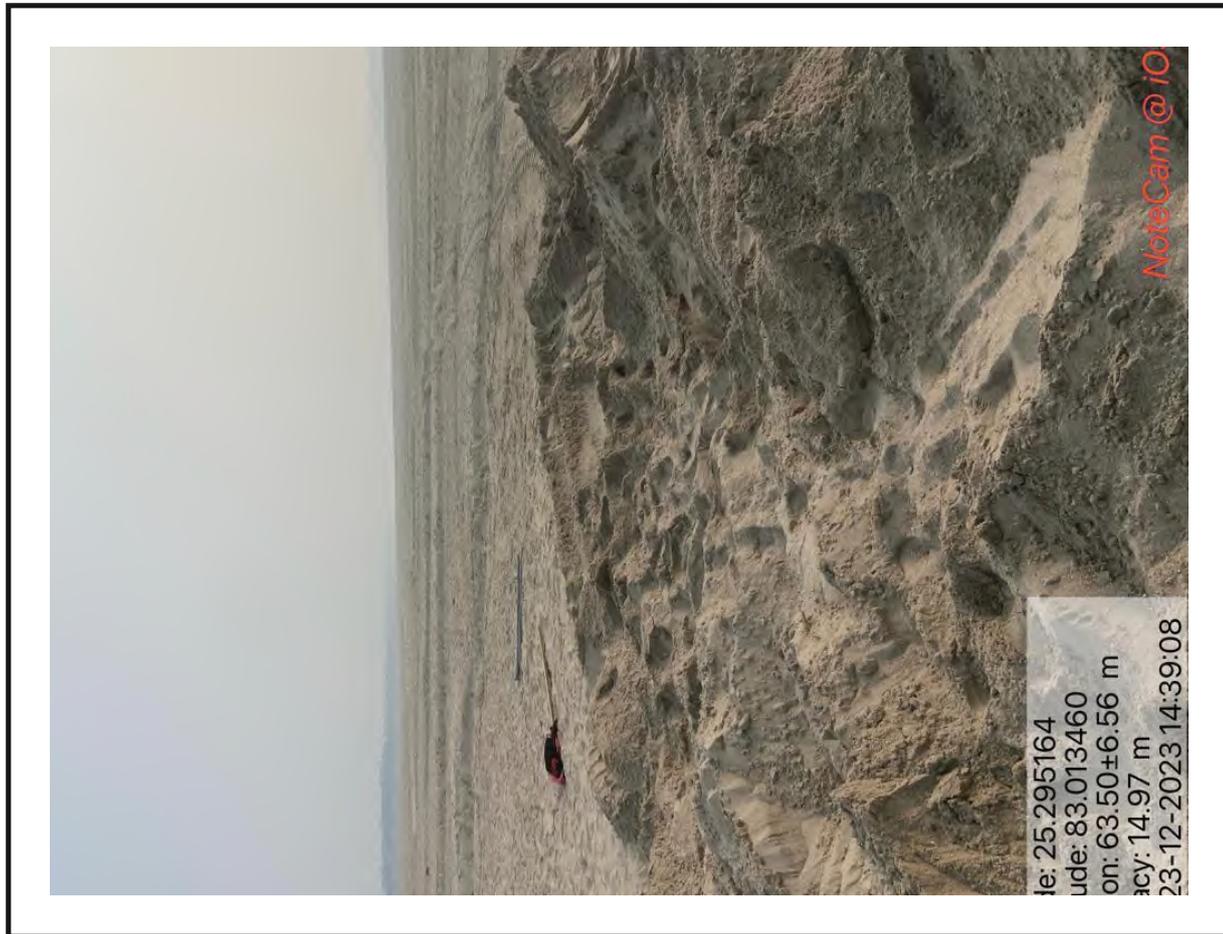
दिनांक:- 21/1/2024

प्रतिलिपि-

1. नगर आयुक्त, नगर निगम, वाराणसी को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
2. मुख्य पर्यावरण अधिकारी (वृत्त-6) उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. क्षेत्रीय अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी।
4. अधिशासी अभियंता (निर्माण) वा0वि0प्रा0 को आवश्यक कार्यवाही हेतु।

(पुलकित गर्ग)

उपाध्यक्ष

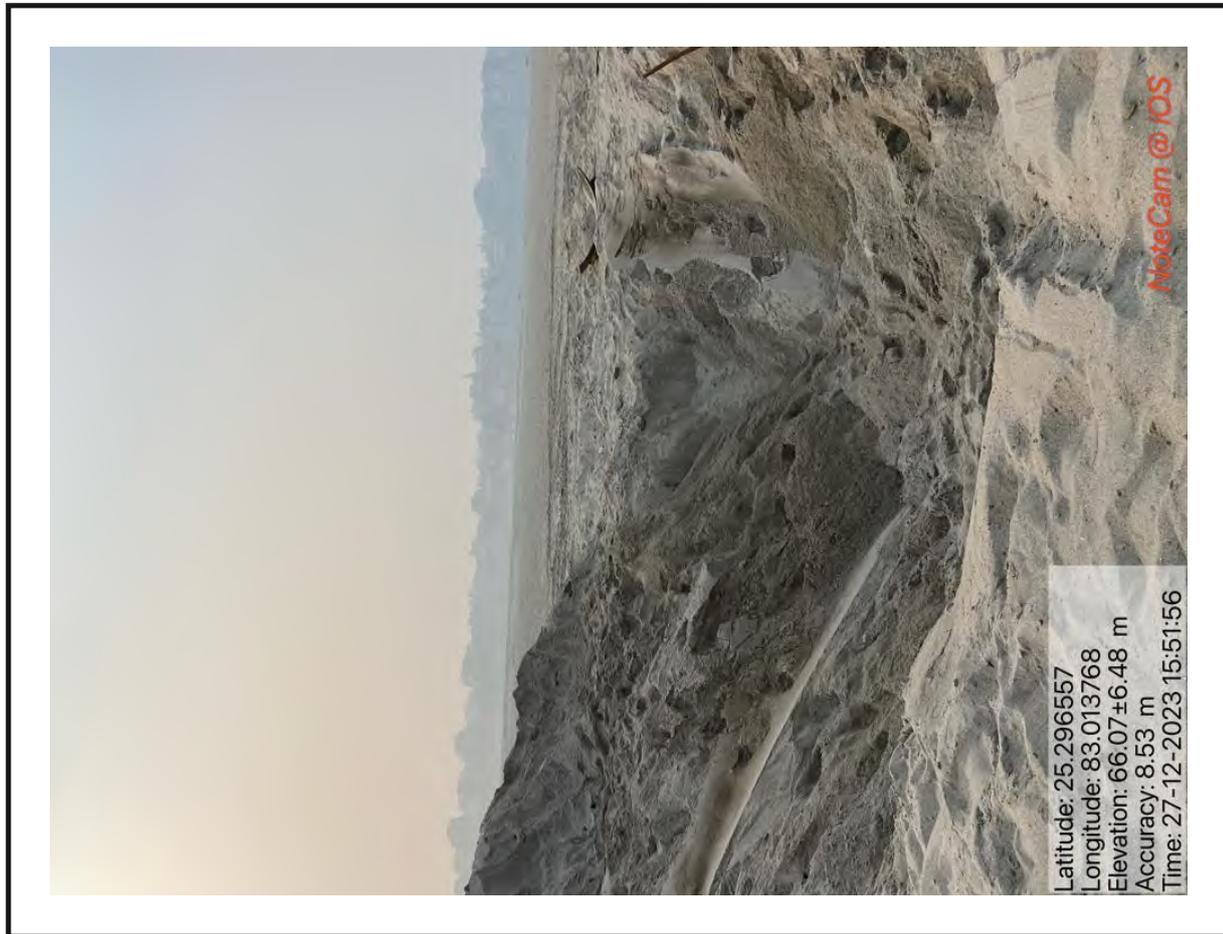


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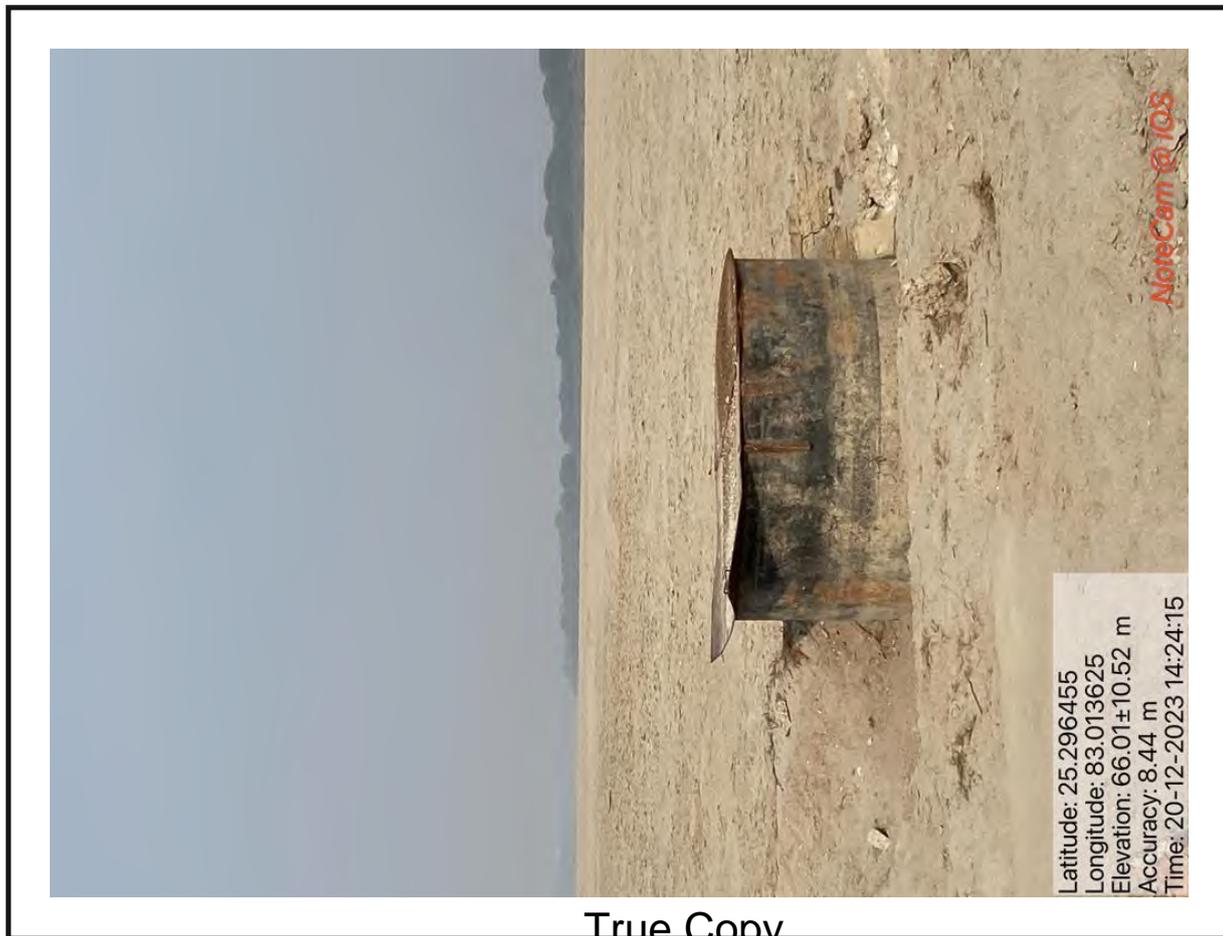


**BEFORE**

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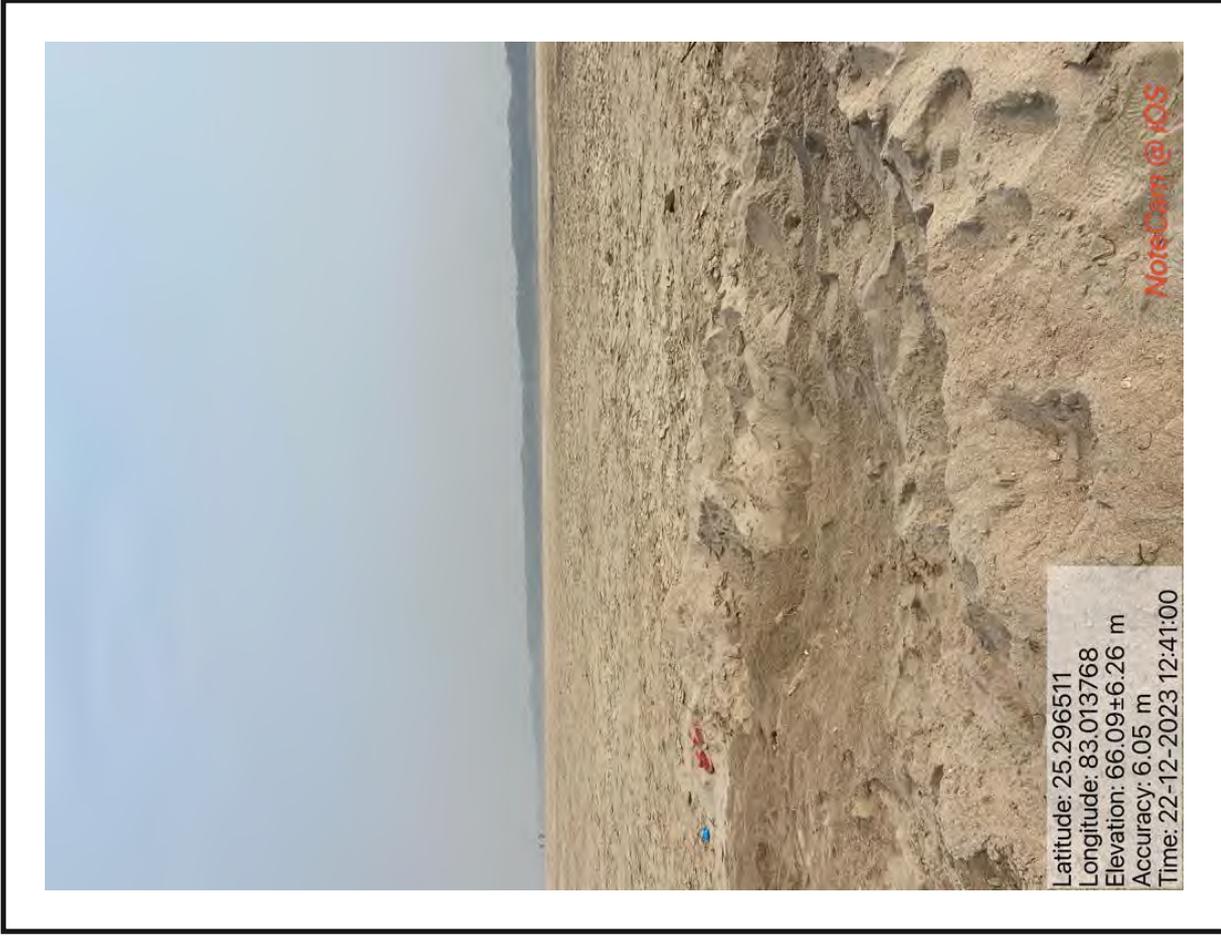


**AFTER**



**BEFORE**

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**AFTER**



**BEFORE**

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कार्यालय प्रधान मुख्य वन संरक्षक, वन्य जीव, उत्तर प्रदेश, लखनऊ।  
पत्र संख्या- 353, 123-2-126 लखनऊ, दिनांक अगस्त 06 2018  
सेवा में,

प्रमुख सचिव,  
वन एवं वन्य जीव विभाग,  
उत्तर प्रदेश शासन,  
लखनऊ।

विषय:- भारतीय वन्य जीव संस्थान द्वारा assessment of ground realities of the Kachua Wildlife Sanctuary, Varanasi, U.P. के सम्बन्ध में प्रस्तुत रिपोर्ट।

सन्दर्भ:- पर्यावरण वन एवं क्लाइमेट चेंज वाइल्ड लाइफ डिवीजन, भारत सरकार का पत्रांक F.No. 8-16/2015 WL-I दिनांक 09.11.2017 (संलग्नक-1)

महोदया,

उपरोक्त विषयक सन्दर्भित पत्र द्वारा "Recommendations of the committee constituted, to assess the ground realities of the Kachhua Wildlife Sanctuary, Varanasi, Uttar Pradesh" पर कार्यवाही किये जाने की अपेक्षा की गयी थी। उपरोक्त निर्देशों के क्रम में प्रधान मुख्य वन संरक्षक, वन्य जीव, उ०प्र०, लखनऊ ने अपने पत्र संख्या 44/23-2-12 दिनांक 14.03.2018 द्वारा भारतीय वन्य जीव संस्थान, देहरादून से कछुआ वन्य जीव विहार का अध्ययन कर रिपोर्ट प्रस्तुत करने का अनुरोध किया गया। भारतीय वन्य जीव संस्थान, देहरादून द्वारा अध्ययन के उपरान्त अपने पत्रांक WII/SAH-TWS-U.P./2018 दिनांक 06.07.2018 रिपोर्ट प्रेषित की गयी। रिपोर्ट का सारांश संलग्न कर (संलग्नक-2) इस अनुरोध के साथ प्रेषित किया जा रहा है कि कृपया इस सम्बन्ध में विचार-विमर्श कर निर्णय लेने हेतु उच्च स्तरीय बैठक आहूत कराने का कष्ट करें।

भारतीय वन्य जीव संस्थान, देहरादून द्वारा अध्ययन के उपरान्त प्रेषित रिपोर्ट की प्रति (संलग्नक-3) संलग्न कर प्रेषित की जा रही है।

संलग्नक:-उपरोक्तानुसार।

भवदीय,

(पवन कुमार)

प्रधान मुख्य वन संरक्षक, वन्य जीव,  
उत्तर प्रदेश, लखनऊ।

पत्रांक-353/ (दिनांकित।

प्रतिलिपि- प्रधान मुख्य वन संरक्षक और विभागाध्यक्ष, उ०प्र०, लखनऊ को मय संलग्नक सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

संलग्नक:-उपरोक्तानुसार।

(पवन कुमार)

प्रधान मुख्य वन संरक्षक, वन्य जीव,  
उत्तर प्रदेश, लखनऊ।

The Report of Wildlife Institute of India on the assessment of ground realities of the Kachua Wildlife Sanctuary, Varanasi, U.P.

The letter F. No. 8-16/2015 WL-I dated 09.11.2017 of MoEF & CC, regarding review of management effectiveness (ME) of turtle sanctuary in terms of its biological, ecological and ecosystem service value and possible rationalization of its boundaries as per the suggested action points I, III, IV & V are mentioned below:

Action Point (I) – A review of management effectiveness (ME) of the Turtle Sanctuary in terms of its biological, ecological and ecosystem service value and possible rationalization of its boundaries to include mosaic of riverine habitat matrix.

Action Point (III) – Assessing the impact of expansion/rationalization of current sanctuary boundary downstream in the interest of turtle conservation as this can be managed as a suitable habitat and regulation of their protection and achieving management objective as well as meet the objectives of cleaning of Ganga.

Action Point IV – A realistic management plan with a zonation approach to make the objectives more effectively met in the sanctuary of this kind.

Action Point V – An imaginative interpretation, education and awareness programme developed including setting up of a Interpretation Centre in the Varanasi Ghat area to take advantage of the millions of people to be the target of this outreach and education programme.

With reference to above letter, PCCF Wild Life, UP, requested Director, Wildlife Institute of India (WII) Dehradun vide letter No. 44/23-2-12 dated 16.03.2018 to carry out a study as per the action points suggested in the ministry letter and submit a report to this office. Accordingly, the WII carried out the required study in respect of Kachua Wildlife Sanctuary and submitted the report titled, "Assessment of the wildlife values of the ganga river from Bijnor to Balia including Turtle Wildlife Sanctuary, Uttar Pradesh" vide letter no. WII/SAH-TWS-U.P./2018 6th July, 2018.

The study report is based on evaluation of entire stretch of the Ganga River in the state of Uttar Pradesh for its wildlife values and habitat suitability following **Systematic Conservation Planning (SCP)** approach, with special emphasis on the current status of the Turtle Wildlife Sanctuary, Varanasi. The point-wise outcome of the aforesaid study conducted by WII is given as below -

  
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**Action Point (I) – A review of management effectiveness (ME) of the Turtle Sanctuary in terms of its biological, ecological and ecosystem service value and possible rationalization of its boundaries to include mosaic of riverine habitat matrix**

For the purpose of aforesaid study, the entire survey stretch between Bijnore and Balia was divided into 10 km linear blocks and each block was considered as a sampling unit for aquatic habitat characterization. This assessment of efficacy was done by calculating efficacy score of each unit based on following three parameters –

- (A). Biological parameters – Biological indicators included 05 factors such as
- dolphin individual count.
  - Nests count of breeding birds.
  - Gharial individual count.
  - Mugger individual count and
  - Turtle species count along with individual count
- (B). Habitat characteristics – Habitat characteristics included hydrology factors such as.
- Water depth.
  - Meanders and
  - Mid-channel islands as they influence species abundance and distribution of the Ganga River.
- (C). Anthropogenic parameters – Anthropogenic parameters included 04 human-induced factors such as
- Presence of river bed agriculture
  - The number of fishing nets and boats,
  - Riverside villages and ghats and
  - Presence of mining sites and ranked based on their impacts on biodiversity of Ganga River

The scores for Kachua wildlife sanctuary (Stretch 1110-1130) based on aforesaid parameters is given below –

S.N	Stretch (from Bijnore barrage)	Biological Score (Out of 5)	Habitat Score (Out of 3)	Anthropogenic Score (Out of 2)	Final Score (Out of 10)
1	2	3	4	5	6
112	1110-1120	0.00	1.25	1.30	2.55
113	1120-1130	0.05	0.75	1.30	2.10

  
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On the basis of above findings the WII report summarizes the current management practices and ecological status of Kachhua Sanctuary and its effectiveness in chapter V, which is quoted as below -

**“5.1 Summary of findings**

1. *The spatial assessment using remote sensing data for the period 1974 to 2016 revealed no significant changes in river channel and the extent of sand deposition in the TWS. However, ~28% increase in the vegetation cover was observed which could be attributed to the protection accorded to the riparian areas by the Forest Department and expansion of agricultural areas on the landward side.*
2. *Only five freshwater turtle species were encountered in TWS out of the 13 species reported from the Ganga River. Capture rates for turtle species were low in the TWS, indicating low abundance of turtles during the sampling period and high anthropogenic disturbance within TWS.*
3. *A total of 45 fish species belonging to 38 genera, 16 family were recorded from the TWS and adjacent stretches. New record of three fish species *Sisor rhabdophorus*, *Silonia silondia* and *Badis badis* were made in this stretch. Higher CPUE of 1.36/hr in the TWS indicates the sanctuary is effective in maintaining a diverse population of fish and this might be due to the effects of the fishing ban inside the Sanctuary limits.*
4. *Presence of the endangered Gangetic river dolphin was confirmed from the same site upstream of the Sanctuary, in areas of low anthropogenic disturbances. Sites upstream of the sanctuary have ideal sand island habitats for the nesting of freshwater turtles as well as riverine birds such as Indian Skimmer, Little Tern, River Lapwings, in areas of low human disturbance. 28 species of riverine birds was observed from the study area, with nesting of five species including that of threatened birds such as Indian Skimmer and River Lapwings.*
5. *The bathymetric map of the study area suggests low water depths upstream of the TWS during summer months, but adequate water depths towards downstream.”*

As per the above summary of findings narrated in the report, following conclusion is drawn about efficacy of Kachhua wildlife sanctuary, quoted as below –

*“3.1.5 Very low encounter rate of turtles in TWS indicates high human disturbance leading to habitat alterations within a very small Protected Area. Sites along the TWS in the left bank are seen to have the least suitable habitat for turtles with high anthropogenic disturbances such as cemented ghats, intense ferry and boat activity, pollution, and human presence along the river. The sand bar in the right bank of the Sanctuary though is an excellent habitat for turtles and breeding birds, is also under severe anthropogenic pressure.*

*Higher diversity and catch of fish species from the TWS is indicative of restriction on fishing in the sanctuary."*

Since the aforesaid observation is based on extensive scientific study, hence this can be taken as basis for selection of other sites for harmonization/rationalization of existing sanctuary boundaries.

**Action Point (III) – Assessing the impact of expansion/rationalization of current sanctuary boundary downstream in the interest of turtle conservation as this can be managed as a suitable habitat and regulation of their protection and achieving management objective as well as meet the objectives of cleaning of Ganga**

Keeping in view the above action point, the study team conducted a rapid ecological assessment for freshwater turtles and associated aquatic species in the sanctuary limits as well as in areas 5 km buffer upstream and downstream of the sanctuary. The river stretch was divided into twenty segments of 1 km length, which were intensively monitored for the presence of turtle species and other aquatic wildlife such as fish and riverine birds.

Accordingly, a habitat matrix was prepared for all 20 sites sampled for the parameters, i.e. riverbank slope, river width, percentage cover of riparian vegetation, land-cover types of river bank. The sites were graded from 1 to 5 based on their nesting habitat quality and overall aquatic habitat quality taking into account various anthropogenic disturbances at each site as well. The details of values accorded to each site (V1 to V20) is given in following table –

	Site	River width (m)	River bank slope (°)	% river bank vegetation	No. of sand islands	Land cover type (agriculture, scrub, grassland, sand)	Nesting habitat quality (1-5)	Overall aquatic habitat quality (1-5)
Turtle Wildlife Sanctuary	V1	403	5	5	0	Sand	1	1
	V2	340	5	5	0	Sand	1	1
	V3	268	10	5	0	Sand	1	1
	V4	300	15	5	0	Sand	2	1
	V5	347	15	10	0	Sand	1	1
	V6	370	5	5	0	Sand	2	1
	V7	442	20	20	0	Sand	2	1
Downstream of	V8	560	10	40	0	Scrub	2	2
	V9	678	35	60	0	Scrub	3	3

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Upstream of TWS	V10	315	30	90	1	Grassland+scrub	3	3
	V11	542	25	5	1	Sand	3	3
	V12	354	5	10	2	Sand	3	3
	V13	662	15	80	0	Grassland	1	1
	V14	423	15	90	0	Grassland+scrub	1	1
	V15	400	15	90	0	Grassland	3	2
	V16	420	10	70	1	Sand	3	2
	V17	442	15	10	3	Sand	4	3
	V18	210	25	5	2	Sand	5	4
	V19	384	15	5	4	Sand	5	4
V20	400	40	10	2	Sand	4	4	

Score for nesting, habitat assessment: 5 – very good, 4 – good, 3 – moderate, 2 – poor, 1 – No habitat

It is clear from the above that the upstream sites recorded values ranging from 'No habitat-1' to 'Good-4', while the downstream sites were graded as 'No habitat-1' to 'Moderate-3'. The 7 km. sanctuary stretch was observed to have high anthropogenic disturbances throughout the day and night due to motor boat and tourist activities in certain areas of the sanctuary and is ranked as 'No habitat-1'. This shows that the habitat quality is comparatively better on upstream side of the sanctuary.

Besides, the WII has also presented an overall habitat assessment of entire 1390 km stretch of Ganga River in 26 districts of Uttar Pradesh in the report. This assessment is based on three key parameters, i.e. Biological, habitat characteristics and anthropogenic parameters. The key factors in these parameters have been explained in Action Point-1. Based on the combined scoring matrix, the highest biological score was recorded at **Hastinapur Sanctuary (0-110 Km)** followed by **Ramsar site from Brijghat to Narora (110-210 km)** and **140 km stretch from Newada in Allahabad district to Adalpur in Mirzapur district**. The 7 km. stretch of Kachua sanctuary is ranked very low in combined prioritization score. The details of scoring matrix in aforesaid river stretches along with score given to existing Kachua sanctuary are given below –

Sl. No.	Stretch (from Bijnor Barrage)	Biological Score (Out of 5)	Habitat Score (Out of 3)	Anthropogenic Score (Out of 2)	Final Score (Out of 10)
<b>HASTINAPUR WILDLIFE SANCTUARY (1-110 km)</b>					

1	0-10	0.13	0.67	1.40	2.20
2	10-20	0.23	0.25	1.40	1.88
3	20-30	0.60	0.25	1.40	2.25
4	30-40	0.10	0.75	1.40	2.25
5	40-50	1.08	0.75	1.40	3.23
6	50-60	0.50	0.63	1.40	2.53
7	60-70	1.43	1.00	1.40	3.83
8	70-80	0.00	0.50	1.40	1.90
9	80-90	0.13	0.63	1.40	2.15
10	90-100	0.50	0.75	1.40	2.65
11	100-110	0.45	0.88	1.50	2.83
<b>RAMSAR SITE (110-210 km)</b>					
12	110-120	0.30	0.50	1.40	2.20
13	120-130	0.45	0.38	1.40	2.23
14	130-140	0.90	0.50	1.40	2.80
15	140-150	0.35	0.25	1.40	2.00
16	150-160	1.23	0.50	1.40	3.13
17	160-170	0.30	1.13	1.40	2.83
18	170-180	0.58	0.75	1.40	2.73
19	180-190	0.30	0.88	1.40	2.58
20	190-200	0.43	1.00	1.50	2.93
21	200-210	0.00	0.50	1.45	1.95
<b>NEWADA IN ALLAHABAD DISTRICT TO ADALPUR IN MIRZAPUR DISTRICT (930-1070 km)</b>					
94	930-940	0.10	0.75	1.15	2.00
95	940-950	0.00	2.13	1.35	3.48
96	950-960	0.30	1.13	1.40	2.83
97	960-970	0.90	1.75	1.40	4.05
98	970-980	0.00	1.13	1.40	2.53
99	980-990	0.10	1.25	1.25	2.60
100	990-1000	0.10	0.75	1.35	2.20
101	1000-1010	0.88	1.00	1.35	3.23
102	1010-1020	0.05	0.50	1.20	1.75
103	1020-1030	0.10	0.63	1.50	2.23
104	1030-1040	0.60	2.25	1.35	4.20
105	1040-1050	0.05	0.88	1.35	2.28
106	1050-1060	0.00	0.75	1.40	2.15
107	1060-1070	0.40	1.50	1.40	3.30
<b>KACHUA SANCTUARY (1110-1130 km)</b>					
112	1110-1120	0.00	1.25	1.30	2.55
113	1120-1130	0.05	0.75	1.30	2.10



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Accordingly, following conclusion has been drawn in the report for finalizing conservation priority areas in Ganga River based on habitat suitability –

*"10. Based on the combined score the stretch from downstream Newada in Allahabad district to Adalpur in Mirzapur district, a total of 140 km may be considered as conservation priority area and notified as a Wildlife Sanctuary under the provision of Wild Life (Protection) Act, 1972. Since the ecological characteristics and wildlife values vary along this 140 km stretch on account of anthropogenic pressures, harmonization for excluding some areas having high anthropogenic pressures on account of intense cultural-religious uses may be required, and to be done by the Uttar Pradesh Forest Department."*

**Action Point IV – A realistic management plan with a zonation approach to make the objectives more effectively met in the sanctuary of this kind**

It is submitted that action on this point would be completed as and when required in future.

**Action Point V – An imaginative interpretation, education and awareness programme developed including setting up of a Interpretation Centre in the Varanasi Ghat area to take advantage of the millions of people to be the target of this outreach and education programme**

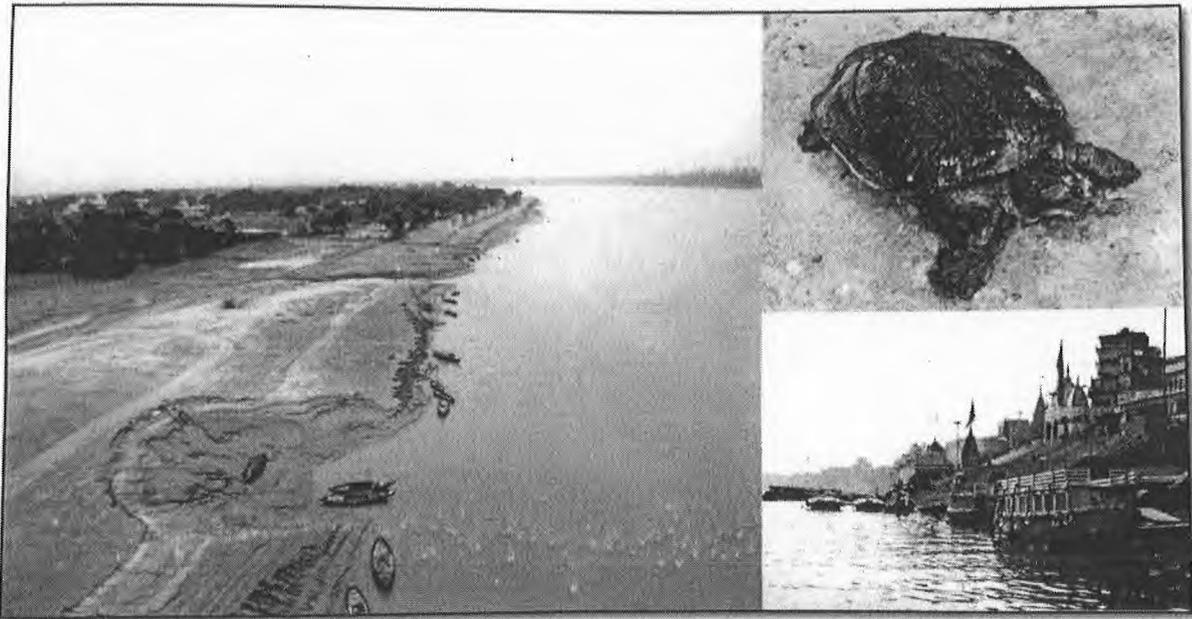
It is submitted that in view of directions given by MoEF & CC GOI, development of an interpretation centre is already in process of development at Sarnath Turtle Center Varanasi under Namami Ganga Programme by the Wildlife Institute of India.



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**ASSESSMENT OF THE WILDLIFE VALUES  
OF THE GANGA RIVER FROM BIJNOR TO BALLIA INCLUDING  
TURTLE WILDLIFE SANCTUARY, UTTAR PRADESH**

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**भारतीय वन्यजीव संस्थान**  
**Wildlife Institute of India**

July 2018



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## Executive summary

*Freshwater ecosystems, especially riverine systems, give rise to unique habitat mosaics, which support distinctive biodiversity and provide substantial ecosystem services, creating a strong imperative for their protection and restoration. They are being impacted globally by divergent but frequently concurrent processes including water pollution, over-fishing, alteration of natural flow regime, invasive species, climate change and human-induced habitat loss. These dynamic systems are often poorly protected, and require conservation measures through systematic planning. Systematic Conservation Planning (SCP) is widely considered as the most influential paradigm to identify and bring areas under protection through effective planning and spatial prioritization. The SCP requires an evaluation of sites for their biodiversity values, habitat heterogeneity, habitat dynamics, and existing human-induced habitat alteration factors. The Ganga River is the lifeline to more than 500 million people as it flows through five riparian states. It also harbours a unique assemblage of biodiversity due to its passage through three distinct biogeographic zones and unique habitat mosaics. Apart from nurturing umbrella species like the Gangetic river dolphin, otters, gharial and mugger, the Ganga River basin is recognized as a Global Turtle Priority Area and a Turtle Biodiversity Hotspot. With the aim of protecting and conserving the diverse array of biota and their habitats, a 7 km stretch of the Ganga River between Rajghat (Malviya Bridge) to Ramnagar Fort in Varanasi District, Uttar Pradesh was declared as the Kachhua Vanyajiv Abhyaranya (Turtle Wildlife Sanctuary – TWS). Although declared a protected area, increase in riverbank agriculture, river traffic, water pollution through sewage and solid wastes are posing a threat to the biodiversity of TWS and the river-riparian habitats. High human disturbance in the form of cultural-religious activities are influencing the biological values of TWS.*

*Considering the above, a rapid assessment study (March- July, 2018) was conducted in the TWS to evaluate its efficacy as a protected area; and to identify areas for effective biodiversity conservation. Stretch of the Ganga River between Bijnor to Ballia in Uttar Pradesh was evaluated following Systematic Conservation Planning approach. The objectives of this study were (1) Assessment of habitat structure of TWS and to detect changes over time, (2) Evaluation of efficacy of TWS and adjoining riverscape as a refugia for species of conservation concern; and (3) Prioritization of the Ganga River stretches with mosaics of riverine habitats for conservation planning.*

*A spatial assessment using remote sensing data for the period 1974 to 2016 revealed no significant changes in river channel and sand deposition in the TWS. However, ~28% increase in the vegetation cover was observed which could be attributed to the protection accorded to the riparian areas by the Forest Department compared with an expansion of agricultural areas on the landward side.*

*Out of 13 species of turtle reported from Ganga River, only 5 species were encountered during the field sampling with the combined efforts of visual encounter surveys and in-stream sampling using gill nets and box traps within the TWS and upstream and downstream of the Sanctuary limit. Very low encounter rate of turtles in TWS indicates high human disturbance leading to habitat alterations within a very small Protected Area. Sites along the TWS in the left bank are seen to have the least suitable habitat for turtles with high anthropogenic disturbances such as cemented ghats, intense ferry and boat activity, pollution, and human presence along the river. The sand bar in the right bank of the TWS, though is an excellent habitat for turtles and breeding birds, is also under severe anthropogenic pressure.*

*Out of 64 species of fish reported from the Middle Ganga stretch, a total of 45 species belonging to 38 genera, 16 family and five orders were recorded during the sampling period. The fish catch was higher inside TWS as compared to upstream and downstream of the sanctuary and this could be attributed to prohibition of fishing within the Sanctuary limits.*

*A total of 28 species of birds were observed, of which four species were of threatened categories as per the IUCN Red List. Nests of breeding birds were not observed from the TWS due to high biotic disturbance. A nesting site of the Indian Skimmer was identified at approximately 6 km upstream of the Sanctuary. Five pairs of Indian Skimmer and 14 pairs of Little tern, 4 pairs of River Lapwing a Near Threatened Species were observed from the vicinity.*

*A rapid assessment of wildlife values was conducted in the entire stretch of the Ganga River falling within Uttar Pradesh and priority areas were identified through a scoring matrix. Kruskal's Multidimensional Scale analysis described the habitat parameters that influence species distribution. These parameters were sand mining, channel depth, fishing activities, presence of village/town and riverbed agriculture. Channel depth is the only factor which is positively influencing species distribution. Based on the scoring matrix, the highest biological value was attributed to a river stretch within the Hastinapur Wildlife Sanctuary, followed by the stretch from Brijghat to Narora, which is a notified Ramsar Site. In addition to these, moderate biological value was assigned to the stretch downstream of Newada till Ballia. Habitat characteristic score (channel depth, meanders and river islands) was high in the downstream of Allahabad, till Ballia as this stretch persistently maintains high depth classes, meanders and river islands representing a complex mosaic of habitats.*

*The anthropogenic influence scores was almost similar in the entire stretch from Bijnor barrage to Ballia as the river bed agriculture was prominent in the upper stretch, whereas fishing, sand mining, and human settlements were prevalent in the lower stretch of the river. The stretch between Hastinapur Wildlife Sanctuary and Narora already enjoys the protected area status. In spite of the protected status, TWS scored low due to its small size and high human disturbance. Based on the combined scores, a 140 km stretch downstream Newada in Allahabad district to Adalpur in Mirzapur district has been considered as the priority stretch for conservation. It is suggested that this area may be brought under the purview of Wild Life (Protection) Act, 1972 by declaring it as a wildlife sanctuary for the conservation of aquatic biodiversity of the Ganga River in Uttar Pradesh. Since the ecological characteristics and wildlife values vary along this 140 km stretch on account of anthropogenic pressures, harmonization for excluding some areas having high anthropogenic pressures on account of intense cultural-religious uses may be required, and to be done by the Uttar Pradesh Forest Department.*

## CHAPTER V

## 5.1 Summary of findings

1. The spatial assessment using remote sensing data for the period 1974 to 2016 revealed no significant changes in river channel and the extent of sand deposition in the TWS. However, ~28% increase in the vegetation cover was observed which could be attributed to the protection accorded to the riparian areas by the Forest Department and expansion of agricultural areas on the landward side.
2. Only five freshwater turtle species were encountered in TWS out of the 13 species reported from the Ganga River. Capture rates for turtle species were low in the TWS, indicating low abundance of turtles during the sampling period and high anthropogenic disturbance within TWS.
3. A total of 45 fish species belonging to 38 genera, 16 family were recorded from the TWS and adjacent stretches. New record of three fish species *Sisor rhabdophorus*, *Silonia silondia* and *Badis badis* were made in this stretch. Higher CPUE of 1.36/hr in the TWS indicates the sanctuary is effective in maintaining a diverse population of fish and this might be due to the effects of the fishing ban inside the Sanctuary limits.
4. Presence of the endangered Gangetic river dolphin was confirmed from the same site upstream of the Sanctuary, in areas of low anthropogenic disturbances. Sites upstream of the sanctuary have ideal sand island habitats for the nesting of freshwater turtles as well as riverine birds such as Indian Skimmer, Little Tern, River Lapwings, in areas of low human disturbance. 28 species of riverine birds was observed from the study area, with nesting of five species including that of threatened birds such as Indian Skimmer and River Lapwings.
5. The bathymetric map of the study area suggests low water depths upstream of the TWS during summer months, but adequate water depths towards downstream.
6. The habitat parameters that influence species occurrence and distribution in the studied stretch are sand mining, channel depth, fishing activities, presence of village/town and riverbed agriculture. Only channel depth positively influences the species occurrence and distribution..
7. Based on the scoring matrix, the highest biological score was recorded at Hastinapur Sanctuary following Ramsar site from Brijghat to Narora, due to its protected status accorded under Wild Life (Protection)\_ Act, 1972 and Environment (Protection) Act, 1986 (Ramsar Site).
8. Habitat characteristic score (channel depth, meanders and river islands) was high downstream of Allahabad till Ballia as the stretch persistently maintain high depth classes due to water availability, meanders and river islands representing complex mosaic of habitats.

9. The anthropogenic parameter scores were almost similar in the entire stretch from Bijnor barrage to Ballia as river bed agriculture was prominent in the upper stretch whereas fishing, sand mining and villages & towns were prevalent in the lower part of the stretch.
10. Based on the combined score the stretch from downstream Newada in Allahabad district to Adalpur in Mirzapur district, a total of 140 km may be considered as conservation priority area and notified as a Wildlife Sanctuary under the provision of Wild Life (Protection) Act, 1972. Since the ecological characteristics and wildlife values vary along this 140 km stretch on account of anthropogenic pressures, harmonization for excluding some areas having high anthropogenic pressures on account of intense cultural-religious uses may be required, and to be done by the Uttar Pradesh Forest Department.

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

6<sup>th</sup> Floor, Vayu Wing  
Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi 110 003  
Date: 26<sup>th</sup> September 2018

F.No.6-111/2018 WL

To  
All Members  
Standing Committee of NBWL

**Sub:** Minutes of 50<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife- reg.

Sir / Madam,

Kindly find enclosed copy of the Minutes of 50<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife held on 7<sup>th</sup> September 2018 through Video Conference under the chairmanship of Hon'ble Union Minister of Environment, Forest and Climate Change.

Yours faithfully,

(Dr. Pasupala Ravi)  
Scientist C

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

**Encl:** As above

**Distribution**

- (1) Secretary, MoEF&CC
- (2) DGF&SS, MoEF&CC
- (3) Member Secretary, NTCA
- (4) ADGF(FC), MoEF&CC
- (5) ADGF(WL), MoEF&CC
- (6) Director, WII, Dehradun
- (7) Director, GEER Foundation, Gandhinagar, Gujarat
- (8) Prof. R. Sukumar, Member, NBWL
- (9) Dr. H.S. Singh, Member, NBWL
- (10) Pr. Secretary (Dept. of Envi., Forest, Science & Tech.), Govt. of Andhra Pradesh

**Copy to**

- (1) PS to Hon'ble MoEF&CC
- (2) PPS to DGF&SS, MoEF&CC
- (3) PPS to Addl.DGF(WL), PPS to IGF(WL)

  
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**MINUTES OF 50<sup>th</sup> MEETING OF THE STANDING COMMITTEE OF NATIONAL BOARD  
FOR WILDLIFE WAS HELD OF 7<sup>th</sup> SEPTEMBER 2018**

The 50<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife was held on 7<sup>th</sup> September 2018 through Video Conference under the chairmanship of Hon'ble Minister for Environment, Forest & Climate Change. List of participants are placed at ANNEXURE- I.

Hon'ble Chairman welcomed all the participants to the 50<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife and asked the IGF(WL) to initiate the discussions on the Agenda Items.

**AGENDA ITEM No. 1**

**Confirmation of the minutes of the 49<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife held on 13<sup>th</sup> June 2017**

The IGF(WL) mentioned that the minutes of the 49<sup>th</sup> Meeting of the Standing Committee of National Board for Wildlife held on 13<sup>th</sup> June 2017 were circulated to all the members of the Standing Committee on 29<sup>th</sup> June 2017. However representations were received from the State Government of Maharashtra to amend the minutes of 49<sup>th</sup> meeting of the Standing Committee on the following proposals:

- 49.4.2.1 Proposal for the construction of residential and commercial complexes by M/s. Reliable Housing India Pvt. Ltd. at Village Achole, Ta. Vasai, Dist. Palghar. Sy.No. 153-B,154 (pt)
- 49.4.2.2 Proposal for the construction of residential and commercial construction project by M/s. Rashmi Ameya Developers Housing and Estate Realtors Pvt. Ltd. at Village Gokhivare, Ta. Vasai, Dist. Palghar Sy.No.62 H.No.1&7, Sy.No 63 & others Sy.Nos.
- 49.4.2.3 Proposal for the construction of residential and commercial complexes by M/s. Ameya Townhome Private Limited at Village Sandor, Ta. Vasai, Dist. Palghar Sy.No.230 H.No. 1,2,3,4,5,6,7,8; Sy.No.231 H.No.1,2,3,4,5,6,7,8&9; Sy.No.235 H.No.1/2,2,3,4, 5,6,7,8,9,10,11/1&11/2 and Sy.No 236-H.No.1,2,3,7,8,11,12,13,14, 15,17,18,19,20,21,22, 23-part, 24,25A,25B,27,28 & 29
- 49.4.2.4 Proposal for the construction of residential and commercial complexes M/s. Navkar Estate & Home Private Limited in Village Juchandra Ta. Vasai, Dist. Palghar Sy.No.332/1,2,3,4,6A,6B,7,B,333/1,2,335/1,2,336/2,3C,3D,3F & 351/1,2

- 49.4.2.5 Proposal for the construction of residential and commercial complexes by M/s. Shree Tirupati Developers at Village Manpada Ta. & Dist. Thane, Sy.No.59A/2E, 59A/2F & 59A/3A, Borivali
- 49.4.2.6 Proposal for construction of residential cum commercial complexes at Village Temghar Sy.No.128/3,129/1,129/2 and Bhadwad Sy.No.40/1P,40/2/2,40/3/2,40/4,40/5,40/6,40/7,40/8,40/9,40/10,40/11,40/12,40/13/1P,40/13/2,42,43/1,43/2,43/3,44/1P,44/2P, 44/2/P,44/3/1,44/3/2,44/4,4/5,44/6,45/1,45/2P,45/3P,45/4,5/5,45/6,45/7,45/8,45/9,45/12,58/6,58/7/1,58/7/2,58/8,58/9,58/11,58/12,58/13,58/1,58/16,58/17,58/18,58/19,58/20,58/21,58/22,83/3,83/4,83/6,83/8,83/9,84/1 on plot bearing at Ta. Bhiwandi, Dist. Thane by M/s. Prakhhyat Dwellings LLP
- 49.4.2.7 Proposal for the construction of residential and commercial complexes in the Eco-Sensitive Zone of the Sanjay Gandhi National Park and deemed Eco- Sensitive Zone of the Tungreshwar Wildlife Sanctuary (TWLS) at plot bearing S. No. 51/26, 69/13 of Village: Mire and S.No.76/1/2 of Village Mahajanwadi, Taluka & Dist. Thane, Maharashtra by Sanghvi Premises Pvt. Ltd
- 49.4.2.8 Proposal for the construction of residential and commercial complexes in the Eco-Sensitive Zone of the Sanjay Gandhi National Park and deemed Eco- Sensitive Zone of the Tungreshwar Wildlife Sanctuary (TWLS) at Village: Vadavali- Survey Nos. 21/1,21/3, 21/4,21/5,21/6, 21/7,21/8A,21/8B and Village Owale, Old Survey Nos. (New Survey Nos.) 107/8 (72/8), 112/1(71/1),113/1(66/1),113/2 (66/2),113/4),(66/4),113/6 to 19 (66/6 to 19),113/21 to 23 (66/21 to 23),114/1&2(65/1&2),120/1(45/1) in Taluka & District: Thane, Maharashtra by Unnathi Associates
- 49.4.2.9 Proposal for the construction of residential and commercial complexes on plot bearing Old S.No. 98/1A, 1B, New S.No.98/3, and New S.No. 100/11/1,2 & 4 Bhayandarpada, Ghodbunder Road, Thane by M/s. Puranik Builders Pvt. Ltd
- 49.4.2.10 Proposal for the construction of residential and commercial complexes is situated on plot bearing Sy.No.67(111)/1,67(111)/2,67(111)/3,67/(111)/4,67(111)/5,67(111)/6,67(111)/7,109(70)/1,109(70)/2,71(112)/3,71(112)/4,71(112)/5,72(107)/4,72(107)/6B,110/1,68(110)/3 of Village- Owale, Ghodbunder Road, Thane by M/s. Sai Pushp Enterprises (PRARAMBH V)
- 49.4.2.11 Proposal for the construction of residential and commercial complexes on plot bearing S.No73(108)1,73(108)/2,73(108)/3,73(108)/4,73(108)/5,73(108)/6,73/(108)7,73(108)/8 of Village Owale, Ghodbunder road, Thane by M/s. Sai Pushp Enterprises (PRARAMBH V)
- 49.4.2.12 Proposal for the construction of residential and commercial complexes on plot bearing S.No.21/11A,21/9, 22/5,22/1,23/2/1, 23/3/1, 23/4 at Village - Vadavli, Ghodbunder road, Thane by M/s. Sai Pushp Enterprises (PRARAMBH V).

The IGF(WL) briefed the Standing Committee on twelve representations and stated that the proposals were recommended by the Standing Committee in 49<sup>th</sup> meeting held on 13<sup>th</sup> June 2017 with conditions and mitigation measures imposed by the State Chief Wildlife Warden. One of the conditions of the State Chief Wildlife Warden was that the project proponent shall deposit 2% of total cost of the project for wildlife conservation of Tungareswar Wildlife Sanctuary and adjoining forests.

However the project proponents represented the board to deposit 1% of total cost of the project and in installments as recommended by the State Board for Wildlife. This condition was imposed by the State CWLW on the basis of the decision taken by the SBWL in its 8<sup>th</sup> meeting held on 20<sup>th</sup> Feb 2014. But the SBWL in its 3<sup>rd</sup> meeting held on 31<sup>st</sup> January 2018 changed its stand of imposing 2% on the project cost for wildlife conservation plan taken in meeting held on 20<sup>th</sup> Feb 2014 by imposing 1% of the project cost without giving any reason for this change in stand.

Dr H S Singh, Member stated that decision of the Standing Committee of NBWL in its 49<sup>th</sup> meeting for imposing the condition of payment of 2% of total cost of the project for wildlife conservation is well thought of and is the barest minimum and request of the project proponents should not be taken into consideration.

On being asked by the Secretary, EF &CC the State Chief Wildlife Warden stated that there is no specific reason to reduce the cost of wildlife conservation plan from 2% total cost of the project to 1% of total cost.

After discussions the Standing Committee decided that it will stick to its decision taken in its 49<sup>th</sup> meeting and that all the twelve project proponents should deposit 2% of total project cost as recommended by the Chief Wild Life Warden of Maharashtra.

## **AGENDA ITEM No. 2**

### **(ACTION TAKEN REPORT)**

#### **46.3.2 Judgement of the Hon'ble National Green Tribunal, Chennai dated 24-10-2017 in Appeal no. 30 of 2015(SZ) titled Bimal Gogoi & Ors. Vs. Union of India & Ors**

The IGF(WL) briefed the Standing Committee on the Order of the Hon'ble National Green Tribunal, Chennai bench and stated that the 1750 MW Demwe Lower Project, proposed to be constructed in the Lohit District of Arunachal Pradesh, is being executed jointly by Athena Energy Ventures and the State Government of Arunachal Pradesh. The Environment Clearance to the project

was granted by the MoEF&CC in 2010 and the project site is 8.5 km away from the Kamlang Wildlife Sanctuary. The Standing Committee of NBWL in its 23<sup>rd</sup> Meeting held on 14<sup>th</sup> October 2011 wherein it was decided that a site inspection be carried out by Dr Asad Rahmani, Member NBWL and Shri Pratap Singh, CCF(WL), Arunachal Pradesh. After site inspection, two different reports were submitted to the Standing Committee of NBWL. The matter was thereafter considered by the Standing Committee in its 24<sup>th</sup> meeting held on 13<sup>th</sup> December 2011. The IGF(WL) also stated that in the 46<sup>th</sup> meeting, it was decided by the Standing Committee that a Committee comprising of Prof R Sukumar, Member NBWL, one representative of WII and one representative of NTCA would visit the site and submit the detailed report to the Ministry within 30 days for further consideration. However, Dr R Sukumar informed through E-mail about his inability to conduct site inspection and requested to nominate another member for the site inspection.

The Standing Committee in its 47<sup>th</sup> meeting held on 25<sup>th</sup> January 2018 decided that the Director, GEER Foundation, Member NBWL, would replace Dr R Sukumar in the aforesaid Committee and requested it to complete site inspection and submit a detailed report to the Ministry within 30 days for further consideration. Committee visited the project site on 25<sup>th</sup> - 28<sup>th</sup> February 2018 and furnished the report. In the 48<sup>th</sup> meeting held on 27<sup>th</sup> March 2107, Shri R D Kamboj, Member mentioned that a comprehensive peer-reviewed study should be carried out on the hydrology and ecology of three seasons by a reputed and neutral scientific / technical organization(s) before according clearance. Further Dr H S Singh, Member, informed that the impact study of the project has not been carried by the User Agency and the State Government. In the 48<sup>th</sup> meeting held on 27<sup>th</sup> March 2107, the Standing Committee decided that the WII, Dehradun to carry out hydrology / ecology study and submit the report to the Ministry in three months. In 49<sup>th</sup> meeting of the Standing Committee on 13<sup>th</sup> June 2018, Dr V B Mathur, Member assured that the report would be submitted by 27<sup>th</sup> June 2018.

Dr Y V Jhala gave brief presentation on the findings of the Site Inspection Report and stated that the hydrological modelling done by WAPCOS is at a very coarse resolution and, with no access to the data, it is not possible to validate the conclusions arrived in their report. In light of this, it is difficult to justify that no inundation of chaporis and low line forests are likely to occur during peaking operations that may be detrimental to aquatic fauna and river biota. Therefore the peaking magnitude is to be determined and an in- depth study on the hydrological aspects is required to assess its impacts. It is understood from the current rapid survey that the daily flooding caused by peaking operations could potentially have the following impacts on aquatic and terrestrial fauna:

- (1) Possible inundation of grasslands and forested habitats in the Lohit river basin because of flooding caused due to peaking operations.

- (2) Possible loss of critical habitats e.g., Small River islands which are important for nesting of birds.
- (3) Due to daily flooding, if water currents are too strong, then it would affect the fishes with respect to their migration, survival of various life stages including eggs, larvae and fries. Strong currents on daily basis would also affect the movement and survival of endangered turtle species.
- (4) Change in the hydro-morphology of river due to daily flooding will also affect movement and survival of river dolphins and their major food species.

Also the EIA studies done earlier for this project limited themselves to a 10 km radius around the dam site i.e. only 10 km downstream from dam site and were therefore inadequate in documenting the biodiversity and the potential impacts of HEP. During the current survey, survey team recorded several critically endangered and endangered species (listed earlier) as well as wet grassland obligate species from the Lohit river basin and floodplains, many of which were not included in the previous assessment report (e.g. EIA report for Lower Demwe HEP 2009, WAPCOS 2011). Seasonal natural floods are an important regulatory factor in maintaining this river ecosystem and in turn, the survival of these species. Any alterations in the flow regime may result in its adverse impact on the associated biodiversity. Hence appropriate mitigation is required while construction the Lower Demwe Hydroelectric Power Plant. Also the threats to chaporis by illegal encroachment and resource extraction are detrimental to the rich biodiversity on these islands. The project's compensatory payment could be well used to rehabilitate communities from the chaporis and wean them to other livelihoods. A detailed study is therefore needed to provide specific sites and options.

During three consultative meetings with the project proponent (M/s. Athena Energy Ventures Pvt. Ltd.), WII team discussed a way ahead. Major impacts were likely to happen in the aquatic realm of the Lohit river ecosystem, due to the peaking mechanism required for the commercial viability of the power plant. WII team is currently not in a position to estimate the amount of damage this circadian flooding of the river would cause. The intensity of the flood and its impact in a region is directly dependent on (a) the topography of the rivers cape (river basin and surrounding Landscape) there, (b) the width of the channel and (C) the quantum of the water released at any one time. However, the currently available information on the topography and width of the river channel is not at the desired resolution, to permit an in- depth assessment of the magnitude of the impact of the quantum of water released during peaking operations. To generate this required information, mapping the rivers cape using Drone and LIDAR technology in collaboration with IIRS (Indian Institute of Remote Sensing/NERIST) is necessary.

Once detailed data on the high-resolution elevation model is available, services of Hydrologists and GIS experts will be availed to depict various scenarios resulting with different magnitudes of water released during peaking operations. Simultaneously, a team of aquatic/freshwater biologists will assess the biota associated with the riverscape and its vulnerability to various intensities of the daily periodic flooding. The combination of these two studies would help determine the maximum water that could be released from the dam with minimal impact on the biota and the river island ecosystem and other necessary mitigation measures to further minimize this impact. This study would take a minimum of 2 years of time. A proposal of the same along with the budget is enclosed with the report (Appendix I). The proponents of the Lower Demwe Hydro Electric Power Plant have given written undertaking that they shall abide the findings of this study, especially regarding the maximum amount of water to be released during peaking operations (Annexure XII).

In the light of the history of this dam site, wherein the submergence zone has been studied and an EIA was approved to give Environmental Clearance (corroborated by Hon'ble NGT ), we feel that the creation/construction of the dam per se would not be critical in undermining the biodiversity values of the region. The submergence zone of the dam is a habitat which is available elsewhere within the region and is not critical for the conservation of any known threatened, endangered or critically endangered species' population. This hydroelectric project is 'Run of the River (ROR)' type water which is released. Hence, the amount of river flow quanta is not likely to be altered once the dam is filled and power generation is based on an inflow outflow regime. The filling of the reservoir should be done while maintaining the minimal water flow downstream so as to ensure least impact on riverscape fauna. Therefore, by adhering to the above conditions, water quantum downstream will not be altered and impacts on the biodiversity would be minimal.

It is also recommended to develop a monitoring mechanism by which the recommendations and guidelines provided from the study would be adhered to, in the form of remote sensors placed in the other competent authority, whenever daily flood levels exceed the maximum flood limits. To ensure that the associated linear infrastructure developed for the construction and maintenance of the HEP does not become a barrier to the occasional movement of large mammals like elephants, wild buffalo and tigers, appropriate mitigation measures in the form of wildlife passages (under and over passes) would need to be constructed.

As a consequence of the dam, the risk of having large amount of water-mass stored in a seismically active zone is obvious, and WII is not competent to assess the safeguards to taken in this

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regard, In case of dam collapse or breach due to a seismic activity or any other natural calamity, the impact on the biodiversity as well as human life downstream would be devastating.

Taking into account that construction of dam and associated infrastructures would require time (3 to 4 years), it would be prudent to consider the construction of the dam at this stage and subsequently operate it at natural levels of inflow and outflow to generate power. At the same time the proponents may be strictly restrained from the peaking operations and resulting flooding until the above-mentioned study provides appropriate guidelines to undertake the peaking operation (if any) with minimal impact on the associate biota of river and river-island ecosystem. Accordingly, the NBWL-SC may consider permitting the construction of dam while controlling the minimum and maximum flow, which would be recommended after the outcomes of the proposed study become available (Appendix I). The cost of the 2 year study amounting to Rs. 1,84,92, 000 (Rupees One Crore Eighty- Four Lake Ninety- Two Thousand) should be borne by the project proponent. The proponent must also give an undertaking to the MoEF&CC in writing that they would abide the recommendations of this study and especially those modes in the context of peaking operations. All mitigation measures recommended in this study would also be implemented within the specified time period and for which, the proponent would provide the necessary funds.

After thorough discussions the Standing Committee while accepting WII report "*Rapid Ecological Assessment of Impacts of Lower Demwe Hydro-electric Project on wildlife values*" agreed to the following conclusion of the report

"In the light of the history of this dam site, wherein the submergence zone has been studied and an EIA was approved to give Environmental Clearance (corroborated by Hon'ble NGT ), we feel that the creation/construction of the dam per se would not be critical in undermining the biodiversity values of the region. The submergence zone of the dam is a habitat which is available elsewhere within the region and is not critical for the conservation of any known threatened, endangered or critically endangered species' population. This hydroelectric project is 'Run of the River (ROR)' type water which is released. Hence, the amount of river flow quanta is not likely to be altered once the dam is filled and power generation is based on an inflow outflow regime. The filling of the reservoir should be done while maintaining the minimal water flow downstream so as to ensure least impact on riverscape fauna. Therefore, by adhering to the above conditions, water quantum downstream will not be altered and impacts on the biodiversity would be minimal."

The standing committee also accepted to following recommendations regarding the monitoring mechanism and impact mitigation measures.

“It is also recommended to develop a monitoring mechanism by which the recommendations and guidelines provided from the study would be adhered to, in the form of remote sensors placed in the riverbed at strategic locations that would send an alert signal to the Chief Wildlife Warden or any other competent authority, whenever daily flood levels exceed the maximum flood limits. To ensure that the associated linear infrastructure developed for the construction and maintenance of the HEP does not become a barrier to the occasional movement of large mammals like elephants, wild buffalo and tigers, appropriate mitigation measures in the form of wildlife passages (under and over passes) would need to be constructed.”

The standing committee also accepted to recommendations of the report that Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin will have to be carried out to determine the maximum water that could be released from the dam with minimal impact of the biota and the river island ecosystems and to suggest other necessary mitigation measures to further minimize this impact.

The committee also noted that the proponents of the Lower Demwe Hydro Electric Power Plant have given written undertaking that they shall abide the findings of this study, especially regarding the maximum amount of water to be released during peaking operations.

The standing committee also accepted to following recommendations regarding permission for construction of Dam.

“Taking into account that construction of dam and associated infrastructures would require time (3 to 4 years), it would be prudent to consider the construction of the dam at this stage and subsequently operate it at natural levels of inflow and outflow to generate power. At the same time the proponents may be strictly restrained from the peaking operations and resulting flooding until the above-mentioned study provides appropriate guidelines to undertake the peaking operation (if any) with minimal impact on the associate biota of river and river-island ecosystem. Accordingly, the NBWL-SC may consider permitting the construction of dam while controlling the minimum and maximum flow, which would be recommended after the outcomes of the proposed study become available.

And, therefore, decided to recommend the proposal for construction of dam subject to the following conditions:

- (i) An undertaking or a legal binding instrument is signed by the project proponent to the effect that the project will be operated at its natural levels of inflows and outflows to generate power

and under no circumstance will resort to peaking operation and resulting flooding until the study "Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin" provided appropriate guidelines to undertake the peaking operation (if any) with minimal impact on the associate biota of river and river-island ecosystem.

- (ii) The state government will permit the project proponent to start the work on the project only after study "Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin" is commissioned by the project proponent at the project cost.
- (iii) An undertaking shall be submitted or a legal binding instrument shall be signed by the project proponent to the effect that they shall abide the findings of study "Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin", including those regarding the maximum amount of water to be released during peaking operations.
- (iv) An undertaking shall be submitted or a legal binding instrument shall be signed by the project proponent to the effect that they shall not stake claims for starting the peaking operation in the event of delay is submission of recommendations of the study "Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin".
- (v) Before the start of dam construction work all the mitigation measures required to be taken during pre-construction and construction period shall be finalized by the project proponent in consultation with State Chief Wildlife Warden and Wildlife Institute of India and for taking up mitigation measures during post dam construction period an undertaking shall be submitted or a legal binding instrument shall be signed by the project proponent to the effect they will implement all mitigation measures recommended by the current study and by the study "Geospatial Analysis of Impacts of Lower Demwe Hydroelectric Project on the Riverine Ecosystems of Lohit Basin"
- (vi) The six monthly compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the CWLW.

#### **48.5.4 Diversion of 595.64 ha of forestland in Karwar, Yellapura and Dharwad Division for the construction of New Broad Gauge Railway line of Hubballi - Ankola**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the project involves the diversion of cumulative forestland 595.64 ha (42.0 ha from Dharwad Elephant Corridor +

304.06 ha from Yellapura Elephant Corridor + 249.58 ha from Kanwar elephant Corridor) from three elephant corridors for the construction of new broad gauge railway line from Hubballi to Ankola. He added that the State CWLW has recommended the proposal with the condition that the mitigation measures suggested by the IISc Bangalore must be strictly implemented. He also stated that it was mentioned in the Part IV of the proposal that the *post facto* approval of the project will be taken in the forthcoming meeting of the SBWL.

Further the IGF(WL) stated that the Site Inspection Committee of NTCA has not recommended the proposal as the proposed railway line from Hubballi to Ankola passes through Uttara Kannada district which has very forest cover and cuts across the Western Ghats, which are a biodiversity hotspot and a world heritage site. It also fragments the old migration path of India elephants. Out of the 6 tiger occupied landscapes of India, currently the Western Ghats landscape possesses best habitat connectivity and contiguity. The Tiger occupancy in the Western Gats landscape is highly dynamic and shows spatial and temporal variation. Moreover, the recent research has highlighted that future of tigers in India depends on conserving the habitat connectivity isolated tiger population of tiger reserves. The proposed railway line will be having significant negative impact on long term conservation of tigers and other mega herbivores in the Western Ghats landscape by fragmenting existing habitat connectivity and contiguity. In the 48<sup>th</sup> meeting held on 27<sup>th</sup> March 2017 the Standing Committee decided that a committee comprising of one representative of WII, one representative of NTCA and one person from the Wildlife Division would visit the site and submit the report to the Ministry within thirty days.

The DIGF(NTCA) stated that the Site Inspection Committee has not recommended the project on the grounds that the proposed railway line from Hubballi to Ankola passes through very forest cover and cuts across the Western Ghats, which are a biodiversity hotspot and a world heritage site. He also stated that the proposed line fragments the old migration path of India elephants, and is one of the six tiger occupied landscapes of India and currently the Western Ghats landscape possesses best habitat connectivity and contiguity. The DIGF (NTCA) also pointed out that State Board for Wildlife not yet furnished their recommendations.

Dr H S Singh, Member stated that more often the state governments are sending the proposals for consideration of the standing committee of NBWL without the recommendations of the SBWL. He suggested that this tendency needs to be curbed.

After discussions the Standing Committee decided to refer back the proposal to the State Government along with the reports of the NTCA and Site Inspection Committee with advise to get the

issue examined by the SBWL and submit the recommendations of the SBWL. And also to inform the Ministry of Railways to pursue the matter with the State Board for Wildlife.

The Standing Committee also recommended that the MoEF&CC shall send an advisory to the state governments that they should not submit any proposal for consideration of the Standing Committee of National Board for Wildlife without the recommendations of the SBWL. The proposals received by the MoEF&CC without recommendations of the SBWL will not be taken up by the Standing Committee of National Board for Wildlife and shall be treated as pending at the state level.

**42.4.1.15 Diversion of 96.65 ha (Reduced from 131.67 ha) in Muthinakoppa Minor Forest & Aramballi State Forest in Koppa Division for construction of a irrigation canal under the Bhadra Upper Project Package I, Karnataka Neeravari Nigam Limited, Division 1, Gajanur Shivamogga, Karnataka**

&

**Diversion of 110.10 ha of forest land (reduced from 186.42 ha) in Bhadravathi Division for the construction of a lift irrigation canal under the Upper Bhadra Project Package II, (lifting of water from Bhadra Tiger Reserve at Ajjampura delivery Chamber) B R Project, Bhadravathi, Karnataka**

The IGF(WL) briefed the Committee and stated that the proposals were recommended by the Standing Committee in its 43<sup>rd</sup> meeting held on 27<sup>th</sup> June 2017 with one of the conditions of constructing closed conduit of 1.91 km passing within the boundaries of Bhadra Tiger Reserve imposed by the State CWLW and Site Inspection Committee. He also stated that the representation dated 11<sup>th</sup> June 2018 was received from the State Government that the construction of underground close conduit from Pump House to Bhadra Reservoir is technically impossible and requested to permit the construction of technically feasible 0.5 km of close conduit and 1.41 km of open canal.

Further IGF(WL) stated that the matter was referred to the NTCA by this Ministry's letter dated 18<sup>th</sup> July 2018. The NTCA furnished the reply to this Ministry's letter therein it was stated that the office of NTCA stands by the recommendations of the Site Inspection Committee only.

The State Chief Wildlife Warden and project proponent stated that the construction of close conduit of 1.91 km is not possible technically due to the non-availability of land slope and the presence of hard rocks. He also stated that the project proponent agreed to construct seven overpasses per every 200 m in the stretch of 1.41 km for the passage of wildlife.

After discussions the Standing Committee decided to recommend the project with the conditions that

- (i) Permission for starting the work on the project shall be granted by the State Government only after acceptance of the justification, submitted by the State Government for non-feasibility of 1.91 km closed conduit, by the WII and NTCA and after finalization of the revised mitigation measures suggested by the State CWLW during the 50<sup>th</sup> meeting of SC-NBWL in consultation with WII and NTCA.
- (ii) The project proponent shall submit an undertaking to the effect that prescribed mitigation measures will be implemented by them at project cost.
- (iii) The annual compliance certificate on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted to GoI by the State CWLW.
- (iv) The project proponent will comply with any other condition stipulated by the CWLW / State Government.

#### **49.4.1.4 Construction of 1.7 km road from A B road to Girwai via Tilli Factory road in Son Bird Sanctuary**

The IGF(WL) briefed the Standing Committee and stated that the proposal was considered by the Standing Committee in its 49<sup>th</sup> meeting held on 13<sup>th</sup> June 2018 and suggested to request the State Government to clarify whether the proposed road is for the public utility or for the factory before taking a final decision on the matter. The State Government stated that the aforesaid project is for the public utility of Girwai village.

After discussions the Standing Committee decided to recommend the project subject to the conditions that

- (i) Permission for starting the work on the project shall be granted by the state government only when animal passage plan is prepared by the project proponent in consultation with State CWLW on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*.
- (ii) The project proponent will comply with all the conditions imposed by the State CWLW.
- (iii) The annual compliance certificate on the stipulated conditions should be submitted by the project proponent to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**39.4.2.7 Proposal for stone mining lease area 4 ha (private land) in Khasra No.357 village Ghoora, Tehsil-Rajnagar, Dist. Chhatarpur, Madhya Pradesh. The mining area is 6.67 km away from Panna Tiger Reserve**

The IGF(WL) briefed the Committee on the proposal and mentioned that the proposal was considered by the Standing Committee in its 39<sup>th</sup>, 40<sup>th</sup> and 41<sup>st</sup> meetings. The Chief Wildlife Warden has recommended the proposal with the condition that project proponent should ensure no damage to wildlife. The APCCF(WL), Madhya Pradesh mentioned that mining area is a private land and does not form part of any corridor. Further the IGF(WL) stated that the NTCA and the WII have rejected the proposal on the ground that the mining site located within the proposed landscape management plan (also the catchment area of Ken Betwa Project) of Panna Tiger Reserve. The Secretary, MoEF&CC received representation on 30.10.2017 to reconsider the proposal from the project proponent. In the 48<sup>th</sup> meeting of Standing Committee held on 27<sup>th</sup> March 2017, Dr H S Singh, Member mentioned that no mining should be permitted in the additional area to be added to the Panna Tiger Reserve in lieu of the core area to be diverted for Ken-Betwa river linking project. The Standing Committee in its 48<sup>th</sup> meeting held on 27<sup>th</sup> March 2017 decided that the NTCA and the WII to verify the location and furnish the report to the Ministry within one month. During the 49<sup>th</sup> meeting of the Standing Committee held on 13<sup>th</sup> June 2018, the DIGF(NTCA) informed that the Site Inspection Committee has inspected the project site and would submit the report in a few days.

The NTCA has recommended the proposal with the following mitigations measures:

1. Since the mines is already operational & is located outside proposed eco-sensitive zone, status quo may be maintained till the current lease period is over i.e., 2020 subject to compliance of all regulations imposed while granting permission by the State Government, including adequate funds to the reserve management and local communities to mitigate the impacts already caused by the mines.
2. Given that the landscape value is critical & important due to increasing tiger population *vis- a -vis* tiger dispersal and habitat loss due to Ken – Betwa River Inter Link Project, the mine should submit closure and reclamation plans, so that further damage is not continued.
3. A proposal of mine should be considered only after the Greater Panna Landscape Management Plan has been prepared and endorsed by the competent authorities as one of important mitigation condition approved by Standing Committee of NBWL in the 39<sup>th</sup> meeting for Ken-Betwa Project. Meanwhile, no new mine should be permitted in the landscape area.
4. The State Government in consultation with NTCA should assess the feasibility of the mines already in operation in the vicinity of the present mine site *vis-a-vis* its impact on the tiger

dispersal, corridor etc & should ensure that the mines do not operate without the necessary Wildlife & Environment clearances.

After discussions the Standing Committee decided to recommend the project with the conditions and mitigation measures imposed by Chief Wildlife Warden and the NTCA. The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**46.3.1 Order of the Hon'ble High Court of Madras, Madurai bench dated 22.08.2017 in Writ Petition (MD) No. 7349/2016 and Writ Petition (MD) No. 6174 of 2016 regarding stone quarries operating near Megamalai Wildlife Sanctuary**

The IGF(WL) briefed the Standing Committee on the Order of the Hon'ble High Court of Madras, Madurai bench and stated that the District Collector, Theni District of Tamil Nadu forwarded the representations of the petitioners to the Standing Committee of National Board for Wildlife. The Hon'ble High Court directed the Standing Committee to pass suitable orders within a period of four weeks and intimate decision to the petitioners. He mentioned that the proposal involves the extension of mining lease of the petitioners (two associations by name Sangili Karadu Kalludaikkum Mahalir Nala Sangam and K K Patty Kalludaikkum Mahalir Nala Sangam) for stone quarry in 2.50 ha, each in Kamayagoundapatty village, Uthamapalayam Taluk, Theni District. The mines are located within 5 km from the boundary of Megamalai Wildlife Sanctuary and require the recommendation of Standing Committee of National Board for Wildlife as part of Environmental Clearance.

Further IGF(WL) stated that the issue was considered by the Standing Committee in its 46<sup>th</sup> meeting held on 8<sup>th</sup> December 2017. The IGF(WL) also stated that this Ministry's letters vide dated 17.10.2017, 04.01.2018 and 08.02.2018, has requested the State Chief Wildlife Warden to furnish the comments.

The State Chief Wildlife Warden stated that the aforesaid proposal has not been submitted by the project proponent in the prescribed format. Further he also stated that the proposal would be placed in the next meeting of the State Board for Wildlife Going to be held soon.

After discussions the Standing Committee decided to defer the discussion on the proposal.

**47.3.1 Order of the Hon'ble High Court of Madras dated 27-10-2017 in Writ Petition nos. 26106 to 26108 of 2017 title A. Gopinath vs. Union of India & Ors, Gopinath Granite Quarry operating near Cauvery Wildlife Sanctuary**

The IGF(WL) briefed the Standing Committee on the Order of the Hon'ble High Court of Madras and mentioned that the said Court has directed the Secretary, MoEF&CC to consider the application of the petitioner dated 12.01.2016 for seeking Wildlife Clearance on merits and in accordance with law within a period of eight weeks and intimate decision to the petitioners. He also stated that the granite quarries are located within 10 km deemed ESZ from the boundary of the Cauvery Wildlife Sanctuary in Hosur Division Krishnagiri District of Tamil Nadu and require the recommendation of the Standing Committee of NBWL as part of Environment Clearance. The online application of the petitioner seeking Wildlife Clearance from the Standing Committee of NBWL dated 12.01.2016 has been pending at the State level.

Further the IGF(WL) stated that this Ministry's letters vide dated 24.11.2017, 18.12.2017, 04.01.2018 and 08.02.2018 requested the State Chief Wildlife Warden to furnish the comments in Part IV, however so far no response has been received.

The State Chief Wildlife Warden stated that the aforesaid proposal has not been submitted by the project proponent in the prescribed format. Further he stated that the proposal would be placed in the next meeting of the State Board for Wildlife Going to be held soon.

After discussions the Standing Committee decided to defer the discussion on the proposal.

- 49.4.2.15(vi) **Proposal for multi-colour granite S.No.511/A over an area of 2.115 ha situated in Karandapalli village, Denkanikotai Taluk, Krishnagiri District by Surya Mining Agencies**
- 49.4.2.15(vii) **Proposal for multi granite over an area of 1.00 ha of patta land falling in S.No.623/1(P) & 623/2(P) situated in Agalakottai village, Denkanikotai Taluk, Krishnagiri District by Loganathan**
- 49.4.2.15(viii) **Proposal for block granite over an area of 1.215 ha falling in S.No.322/1(Part) situated in Agalakottai village, Denkanikotai Taluk, Krishnagiri District by Karnataka State Industrial and Infrastructure Development Corporation Limited**
- 49.4.2.15(ix) **Proposal for block granite over an area at of 1.075 ha falling in S.No.511/1 situated in Agalakottai village, Denkanikotai Taluk, Krishnagiri District by Karnataka State N M granites Private Limited**
- 49.4.2.15(xvi) **Proposal for granite quarry located in patta land S.F.No.59/2B, 59/3A (Part), 59/3B, 60/2A & 60/3A over an area of 3.445 ha situated in Karanadapalli village, Denkanikotai Taluk, Krishnagiri District by Surya Mining Services**

- 49.4.2.17(i) Proposal for rough stone quarry over an area of 1.785 ha of S.No. 794/3 located at Padmanagamangalam village, Srivaikuntam Taluk, Thoothukudi District by K Kathirkamaraj
- 49.4.2.17(ii) Proposal for rough stone quarry over an area of 1.790 ha of S.No.794/1 located at Padmanagamangalam village, Srivaikuntam Taluk, Thoothukudi District by K. Kathirkamaraj
- 49.4.2.17(v) Proposal for establishment of rough stone quarry over an area of 1.84 ha of S.No. 739/1 located at Padmanagamangalam village, Srivaikuntam Taluk, Thoothukudi District by Raja Jeba Doss

The IGF(WL) briefed the Standing Committee and stated that the eight proposals were considered by the Standing Committee in its 49<sup>th</sup> meeting held on 13<sup>th</sup> June 2018 and decided to request the State Government to verify the project locations *vis-a-vis* the proposed ESZ of North Cauvery Wildlife / Vallanadu Blackbuck Sanctuary and furnish the report to the Ministry for further consideration.

The State Government vide its letter dated 30/07/2018 stated that the project sites falls away from the boundary of proposed ESZs of North Cauvery Wildlife / Vallanadu Blackbuck Sanctuary.

After discussions the Standing Committee decided to recommend the proposals along with the conditions and mitigation measures of the State Chief Wildlife Warden and subject to the compliance of Supreme Court order dated 04.08.2006 in Writ Petition no. 202/1995 regarding prohibition of mining within one km of the Protected Areas.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

- 49.4.2.19 Proposal for development of Industrial Estate in Krishnagiri District by GMR Krishnagiri SEZ Ltd located at 0.58 km from the North Cauvery Wildlife Sanctuary**

The IGF(WL) briefed the Standing Committee and stated that the proposal for development of industrial estate was considered by the Standing Committee in its 49<sup>th</sup> meeting held on 13<sup>th</sup> June 2018 and decided to request the State Government to verify the project locations *vis-a-vis* the proposed ESZ of North Cauvery Wildlife and furnish the report to the Ministry for further consideration.

The State Government vide its letter dated 30/07/2018 stated that the project sites falls away from the boundary of proposed ESZs of North Cauvery Wildlife Sanctuary.

After discussions the Standing Committee decided to recommend the proposals along with the conditions and mitigation measures of the State Chief Wildlife Warden.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### **AGENDA ITEM No. 3**

#### **50.3.1 AGENDA ITEMS OF ANDHRA PRADESH**

##### **50.3.1.1 Diversion of 6.34 ha of forestland in Kancherlamoram RF & Kanchelamoram Extn RF of Proddatur (WL) Division for erection of 220 KV DC line from 400 KV Talamanchipatnam SS to 220 KV SS Porumamilla**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 6.34 ha of forestland from Nagarjunasagar-Srisailam Tiger Reserve for the erection of 220 KV DC transmission line from 400 KV Talamanchipatnam SS to 220 KV SS Porumamilla. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) Wildlife Mitigation Plan is proposed with an amount of Rs.100 lakh for habitat improvement, protection, prevention of man-animal conflict and publicity extension wildlife awareness activities in the tiger corridor area of Nagarjunasagar-Srisailam Tiger Reserve and in the vicinity of Sri Lankamalleswara WLS.
- (2) The User Agency shall deposit the money into Biodiversity Conservation Society of Andhra Pradesh Account.
- (3) Erection of sign boards by the User Agency to create awareness of wildlife conservation.

The State Board for Wildlife has recommended the proposal in its meeting held on 13/05/2018.

The NTCA has recommended the proposal with the following conditions:

#### ***Mandatory safeguards during designing the transmission line***

1. All the existing parallel power lines should be merged into a single installation. Insulated cables should be used on the proposed transmission line passing through the forest lands and important wildlife areas across its entire length in between Talamanchipatnam and Porumamilla; so as to avoid hindrance to avifauna and other arboreal species.
2. As assessment of impact of the windmills and its associated power lines on the critically endangered Jerdon's Courser whose only global population resides in this region is required, if not already done. Ecological impacts of the wind mills coming near Porumamilla town should be evaluated by an independent agency, preferably the BNHS since they have long-term information of the Jerdon's Courser and other avifauna in the region. Laying of the proposed transmission line should be initiated only after that. Chief Wildlife Warden, Andhra Pradesh State should evaluate and monitor this.
3. All power lines within 5 km of forest and scrub patches and important wildlife areas across its entire length in between Talamanchipatnam and Porumamilla will be marked with bird diverters (with solar powered night flashers) spaced at 10m intervals<sup>8</sup> (Figure 3).
4. In areas without insulated cable, APTRANSCO shall maintain >1.5 m spacing (larger than the wrist-to-wrist or head-to-foot distance of a bird) between energized components and grounded hardware<sup>7,8</sup>.
5. In compliance with MoEFCC's guidelines, no clearance of vegetation shall be allowed for open areas with sparse vegetation (such as scrublands, grasslands, wetlands etc.). A 5.8 m vertical clearance above ground, 2.5 m vertical clearance from the vegetation and 1.2 m horizontal clearance from the vegetation could be permitted in other areas of the transmission line. These dimensions are based on clearance requirements for powerlines under Rules 77, 79 and 80, read with Rule 82A(3) in the Indian Electricity Rules 1956 (as amended up to 25 November 2000) and local forest officials should monitor strict implementation of this on ground.
6. Width of the right of the way for the transmission line on forest land should not be over 35 m (*vide* MoEFCC Guidelines). The alignment of the powerline should be made such that minimum numbers of trees are felled. Any felling/pollarding/pruning of trees for allowing electrical clearance/maintenance will be done with the permission of the local DFO. Only those trees that are of sufficient height to compromise the requirements of minimal vertical and horizontal clearance from the conductor wires at maximum sag point should be lopped.
7. As far as possible vegetation clearing along the stretches of transmission corridor passing through forested areas may be minimized or avoided by increasing the height of tower structures to maintain safe vertical clearance over natural vegetation to prevent disruption of vegetation or forest continuity.

8. The user agency should adhere to the guidelines issued by Hon'ble National Green Tribunal in its judgement in Janajagarithi Samiti versus Union of India and Others (Appeal No.10 of 2012) related to transmission line passing through the forest in Western Ghats [Annexure 1].
9. Forest Clearance Division of MoEFCC in consultation with the Central Electricity Authority had also issued guidelines pertaining to transmission lines passing through the forests (*vide* F.No.7-25/2012-FC dated 5<sup>th</sup> May, 2014). The user agency should follow this guideline while constructing the powerline [Annexure 2].
10. Periodic clearing of vegetation along the powerline may bring up invasive species. The plantation of native, palatable species should be actively promoted by the user agency in collaboration with the Forest Department below the powerline. This will not only prevent growth of invasive unpalatable species like but also will provide excellent food for wild ungulates in form of its leaves and fruits.
11. APTRANSCO should also mitigate the existing transmission line (765 KV and 400 KV) by putting insulated cables, marking with reflectors wherever they are passing through forest lands and important wildlife areas.

***Mandatory safeguards during construction phase***

- (a) No construction/maintenance work shall be permitted between 6 PM to 6 AM. Labor camps should be at least 1 km away from the boundaries of forest land along the entire length of the proposed transmission line.
- (b) No construction material (including soil, stones etc.) should be collected from the forest. The topsoil to a depth of 30 cm should be first gathered, piled aside and covered with a tarpaulin or suitable other material. The topsoil should be re-spread as early as possible over the disturbed or excavated area after completion of work to a depth of 30 cm. Construction debris should not be dumped inside the forest areas and they should be transported by the user agency to suitable dumping sites outside the forest.
- (c) In compliance with MoEFCCs guidelines, construction of new approach/access route will require prior approval under Forest Conservation Act, 1980.

***Post-construction mandatory safeguards***

- (d) The user agency shall deposit 5% of the total project cost (Rs.9,000 lakhs) to Biodiversity Society of Andhra Pradesh (BIOSAP). Andhra Pradesh Forest Department should utilize this money for eco-restoration, prey augmentation, reducing public dependence on forests and promoting traditional local livelihoods in the corridor landscape.

- (e) The user agency may decommission other power transmission and distribution facilities; preferably in the area or in other forested parts of the state; which have become obsolete, defunct or damaged. Decommissioning activities may include demolition and removal of the installed infrastructure (e.g., transmission towers, substations, aboveground and underground utilities and access/approach road decommissioning) and reclamation of the project site, including ground stabilization and re-vegetation with native species typical to the natural vegetation of the area. Obsolete lines and infrastructure, and powerlines that require extensive and costly annual clearing of vegetation, shall be prioritized for decommissioning.
- (f) Andhra Pradesh Forest Department should consider future proposal on any linear infrastructure in this corridor landscape very carefully since further loss of habitat might constrict the pinch points and make the corridor nonfunctional.
- (g) Chief Wildlife Warden, Andhra Pradesh State should constitute a monitoring committee comprising of members from local forest officials, MoEFCC and NTCA regional offices and user agency to oversee the implementation of the project in adherence to the mitigation measures suggested herein and/or by state forest department.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden and the NTCA.

In addition to the condition imposed by the state CWLW and NTCA the project proponent shall finalize the mitigation measures in consultation with the State CWLW on the basis of WII guidelines named "*Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*" prior to start of the work of the project and the mitigation measures so finalized shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**50.3.1.2 Diversion of 27.744 ha forestland in Kancherlamorum RF, Compt No.156 of Gangayapalli Beat Range and in Kancherlamoram Extn R.F. Compt No.265 & 266 of Jangamrajupalli Beat of Badvel Range for erecting of 765 KV double circuit transmission line from Chilakaluripeta to Kadapa**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 27.744 ha of forestland from Nagarjunasagar-Srisailam Tiger Reserve for the erection of 765 KV double circuit transmission line from Chilakaluripeta to Kadapa. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) Wildlife Mitigation Plan is proposed with an amount of Rs.3.00 crore for habitat improvement, protection, prevention of man-animal conflict and publicity extension wildlife awareness activities in the tiger corridor area of Nagarjunasagar – Srisailam Tiger Reserve (NSTR) and in the vicinity of Sri Lankamalleswara Wildlife Sanctuary
- (2) The User Agency shall deposit the money into Biodiversity Conservation Society of Andhra Pradesh Account.
- (3) Erection of sign boards by the User Agency to create awareness of wildlife conservation.

The State Board for Wildlife has recommended the proposal in its meeting held on 13/05/2018.

The NTCA has recommended the proposal with the following conditions and mitigation measures

1. The vegetation observed at the proposed diversion site is mainly of scrub jungle type. The user agency should not undertake too much vegetation clearing under the transmission lines since the dispersing wildlife may start avoiding the cleared area due to excessive clearing/interventions.
2. Further, considering the factors like strategic location of the Sanctuary, presence of IBA and other water bodies in the adjoining landscape, there are high chances of critically endangered bird species like Jordon's Courser and other migratory birds may collide with high power transmission lines. In order to prevent the instances of collision of critically endangered Jordon's Courser and migratory birds with transmission lines, it is suggested the user agency should sue line marker devices along the entire length of transmission line to improve the visibility of earth wires. These marker devices available in a variety of color and are visible to birds from a long distance. The different types of marker devices available are spheres, swinging plates, spiral vibration dampers, strips, flight diverters, bird flappers, ribbons, tapes, flags and crossed bands.
3. Further, it is suggested the line markers should be as large as possible to enhance their visibility. The spacing/distance between the line markers should not be more than 5 to 10 meter. The marker color selection should be such that it contrasts with the background color.
4. These bird collision reducing interventions may be proposed for all transmission line projects (even outside the PA/forest areas) of Andhra Pradesh.
5. Work should be finished within specified time of the day (9 AM – 5PM) and no camping of labors inside Reserve Forest /WLS beyond this time frame should be allowed. Local beat officer(s) and

forester(s) should be made responsible for monitoring the power transmission tower & cable work strictly on daily basis and report the progress to the District Forest Officer.

6. As prescribed by the chief Wildlife Warden, Andhra Pradesh, the agency shall deposit the funds required for implementation of wildlife Mitigation Plan with the Biodiversity Conservation Society for Andhra Pradesh (BIOSAP). Further, the user agency shall also abide by other terms & conditions prescribed by Chief Wildlife Warden, Andhra Pradesh and other competent authorities.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden and the NTCA.

In addition to the condition imposed by the state CWLW and NTCA the project proponent shall finalize the mitigation measures in consultation with state CWLW on the basis of WII guidelines named "Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife" prior to start of the work of the project and the mitigation measures so finalised shall be implemented at the project cost .

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### **50.3.2 AGENDA ITEMS OF ARUNACHAL PRADESH**

#### **50.3.2.1 Diversion of 2.12 ha of forestland situated within Sessa Orchid Sanctuary for Army Transit Camp and Convoy Ground**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 2.12 ha of forestland from Sessa Orchid Sanctuary for the construction of army transit camp and convoy ground.

The area is required by the Indian Army for administration and operation purposes. The area is already in possession of the army with effect from 18<sup>th</sup> January 1964 and being used since then. He added that the State Chief Wildlife Warden has recommended the proposal without imposing conditions.

The State Board for Wildlife has recommended the proposal in its 2<sup>nd</sup> meeting held on 26/04/ 2018.

After discussions the Standing Committee decided to recommend the proposal. The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**50.3.2.2 Diversion of 3.07 ha of forestland for the construction of Roing – Hunli Road (Green Field Alignamnet) section km 24.64 to km 47.00 and km 62.97 to km 74.01 falling within draft ESZ of Mehao Wildlife Sanctuary**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 3.07 ha of forestland for the construction of road from Roing to Hunli in the draft notified ESZ of Mehao Wildlife Sanctuary. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) Construction of speed breakers in vulnerable places especially in wildlife corridors wherever necessary.
- (2) Erection of glow sign boards / signage at regular intervals as may be required.
- (3) Preparation of Wildlife Conservation Plan and its implementation at project cost.
- (4) No use of pressure horn.

The State Board for Wildlife has recommended the proposal in its 2<sup>nd</sup> meeting held on 26/04/ 2018.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

In addition to the condition imposed by the state CWLW the project proponent shall finalise the mitigation measures and animal passage plan in consultation with state CWLW on the basis of WII guidelines named “Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife” prior to start of the work of the project and the mitigation measures / animal passage plan so finalised shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.3 AGENDA ITEMS OF ASSAM

#### 50.3.3.1 Proposal for diversion of 208.807 ha of forestland for construction of 400 KV (Quad) Jigmelling – Alipurduar transmission line

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 208.807 ha of forestland from Manas Tiger Reserve for the erection of 400 KV transmission line from Jigmelling to Alipurduar. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) Towers shall be fenced with elephant proof fence maintained properly
- (2) The conductors shall be sufficiently high to avoid chances of any accident due to sagging of conductors and such guidelines in this regard.
- (3) The user agency shall maintain and monitor the line passing through the tiger reserve area regularly jointly with the Forest Department and incur such expenditures as and when required.
- (4) Necessary retrofitting measures as and when required in the interest of wild animal movement and protection shall be done by the user agency in future.
- (5) The user agency shall provide sufficient funds to the Wildlife Department as per the guidelines from NBWL.

The State Board for Wildlife has recommended the proposal in its 10<sup>th</sup> meeting held on 22/02/ 2018.

The NTCA recommended the proposal with following conditions:

1. Since the proposed line is a High Voltage Transmission line, it is recommended that the stretch from Tower No. 4 to 6 having dense forest should be fenced around to prevent wild elephants from coming in contact with Towers. In the above stretch, the conductors should be erected at sufficient height to avoid chances of any accident due to sagging. The Power Grid Corporation shall maintain the line after commissioning to avoid any accident to specially the wild elephants moving through the areas.
2. Insulated cables should be used in the stretch of proposed transmission line passing through the forest and important wildlife areas across its entire length. All power lines within 5 km of forest and scrub patches and important wildlife areas across its entire length will be marked with bird diverters (with solar powered night flashers) spaced at 10 m intervals.
3. In areas without insulated cable, Power Grid shall maintain > 1.5m spacing (larger than wrist-to-wrist or head-to- foot distance of a bird) between energized components and grounded hardware. In compliance with MOEFCC,s guidelines, no clearance of vegetation shall be allowed for open areas

with sparse vegetation (such as scrublands, grasslands, wetlands, wetlands etc.), A 5.3 m vertical clearance areas of the transmission and 1.2 m horizontal clearance from the vegetation could be permitted in other areas of the transmission line. These dimensions are based on clearance requirements for power lines under Rules 77,79, and 80 read with Rule 82 A (3) in the Indian electricity Rules 1956 (as amended up to 20 November 2000) and local forest officials should monitor strict implementation of this on ground.

4. The width of the right of way for the transmission line on forest land should not be over 35 m. The alignment of the Power line should be made such that minimum numbers of trees are felled. Any felling/ pollarding/ pruning of trees for allowing electrical clearance/ maintenance will be done with the permission of the local DFO. Only those trees that are of sufficient height to compromise the requirements of minimal vertical and horizontal clearance from the conductor wires at maximum sag point should be lopped.
5. The user agency should adhere to the guidelines issued by Hon'ble National Green tribunal in its judgments in Janajagarithi Samiti versus Union of India and Others (Appeal No.10 of 2012) related to transmission line passing through the forest in Western Ghats. Forest Clearance Division, MoEF&CC in consultation with Central Electricity Authority had also issued guidelines pertaining to transmission lines passing through the forests. The User agency should follow these guidelines while construction the Power line.
6. Periodic clearing of vegetation along the power line may bring up invasive species. The plantation of native, palatable species should be actively promoted by the user agency in collaboration with the Forest Department below the Power line. This will not only prevent growth of invasive unpalatable species like but also will provide excellent forage for wild ungulates in from of its leaves and fruits. No construction/ maintenance work shall be permitted between 6 PM to 7 AM. Labour camps should be at least 1 km away from the boundaries of forest land along the entire of the proposed transmission line. In compliance with MoEFCC's guidelines, construction of new approach/ access route will require prior approval under Forest Conservation Act, 1980.
7. The user agency shall deposit 5% of the total project cost to the Manas Tiger Reserve Management which should utilize this money for eco- restoration, prey augmentation, reducing public dependence on forests and promoting traditional local livelihoods in the landscape. The Chief Wildlife Warden, Assam should constitute a monitoring committee comprising of members from local forest officials, MoEF &CC and NTCA regional office and user agency to oversee the implementation of the project in adherence to the mitigation measures suggested herein and / or by State Forest Department.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden and the NTCA.

In addition to the condition imposed by the state CWLW the project proponent shall finalize the mitigation measures in consultation with state CWLW on the basis of WII guidelines named "Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife" prior to start of the work of the project and the mitigation measures so finalized shall be implemented at the project cost .

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

#### **50.3.4 AGENDA ITEMS OF DELHI**

##### **50.3.4.1 Construction of CBI Residential Complex**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the construction of CBI residential complex in the ESZ of Asola Bhatti Wildlife Sanctuary. He added that the State Chief Wildlife Warden has recommended the subject to deposit of 5% of project fund for soil moisture conservation works and improvement of wildlife habitat in the sanctuary in larger interest of wildlife habitat conservation. The area falling under ridge / morphological ridge of 0.50 ha should be brought under dense plantation of indigenous species in supervision of the Department of Forest & wildlife, Government of NCT of Delhi by a professional agency / group to avoid noise and air pollution and maintenance of water table. No soil / Badarpur excavation is permitted in ridge / morphological ridge area contiguous to the project site. Curtains / PVC rolls should be raised to restrict the speed of dust pollution in the surroundings.

The matter was before the Hon'ble Supreme Court and CEC was asked by the court to submit their report. CEC in its report dated 02.08.2018 had recommended for the construction of CBI residential complex. Hon'ble Supreme Court in its order dated 29.08.2018 in writ petition no. 202/1995 has accepted the recommendations of CEC.

After discussions the Standing Committee decided to recommend the proposal along with the conditions stipulated by the State Chief Wildlife Warden.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.5 AGENDA ITEMS OF JHARKHAND

#### 50.3.5.1 Construction of Koderma detour (PPP Mode) km 148.210 to km 157.500 in Hazaribagh District under Dankuni to Sonnagar Section of Eastern Dedicated Freight Corridor Project

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 82.8 ha of forestland from Gautam Buddha Wildlife Sanctuary for the construction of Koderma detour km 148.210 to km 157.500 in Hazaribagh District. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) Sufficient number of under / over passes shall be constructed as per the site requirement at regular intervals in complete stretch of sanctuary area to facilitate the movement of wildlife across the track.
- (2) Water courses inside the sanctuary shall not be disturbed.
- (3) Other suitable mitigation measures may be provided based on the impact assessment study of WII
- (4) Fund for the site specific wildlife management plan shall be provided by user agency.

The State Board for Wildlife has recommended the proposal in its meeting held on 23/05/2018.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the State Government for starting the work of project a detailed mitigation plan/ animal passage plan as suggested by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.6 AGENDA ITEMS OF KARNATAKA

#### 50.3.6.1 Re-notifying the boundaries of Shettihalli Wildlife Sanctuary without reducing the area and extent

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the re-notification / rationalization of Shettihalli Wildlife Sanctuary with an area of 395.608 sq.km excluding ~300 sq.km from the inadvertent area of 695.608 sq.km. He added that the State Chief Wildlife Warden has recommended the proposal without imposing conditions.

On being asked to explain the justification for rationalization of the wildlife sanctuary boundaries the representative of the state CWLW stated that an area of more than 300 Sq Km comprising of townships, villages and agricultural lands was included inadvertently in the notification of the sanctuary in 1974 and therefore the state government has requested to exclude these area from WLS.

The State Board for Wildlife has recommended the proposal in its meeting held on 31/08/2016.

Dr H S Singh, Member stated that there should be a committee for the boundary alteration to examine the issues of Shettihalli Wildlife Sanctuary.

After discussions the Standing Committee decided to recommend the proposal in principal subject to the conditions that the State Government will submit the draft notification to the MoEF&CC clearly specifying the revised boundaries prepared by the committee constituted by the State Government for the alteration of boundaries giving the justification for addition or deletion of the area.

### 50.3.7 AGENDA ITEMS OF MADHYA PRADESH

#### 50.3.7.1 Construction of Bineka to Borpani 8.55 km cement concrete road in Ratapani Wildlife Sanctuary

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 5.6625 ha of forestland from Ratapani Wildlife Sanctuary for the construction and upgradation of cement concrete road of 8.55 km from Bineka to Borpani. He added that the State Chief Wildlife Warden has recommended the proposal with the conditions of making bridge / underpasses, speed breakers, caution marks, signboard by the user agency, maximum speed limit in the PA for wildlife protection as mentioned by the PA in-charge officer and all the construction material will be brought from outside the sanctuary.

The State Chief Wildlife Warden stated that 5% of the proportionate cost of the project will be deposited by the User Agency for wildlife conservation and mitigation works of Ratapani Wildlife Sanctuary.

The State Board for Wildlife has recommended the proposal in its 15<sup>th</sup> meeting held on 10/07/2017.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan / animal passage plan as recommended by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

#### **50.3.7.2 Construction of Gaganwada to Kertoli 5.3 km road in Singhori Wildlife Sanctuary**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 3.975 ha of forestland from Singhori Wildlife Sanctuary for the construction and upgradation of cement concrete road of 5.3 km from Gaganwada to Kertoli. He added that the State Chief Wildlife Warden has recommended the proposal with the conditions of making bridge / underpasses, speed breakers, caution marks, signboard by the user agency, maximum speed limit in the PA for wildlife protection as mentioned by the PA in-charge officer and all the construction material will be brought from outside the sanctuary.

The State Chief Wildlife Warden stated that 5% of the proportionate cost of the project will be deposited by the User Agency for wildlife conservation and mitigation works of Singhori Wildlife Sanctuary.

The State Board for Wildlife has recommended the proposal in its 15<sup>th</sup> meeting held on 10/07/2017.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan / animal passage plan as suggested by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.8 AGENDA ITEMS OF MAHARASHTRA

#### 50.3.8.1 Proposal for the construction of Nagpur – Mumbai Super Expressway Package-II, District Thane (Konkan Revenue Division) border by MSRDC

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the construction of expressway from Nagpur to Mumbai, District Thane (Konkan Revenue Division) falling outside of Tansa Wildlife Sanctuary. He added that the proposal with the following conditions:

- (1) In the deemed ESZ, the project authority shall put signages mentioning the prohibition on uses of horns.
- (2) Adequate number of underpasses for the animals shall be provided in the forest area in consultation with the forest Department and Wildlife Wing.
- (3) As decided in the 8<sup>th</sup> meeting of wildlife held on 20<sup>th</sup> February 2014 the project proponent shall deposit 2% of the total cost of the project for wildlife conservation measures in Tansa Wildlife Sanctuary and adjoining forests.

The State Board for Wildlife has recommended the proposal in its meeting held on 31/01/2018.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan / animal passage plan as recommended by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**50.3.8.2 Proposal for the construction of Nagpur – Mumbai Super Expressway Package-II, District Washim (Amravati Revenue Division) border by MSRDC**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the construction of super expressway from Nagpur to Mumbai, District Washim (Amravati Revenue Division) falling outside of Katepurna Wildlife Sanctuary. He added that the proposal with the following conditions:

- (1) In the deemed ESZ, the project authority shall put signages mentioning the prohibition on uses of horns.
- (2) The proposed project would be fenced from both sides and hence there will be no danger to wildlife because of movement of vehicles.
- (3) Underpasses shall be constructed at the places suggested by the Field Director, Melghat Tiger Reserve in consultation with the Wildlife Institute of India, Dehradun.
- (4) As decided in the 8<sup>th</sup> meeting of wildlife held on 20<sup>th</sup> February 2014 the project proponent shall deposit 2% of the cost of the 29.60 km of the proposed project which passes through the deemed ESZ should be deposited with the Melghat Tiger Conservation Foundation for the Habitat Improvement of the Katepurna Wildlife Sanctuary and adjoining forests.

The State Board for Wildlife has recommended the proposal in its meeting held on 31/01/2018.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan / animal passage plan as recommended by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**50.3.8.3 Proposal for the construction of Nagpur – Mumbai Super Expressway Package-II, District Wardha / Amravati border by MSRDC**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the construction of super expressway from Nagpur to Mumbai, District Wardha / Amravati falling outside of Karanja – Sohol Black-Buck Sanctuary. He added that the proposal with the following conditions:

- (1) Underpasses shall be constructed at the places suggested by the Forest Department to facilitate movement of wild animals, besides the existing minor bridges, major bridges, culverts, etc.
- (2) As decided in the 8<sup>th</sup> meeting of wildlife held on 20<sup>th</sup> February 2014 the project proponent shall deposit 2% of the cost of the 29.15 km of the proposed project which passes through the deemed ESZ should be deposited with the Melghat Tiger Conservation Foundation for the Habitat Improvement of the Karanja –Sohol Black – Buck Sanctuary and adjoining forests.

The State Board for Wildlife has recommended the proposal in its meeting held on 31/01/2018.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan/ animal passage plan as recommended by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

**50.3.8.3 Proposal of commercial and residential project by Viva holdings is situated on plot bearing New Survey no.54, 62, 63, 78 to 83 & 192, 193 at village More & Virar, Tal. Vasai, Dist. Palghar, Maharashtra**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the project is for the construction of residential and commercial complexes in the private land located at 5.50 km away from the boundary of proposed ESZ of Tungareswar Wildlife Sanctuary. He added that the State Chief Wildlife Warden has recommended the proposal with the following conditions:

- (1) The proponent assures and abides to comply with the conditions laid down by MoEF for Environmental Clearance.
- (2) Natural growing trees which may be earmarked for retention during EIA exercise of wildlife species like Wad (*Ficus benghalensis*), Pair, Mango, Karanj & other fruit bearing trees shall be retained from list of the trees enumerated in EIA report as submitted by project proponent.
- (3) The project on the condition that excavated material at the time of construction will not be thrown in sea, bay of sea and natural drainage.
- (4) The project proponent will provide Rs.2% of the project cost (i.e. Rs.320.00 Crore) to be deposited with Chief Conservator of Forest & Director, Sanjay Gandhi NP, Borivali for habitat development, protection and conservation of Sanjay Gandhi NP, Borivali and Tungareshwar Wildlife Sanctuary in accordance with the approved management plan.

The State Board for Wildlife has recommended the proposal in its meeting held on 05/04/2016.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife as it is outside the proposed ESZ of Tungareshwar Wildlife Sanctuary. Further the Standing Committee reiterated that the project proponents should deposit 2% of total project cost for wildlife conservation of Tungareshwar Wildlife Sanctuary and adjoining forests.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### **50.3.9 AGENDA ITEMS OF MANIPUR**

#### **50.3.9.1 Construction and up-gradation of existing Ukhrul – Tolloi Tadubi Section of NH-102 A (115 km) of districts Ukhrul and Senapati**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 26.154 ha of forestland inside the deemed ESZ of Shirui National Park, located at 5.58 km distance from the boundary of the Shirui National Park for construction and up-gradation of existing road Ukhrul – Tolloi – Tadubi Section of NH-102 A (115 km) of districts Ukhrul and Senapati. He added that the State Chief Wildlife Warden recommended proposal with the following conditions:

- (1) The status of the sanctuary shall remain unchanged.

- (2) Compensatory of afforestation shall be taken up in degraded forests as proposed by DFO, Eastern Forest Division, Ukhruul with 10 years maintenance preferably in Eastern Forest Division, Ukhruul at the cost to be borne by the user agency.
- (3) As the proposed area falls within the ESZ, the user agency shall pay the NPV which shall be the amount fixed by the Hon'ble Supreme Court and worked out by the DFO / Eastern Forest Division, Ukhruul based on the forest type, eco-class and site quality.
- (4) To mitigate the adverse impact of the project, an impact mitigation and wildlife management plan has been proposed at cost of Rs. 204.02 lakh. The cost will be borne by the user agency.
- (5) Avenue plantation preferably with local species along the national highway including the raising of nursery, creation of green belt between the national park and the highway and on the road median shall be taken up at the cost be borne by the user agency in consultation with the DFO / Wildlife or DFO / Eastern Forest Division.
- (6) (a) The user agency shall bear the cost of logging and transportation of the felled trees as per estimates of DFO/Eastern Forest Division and DFO/Wildlife. Bare minimum of number of trees which are strictly essential, will be felled for the execution of the project under strict supervision of DFO/Eastern Forest Division and DFO/Wildlife; (b) the felled trees shall be distributed to forest bonafide villagers of the proposed areas in consultation with DFO/ Eastern Forest Division and DFO/Wildlife in the manner as provided u/s 29 Of the Wildlife (Protection) Act, 1972.
- (7) All the non-timber forest produces (NTEPs) removed during execution of the project shall be made available to the local people for their bonafide uses on the equitable basis.
- (8) At least 6 (six) corridors for the movement of wildlife of minimum 6m width are to be provided by the user agency. The corridors shall be well demarcated on the highway by the user agency with caution signages.
- (9) The user agency shall not take any such activity which contravenes wildlife (Protection) Act, 1972 or rules made therein.
- (10) Speed breakers near corridors, turnings and blind turnings shall be provided at on the highway. Speed breakers or series of smaller speed breakers at a distance of every 2 (two) km in between particularly near corridors as per the specifications of WII, Dehradun.
- (11) Caution sign boards warnings wildlife crossings shall be installed by the user agency at all necessary points along the highways in consultation with DFO/Wildlife.
- (12) Since the terrain is hilly with loose soil texture, it is necessary to undertake comprehensive soil conservation measures to make slopes stable, check soil erosion and landslides; (b) the user agency shall make necessary provisions in their project cost and construct retaining walls, breast

walls, Gabion structures, etc. at all necessary locations (both hill side and valley side) in consultation with CRRI (Central Road Research Institute) and the State Forest Department.

- (13) The user agency shall also construct storm drains all along the proposed roads with culverts at appropriate locations at their cost. The user agency shall make necessary provisions in their project cost accordingly. They shall not take up such construction, which diverts, stops or enhances flow of the water into or outside of the national park.
- (14) Cost for demarcation of the diverted forestland and installation of boundary pillars shall be borne by the user agency.
- (15) The user agency shall ensure that there is no damage to surrounding forests, environment, wildlife, natural resources like water bodies and other public properties.
- (16) The user agency and the district administration will ensure that no resettlement takes place on forestland which would eventually results in encroachment,
- (17) Heavy machines and explosives shall not be used except under unavoidable circumstances and with the prior permissions on the DFO/Wildlife or DFO/Eastern Forest Division.
- (18) The user agency shall supply fuel wood, preferably alternate fuel to the laborers working at the site to avoid damage / felling of the trees. No camp-fires or pitching of tents for construction staff or engineers shall be allowed.
- (19) The muck / debris generated in the earth cutting shall be disposed off at the designated sites and in no case the muck / debris shall be allowed to roll down the hill slopes.
- (20) Wherever possible and technically feasible, the user agency shall undertake strip plantation on both sides of the national highways.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

However, prior to granting permission by the state government for starting the work of project a detailed mitigation plan / animal passage plan as recommended by the state CWLW shall be prepared, on the basis of WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife*, by the project proponent in consultation with state CWLW and same shall be implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.10 AGENDA ITEMS OF TAMIL NADU

#### 50.3.10.1 Cyclone – Ockhi – Kanyakumari district – Damage caused in forest areas of Kanyakumari Wildlife Sanctuary- Approval of the Standing Committee of National Board for Wildlife

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for removal of about 10,000 number of fallen trees damaged, uprooted and wind fallen due to Ockhi Cyclone in Kanyakumari Wildlife Sanctuary. He added that the State Chief Wildlife Warden recommended proposal without imposing conditions and the SBWL has also recommended this proposal in its meeting on 23<sup>rd</sup> January 2018.

He also mentioned that the Hon'ble the Supreme Court vide its order dated 09.05.2002 in its interim order stated that

*“No permission under Section 29 of the Wildlife (Protection) Act, 1972 should be granted without getting the approval of the Standing Committee of National Board for Wildlife”*

Further the IGF(WL) also stated that the Section 29 of the Wildlife (Protection) Act, 1972 stipulates that

*“Provided that where the forest produce removed from the PA, the same may be used for the meeting the needs of the people living near the sanctuary and shall be used for any commercial purpose”*

The Secretary, MoEF&CC stated that the forest produce should be used for the benefit of local people and the income generated from auction be utilized for the conservation of protected areas.

After discussions the Standing Committee decided to recommend the proposal with the condition that the forest produce be used for the benefit of local people and the income generated be shall be utilized exclusively for the conservation of Kanyakumari Wildlife Sanctuary and adjoining forests. The state government shall prepare Habitat improvement plan, Wildlife conservation plan, and human wildlife conflict mitigation plan which shall be implemented simultaneously from the above generated income.

A supervised removal of the fallen trees and habitat improvement of the area denuded due to such removal should be done in a phased manner so as to keep the anthropogenic disturbance at minimum level.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### **50.3.11 AGENDA ITEMS OF UTTARAKHAND**

#### **50.3.11.1 Uttarakhand Disaster Recovery Project Naranu reconstruction of bridge in district Uttarakashi, Block Mori, Uttarakhand**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 0.1164 ha of forestland from Govind Pashu Vihar National Park for reconstruction of bridge in Block Mori of District Uttarakashi. He added that the State Chief Wildlife Warden recommended proposal without imposing conditions.

The State Board for Wildlife has recommended the proposal in its meeting held on 15/06/2018.

After discussions the Standing Committee decided to recommend the proposal.

#### **50.3.11.2 Construction of bridle road from Bheembali to Rambara (Chainage 81.325 to 82.825) as link road to provide connectivity to Shri Kedarnath Dham**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 0.900 ha of forestland from Kedarnath Musk Deer Wildlife Sanctuary for construction of road from Bheembali to Rambara). He added that the State Chief Wildlife Warden recommended proposal without imposing conditions.

The State Board for Wildlife has recommended the proposal in its meeting held on 15/06/ 2018.

After discussions the Standing Committee decided to recommend the proposal subject to the condition that mitigation measures / animal passage plan will be prepared in consultation with CWLW based on the WII guidelines named *Eco-friendly Measures to Mitigate Impacts on Linear Infrastructures on Wildlife* and implemented at the project cost.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.11.3 Establishment of boarder outpost in Tripani general area

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the diversion of 1.62 ha of forestland from Gangotri National Park for construction and establishment of boarder outpost in Tripani general area. He added that the State Chief Wildlife Warden recommended proposal subject to the conditions that

- (1) No quarrying of stone shall be in the National Park.
- (2) The debris in the national park should be deposited in the area in consultation with the park officials and not thrown in the areas with steep slopes.

The State Board for Wildlife has recommended the proposal in its meeting held on 15/06/ 2018.

After discussions the Standing Committee decided to recommend the proposal subject to the conditions imposed by the State CWLW.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

### 50.3.12 AGENDA ITEMS OF UTTAR PRADESH

#### 50.3.12.1 Proposal for setting up the Retail Outlet, proposed by Indian oil Corporation Ltd, Noida Division, along with NH-24 (Hapur – Moradabad) at private land Plot No.2528/2529, village Garh Bangar, Tehsil Garh Mukteshwar, District Hapur located near the boundary of Hastinapur Wildlife Sanctuary

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the setting up the retail outlet in the private land, Plot No.2528/2529 at village Garh Bangar, Tehsil Garh Mukteshwar, District Hapur located in the draft notified ESZ of Hastinapur Wildlife Sanctuary. He added that the State Chief Wildlife Warden recommended proposal imposing following conditions:

- (1) Protection and mitigation measures for wildlife should be ensured as per standard practice in such cases.
- (2) Land shall not be used for any other purpose other than that specified in the proposal.
- (3) Rules and regulation of the concerned departments for establishing the project shall be complied with.

- (4) The instructions/orders passed by the State Govt./ Central Govt. and the directions passed by Hon'ble High Court/Supreme Court from time to time regarding such project shall be complied with.
- (5) User agency will ensure that the project personnel engaged in the project shall observe the provisions of the Wildlife (Protection) Act, 1972 & Rules made thereafter.
- (6) Construction waste materials will not be thrown inside the sanctuary area or movement corridor of wildlife.
- (7) User agency will take all precautions including technical measures to contain the noise and air pollution, protection from fire due to construction activities.
- (8) The project proponent shall obtain consent to establish and to operate from U.P. Pollution Control Board and effectively implement all the conditions stipulated therein.
- (9) Two GPS sets shall be provided for the survey and demarcation of the sanctuary boundaries to the Bijnor forest division.
- (10) No labour camp shall be established in the sanctuary/forest area or other sensitive area.

The State Board for Wildlife has recommended the proposal in its meeting held on 26/05/ 2015.

After discussions the Standing Committee decided to recommend the proposal along with the conditions and the wildlife mitigation measures stipulated by the State Chief Wildlife Warden.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

#### **50.3.12.2 De-notification of Kachhua Wildlife Sanctuary from 940 km to 970 km**

The IGF(WL) briefed the Standing Committee on the proposal and stated that the proposal is for the de-notification of Kachhua Wildlife Sanctuary having an area of 7 km of mid stream of river ganga from both the banks notified vide no. 1485/14-4-2008-823 dated 21-03-2009 and to notify upstream stretch of 30 km (from 940 km to 970 km) stretch of river Ganga near Newada.

Proposal for denotification of the existing sanctuary and notification of new stretch of the river as sanctuary is based on the study "*Assessment of the wildlife values of the Ganga River from Bijnor to Ballia including turtle wild life sanctuary, Uttar Pradesh*" conducted by the Wildlife Institute of India, Dehradun on the request of the UP State Government. The report was submitted to the State Government vide WII no. WII/SAH-TWS-UP/2018 dated 6<sup>th</sup> July 2018.

While submitting the justification for the proposal for de-notification of the existing Kacchua Wildlife Sanctuary the state government highlights the following findings of the WII study:

“Only five freshwater turtle species were encountered in TWS out of the 13 species reported from the Ganga river. Capture rates for turtle species were low in the TWS, indicating low abundance of turtles during the sampling period and high anthropogenic disturbance within TWS.”

The State Government also highlights the following conclusion of the study about efficacy of Kacchua wildlife Sanctuary

“3.1.5 very low encounter rate of turtles in TWS indicate high human disturbance leading to habitat alteration within a very small Protected Area. Sites along the TWS in left bank are seen to have least suitable habitat for turtles with high anthropogenic presence such as cemented ghats, intense ferry and boat activity, pollution and human presence along the river. The sand bar in the right bank of the sanctuary though is an excellent habitat for turtles and breeding birds, is also under severe anthropogenic pressure. Higher diversity and catch of fish species from the TWS is indicative of restriction on fishing in the sanctuary”

While pointing to the findings of the study where Kacchua Wildlife Sanctuary receives the score of 1(one) in overall aquatic habitat quality the State Government concludes that

“it is clear from the above that 7 km stretch was observed to have high anthropogenic disturbance throughout the day and night due to motor boat and tourist activities in certain areas of the sanctuary and is ranked as ‘No habitat-1’. This shows that Kacchua Wildlife Sanctuary has been classified into no habitat class. Hence, due to high human disturbance leading to habitat alterations within a very small protected area, Kacchua Wildlife Sanctuary is found to have least suitable habitat for turtles with high anthropogenic disturbance and aforesaid area is no longer is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance, for the purpose of protecting, propagating or developing wildlife or its environment”

While justifying their intention for notification of upstream stretch of 30 km (from 940 km to 970 km) stretch of river Ganga near Newada in lieu of existing Kacchua Wildlife Sanctuary the state government refers to following conclusion of the WII report regarding habitat suitability for the purpose of finalizing conservation priority areas in river Ganga.

“10. Based on combined score the stretch from downstream Newada in Allahabad district to Adalpur in Mirzapur district, a total of 140 km may be considered as conservation priority area and notified as wildlife sanctuary under provision of Wildlife (Protection) Act, 1972. Since the ecological

characteristics and wildlife values vary along the 140 km stretch on account of anthropogenic pressure, harmonization for excluding some areas having high anthropogenic pressures on account of intense cultural religious uses may be required and to be done by the Uttar Pradesh Forest Department.”

For the purpose of identifying suitable stretch for declaring as Wildlife Sanctuary from the stretch of 140 km suggested by the WII study the state government has analyzed the cumulative score of stretches and concluded that cumulative score of 3 stretches ( 940-950, 950-960 and 960-970) comes out to be 10.36, which is highest in all the stretches. Accordingly state government concludes that

“considering the high conservation suitability of this particular stretch of 30 km near Newada near Allahabad ( 940-970 km), it is considered appropriate to notify it as a Wildlife Sanctuary under the provision of Wildlife (Protection) Act, 1972 for conservation of turtles and other aquatic fauna. This would sufficiently compensate/mitigate the existing Kacchua Wildlife Sanctuary, which is only 7 km stretch length, while the aforesaid area being proposed as sanctuary would cover 30 km length in an areas which is more than 4 times and of much higher conservation value as per WII report.”

This proposal was discussed in the State Board for Wildlife of Uttar Pradesh in its meeting on 30<sup>th</sup> August 2018.

The board while seeking information about the efforts being made for turtle conservation, noted the following conclusion of the WII study “.....As evident from the assessment, the creation of protected areas does help in species conservation, along the Ganga river. However, the area should be large covering diverse habitat type and minimal threats.”

The SBWL recommended the proposal of de-notification of Kacchua wildlife sanctuary along with compensatory/mitigation measures as per details below.

- (1) Kacchua Wildlife Sanctuary, Varanasi was found to be very low on the basis of different parameters for suitability. Hence the proposal for de-notification may be forwarded to MoEF&CC for approval of the standing committee of the NBWL and as per prevailing legal provisions the permission be obtained from CEC / Hon'ble Supreme Court.
- (2) Proposal for notification of 30 km (940 km to 970 km) stretch near Newada (Allahabad) as wild life sanctuary may be forwarded to MoEF&CC for approval of standing committee of NBWL and following action may also be taken simultaneously:
  - (a) The social Impact assessment of proposed Kacchua Wildlife Sanctuary will be conducted and mitigation measures would also be adopted.

(b) Opinion of Chief Naval Hydrographer would also be obtained.

The State Chief Wildlife Warden has recommended the proposal with following conditions:

- (i) Social Impact Assessment of the proposed Kacchua Wildlife Sanctuary will be conducted and mitigation measures would be adopted.
- (ii) Opinion of Chief Naval Hydrographer would be obtained.

The State Government has recommended the proposal for de-notification of Kacchua Wildlife Sanctuary and notification of 30 Km (940 km-970 km) stretch near Newada (Allahabad) as wild life sanctuary in view of recommendations made by SBWL, UP in its meeting dated 30.8.2018 under the chairmanship of Hon'ble Chief Minister Uttar Pradesh.

After discussions the Standing Committee decided to recommend the proposal of the State Government of Uttar Pradesh along with the conditions stipulated by the State Chief Wildlife Warden and State Board for Wildlife.

The State Government may proceed with the process of notification of proposed Wildlife Sanctuary and de-notification of existing Kacchua Wildlife Sanctuary as per the prevailing instructions and relevant provisions of the Wildlife (Protection) Act, 1972.

The annual compliance certificate on the stipulated conditions should be submitted by the State Chief Wildlife Warden.

#### **AGENDA ITEM NO. 4**

(Any other item with the permission of the Chair)

#### **50.4 AGENDA ITEMS OF RAJASTHAN**

##### **50.4.1 Bhaisrodgah – Borav Water Supply Project in Mukundara National Park, Kota**

The State Chief Wildlife Warden has requested the board to consider the proposal for construction of Bhaisrodgah – Borav Water Supply Project for the benefit of village people of District Kota.

The IGF(WL) stated that the said proposal is falling in Mukundara Tiger Reserve and the proposal was referred to the NTCA for their recommendations. He also stated that the NTCA has not submitted the report and therefore as per procedure the proposal was not placed before the Standing Committee. However the Standing Committee may like to take a view regarding inclusion of this agenda at this stage. The Standing Committee considered the fact that proposal is related to drinking

water supply for the welfare of villagers accepted the request of the Chief Wildlife Warden of Rajasthan to take up the proposal in the meeting.

The Committee noted that

- (1) diversion of 10.71508 ha forestland from Mukundara National Park is required for construction of Bhaisrodgah – Borav drinking water project.
  - (2) The State Chief Wildlife Warden has recommended proposal with following conditions:
    - (a) NBWL has approved extraction of water from the Chambal River in other drinking water project. This uptake of 2.25 MLD would also be subjected to compliance of orders of Hon'ble Supreme court in I.A.NO.1698 of 2006 dated 17.10.2008 in Nadoti Chambal Drinking Water Project as below:
 

“..... The project was examined by CEC. It was found that minimum flow of water observed during the last 20 years was 4.78 cusecs.....A monitoring committee consisting of the representative of Chief Wildlife Warden, Rajasthan and Secretary, Public Health Engineering Department Will be set up to monitor and ensure that the prescribed minimum flow of water downstream of the tapping point of Chambal River will be maintained.”
- In the CEC recommendation referred in above case, it has been indicated that the flow of 4.78 cusecs corresponds to a water level of 147.74 m at Mandrayal.
- (b) 5% of the proportionate cost of the project within 10 km of the boundary of Mukundra Hills National Park and Bhainsrodgarh Sanctuary will be deposited by the User Agency in the account of Rajasthan Protected Areas Conservation Society (RPACS) for wildlife conservation and mitigation works.
  - (c) No work shall be done before sunrise and after sunset in the Protected Area.
  - (d) No material of any kind should be extracted from the Protected Area.
  - (e) No tree shall be cut during the work in the Protected Area.
  - (f) There will be no labour camping within 500 m of the Protected Area boundary.
  - (g) There will be no blasting within 500 m of the Protected Area boundary.
  - (h) The waste material generated should be disposed outside the Protected by the User agency.
  - (i) One connection for drinking water will be provided at end point village Udpuria free of cost for providing the drinking water to wild animals in the adjoining deep forest in Wildlife Kota division.
  - (j) User agency will provide water at sites decided by the DCF (WL), MNP.

- (k) The user agency and project personnel will comply with the provisions of the Wildlife (Protection) Act, 1972.
- (3) The State Board for Wildlife has recommended the proposal in its meeting held on 21/12/2017.

On being asked regarding delay in submission of the report the DIGF(NTCA) stated that the Site Inspection Committee report would be submitted in seven days.

Considering the fact that the proposal is related to supply of water for the welfare of villagers the Standing Committee decided to recommend the project subject to the conditions stipulated by State Chief Wildlife Warden and compliance of Hon'ble Supreme Court order in IA No. 1698 of 2003 dated 17.10.2008 and the recommendations of the NTCA.

Further the Standing Committee decided that the State Government shall grant permission of start of work only after compliance of the conditions regarding pre-construction phase of the project stipulated by the State Chief Wildlife Warden and the NTCA.

The annual compliance report on the stipulated conditions should be submitted by the User Agency to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State CWLW to GoI.

## LIST OF PARTICIPANTS



1	Dr Harsh Vardhan, Hon'ble Minister of Envi. Forest & Climate Change	Chairman
2	Shri C K Mishra, Secretary, MoEF&CC	Member
3	Shri M S Negi, ADGF(WL), MoEF&CC	Member Secretary
4	Dr H S Singh, Member, NBWL	Member
5	Shri R D Kamboj, Member, NBWL	Member
6	Dr V B Mathur, Director, WII Dehradun	Member
7	Shri A K Misra, PCCF(WL) & CWLW, Maharashtra	Invitee
8	Shri S B Bhalavi, DFO, Maharashtra	Invitee
9	Shri D Nalini Mohan, CWLW, Andhra Pradesh	Invitee
10	Shri G N Sinha, CWLW, Arunachal Pradesh	Invitee
11	Shri P Ringu, DCF(WL), Arunachal Pradesh	Invitee
12	Shri Koj Tasser, DFO, Arunachal Pradesh	Invitee
13	Shri Sanjay Kumar, CWLW, Jharkhand	Invitee
14	Shri Om Prakash, DFO, Jharkhand	Invitee
15	Shri D Bankhwal, CWLW, Assam	Invitee
16	Shri Dibyadhar Gogoi, CF, Assam	Invitee
17	Shri Ishwar Singh, CWLW, Delhi	Invitee
18	Shri Subhash, Melkede, CWLW, Karnataka	Invitee
19	Shri Lingappa, DCF, Karnataka	Invitee
20	Shri Bala Prasad, CWLW, Manipur	Invitee
21	Shri Shyam Singh, DFO, Manipur	Invitee
22	Dr Krishna Kumar, CWLW, Tamil Nadu	Invitee
23	Smt Renuka Kumar, Principal Secretary, Uttar Pradesh	Invitee
24	Shri S.K. Upadhyaye, CWLW, Uttar Pradesh	Invitee
25	Shri S P Yadav, APCCF, Uttar Pradesh	Invitee
26	Shri G V Reddy, CWLW, Rajasthan	Invitee
27	Shri S K Jain, APCCF, Rajasthan	Invitee
28	Shri M K Tewari, DCF, Rajasthan	Invitee
29	Dr D Dhananjay, CWLW, Uttarakhand	Invitee
30	Shri Shravan Kumar, DFO, Uttarakhand	Invitee
31	MS Nitu Lakshmi, DFO, Uttarakhand	Invitee
32	Shri Soumitra Dasgupta, IGF(WL), MoEF&CC	Invitee
33	Shri Nishant Verma, DIGF(NTCA)	Invitee
34	P Ravi, Scientist, MoEF&CC	Invitee
35	Srhi Ravi Kumar, Legal Assistant, MoEF&CC	Invitee

P.P.  
(True copy)

  
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## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पत्रा लाल पार्क, वाराणसी-221002  
फ़ोन: 0542-2280326 ईमेल: vdavaranasl@gmail.com

प्रेषक,

उपाध्यक्ष,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

महानिदेशक,  
राष्ट्रीय स्वच्छ गंगा मिशन,  
जल शक्ति मंत्रालय, भारत सरकार (जल संसाधन नदी विकास एवं गंगा संरक्षण विभाग)  
प्रथम तल, भोजर ध्यानचन्द नेशनल स्टेडियम,  
इण्डिया गेट, नई दिल्ली।  
ई-मेल-admin.nmcg@nic.in

पत्रांक :- 414 / वि०प्रा० / न०नि० / 2022-23

दिनांक :- 13/07/2022

विषय- वाराणसी विकास प्राधिकरण द्वारा गंगा नदी के दूसरी ओर (शमनगर की तरफ) टेन्ट सिटी विकसित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषय के सम्बन्ध में अवगत कराना है कि वाराणसी विकास प्राधिकरण द्वारा गंगा नदी के दूसरी ओर (शमनगर की तरफ) टेन्ट सिटी विकसित किये जाने के सम्बन्ध में अग्रिम कार्यवाही की जा रही है। उक्त टेन्ट सिटी को पर्यटकों हेतु एक विशेष आकर्षण के रूप में स्थापित किया जाना प्रस्तावित है, जिसमें पर्यटकों को रहने की सुविधा के साथ-साथ कान्फ्रेंस, सांस्कृतिक कार्यक्रम, योगा आयुर्वेदिक के साथ-साथ अन्य व्यवस्थायें विकसित किया जाना प्रस्तावित है। प्राधिकरण द्वारा उक्त कार्य हेतु निविदा आमंत्रित किये जाने की प्रक्रिया की जा रही है तथा निविदा को अन्तिम रूप दिये जाने के उपरान्त टेन्ट सिटी को इस वर्ष माह अक्टूबर से वर्ष 2023 के माह मार्च-अप्रैल तक विस्तारित किया जाना प्रस्तावित है।

अतः उक्त प्रयोजना के अनुश्रवण हेतु राष्ट्रीय स्वच्छ गंगा मिशन स्तर से नियमानुसार आवश्यक कार्यवाही कराना चाहें।

भवदीया,

(ईशा दुहन)  
उपाध्यक्ष

पत्रांक :-  
प्रतिलिपि-

/ वि०प्रा० / न०नि० / 2022-23

दिनांक :-

1. आयुक्त, वाराणसी मण्डल, वाराणसी को सादर सूचनार्थ।
2. निम्नलिखित महोदय को सादर सूचनार्थ।

(ईशा दुहन)  
उपाध्यक्ष

Varanasi Development Authority Varanasi  
Raja Uday Pratap Marg, Panna Lal Park, Varanasi – 221  
002

Phone No. 2280326 Email: [vdavaranasi@gmail.com](mailto:vdavaranasi@gmail.com)

From,

Vice-Chairman,  
Varanasi Development Authority,  
Varanasi.

To

Director General  
National Clean Ganga Mission,  
Ministry of Hydro Power, Union of India  
(Water Resources River Development & Ganga  
Protection Department)  
First Floor Major Dhyanchand National Stadium,  
India Gate, New Delhi.  
E-mail- [admin.nmicg@nic.in](mailto:admin.nmicg@nic.in)

L. No. 414/D.A./N.Ni./2023-24 Dated 13.07.2022

Sub: Regarding Tent City developed by Varanasi  
Development Authority at the bank of Ganga river in  
other side of Ganga River in Varanasi (towards  
Ramnagar).

Sir,

It is hereby made aware on the above-said subject  
that Varanasi Development Authority has been initiating  
further proceedings about development Tent City in other  
side of Ganga river (towards Ramnagar. The aid Tent City  
is proposed to be established as special attraction for o  
tourists, wherein facilities for stay of tourists alongwith

  
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facilities of arranging conference, cultural programs, Yoga Ayurvedic as also other facilities have been developed in view of religious significance of Indian Culture and Varanasi. Process of inviting tenders by Authority are under process for the said work and after finalizing tenders, Tent City is proposed to have been extended from October of its year to March-April, 2023.

Therefore, please direct if necessary proceedings may be initiated as per rules for monitoring of the said project from the level of National Clean Ganga Mission.

Yours faithfully,  
Sd/-  
(Isha Duhan)  
Vice-Chairman

Endst No. /D.A./N.Ni./2022-23 Dated

Copy to -

1. Commissioner, Varanasi Division, Varanasi for information.
2. District Collector for information.

Sd/-  
(Isha Duhan)  
Vice-Chairman

  
True Copy

Ref. No. 10207/सी-6/नो. 167/23

सौ. मे. मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०,  
214, एथिना एवेन्यू, जैगवार शोरूम के पीछे, एसजी हाइवे,  
गोटा, अहमदाबाद,  
गुजरात-382481।  
M.N. - 6353395698

यह कि क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, वाराणसी द्वारा दिनांक 03.11.2023 को प्रेषित निरीक्षण आख्यानसार जनपद वाराणसी में अस्थाई टेन्ट सिटी विकसित किये जाने हेतु वाराणसी विकास प्राधिकरण द्वारा मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी के साथ अनुबन्ध करते हुए उक्त स्थल पर स्थापित/संचालित किया गया है, जिसे आगे इकाई कहा जायेगा।

यह कि राज्य बोर्ड के पत्र दिनांक 12.01.2023 के माध्यम से मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी को सशर्त स्थापनार्थ सहमति निर्गत की गयी है, जिनमें यह भी विशिष्ट शर्त अधिरोपित की गयी थी कि गंगा नदी (पुनरुद्धार, संरक्षण और प्रबन्धन) प्राधिकरण आदेश, 2016 के प्राविधानों का अनुपालन किया जाये, किन्तु आप द्वारा राष्ट्रीय स्वच्छ गंगा मिशन, नई दिल्ली से इकाई की स्थापना हेतु अनुमति के संबंध में सूचना राज्य बोर्ड को उपलब्ध नहीं करायी गयी है तथा आप द्वारा उक्त स्थापनार्थ सहमति शर्तों की अनुपालन आख्या भी राज्य बोर्ड को प्रेषित नहीं की गयी है।

यह कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या 203/2023 तुषार गोस्वामी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.03.2023 के अनुपालन में गठित संयुक्त समिति द्वारा इकाई का निरीक्षण दि० 02.05.2023 को किया गया तथा निरीक्षण आख्या के सुसंगत अंश निम्नवत है:-

"..... iii) The agreement between VDA and tent city holder is for five years. It is informed by Project Proponent (PP) that construction of the tent city was started on 01.12.2022. It is made operational on 15.01.2023 and proposed to be closed by 31.05.2023. PP has also informed that all the tents and structures will be removed by 30.06.2023....."

"..... v) Committee observed that the project is operational without getting Consent to Operate (CTO) from UPPCB violating the condition no. 4 of the CTE which clearly states that the "industry will not start its operation, unless CTO is obtained under Water and Air act"....."

यह कि क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, वाराणसी की आख्यानसार मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी द्वारा पैच संख्या-01 में 58 टेन्ट (08 अदद गंगा विला टेन्ट, पंच पूल के साथ 11 अदद दरबारी पंच पूल के साथ एवं 38 काशी स्वीट टेन्ट) एवं पैच संख्या-02 में 82 टेन्ट (18 अदद गंगा विला दर्शन टेन्ट पंच पूल के साथ, 29 अदद प्रीमियम टेन्ट एवं 35 डीलक्स टेन्ट), 02 कमरों का एक अदद स्पा, एक अदद डाईनिंग हाल, कॉन्फेंस हाल एवं एक अदद लाइब्रेरी विद आर्ट एण्ड काफे विकसित किये गये थे विकसित किया गया था। इकाई के प्रतिनिधि द्वारा अवगत कराया गया है कि दिनांक 31.05.2023 से टेन्ट सिटी में बुकिंग बन्द कर दी गयी है तथा दोनों टेन्ट सिटी के समस्त स्ट्रक्चर दिनांक 18.06.2023 को पूर्ण रूप से हटा लिये गये हैं।

यह कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या-203/2023 तुषार गोस्वामी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 17.03.2023 के अनुपालन में गठित संयुक्त समिति की निरीक्षण आख्या दिनांक 02.05.2023 में पाये गये तथ्यों के दृष्टिगत अस्थायी टेन्ट सिटी विकसित किये जाने हेतु उत्तरदायी विभाग यथा वाराणसी विकास प्राधिकरण, वाराणसी को राज्य बोर्ड के पत्र दिनांक 20.10.2023 के माध्यम से राज्य बोर्ड से सहमति जल एवं वायु प्राप्त किये बिना टेन्ट सिटी का संचालन कराये जाने हेतु पर्यावरणीय क्षतिपूर्ति के सम्बन्ध में कारण बताओ नोटिस निर्गत किया गया है।

यह कि अस्थायी टेन्ट सिटी विकसित किये जाने हेतु कार्यदायी संस्था मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी को राज्य बोर्ड के पत्र दिनांक 04.07.2023 के माध्यम से सशर्त संचालनार्थ सहमति इस विशिष्ट शर्त के साथ निर्गत की गयी है कि गंगा नदी (पुनरुद्धार, संरक्षण और प्रबन्धन) प्राधिकरण आदेश, 2016 के प्राविधानों

(2)

के अन्तर्गत राष्ट्रीय स्वच्छ गंगा मिशन, नई दिल्ली द्वारा इकाई की स्थापना हेतु अनुमति प्राप्त होने के उपरान्त ही उक्त सहमति मान्य होगी, किन्तु उक्त अनुमति के सम्बन्ध में आप द्वारा कोई सूचना राज्य बोर्ड को उपलब्ध नहीं करायी गयी है।

यह कि कार्यदायी संस्था मेसर्स प्रवेग कन्सल्टिंग इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), ट्रेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी को उपरोक्त वर्णित तथ्यों एवं विशिष्ट रूप से राज्य बोर्ड द्वारा निर्गत स्थापनार्थ सहमति की विशिष्ट शर्त संख्या-4 एवं संचालनार्थ सहमति की विशिष्ट शर्त संख्या-3 के उल्लंघन के दृष्टिगत क्षेत्रीय अधिकारी, वाराणसी द्वारा पत्र दिनांक 03.11.2023 के माध्यम से बोर्ड से सहमति प्राप्त किये बिना इकाई के विरुद्ध उल्लंघन अवधि (दिनांक 15.01.2023 से दिनांक 31.05.2023 तक) हेतु नियमानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु संस्तुति आख्या प्रेषित की गयी है।

यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरणीय क्षतिपूर्ति के ऑकलन तथा एकत्रित पर्यावरणीय क्षतिपूर्ति के उपयोग के संबंध में कार्ययोजना की रूपरेखा तैयार की गयी है, जिसके अनुसार गणना के लिये निर्धारित सूत्र के अनुसार आंकलित पर्यावरणीय क्षतिपूर्ति रू० 12500/- (रू० बारह हजार पाँच सौ पचहत्तर मात्र) प्रतिदिन आती है।

अतः उपरोक्त वर्णित तथ्यों एवं क्षेत्रीय अधिकारी की संस्तुति के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त इकाई के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु निम्नानुसार कारण बताओ नोटिस जारी किया जाता है :-

1. यह कि क्यों न मेसर्स प्रवेग कन्सल्टिंग इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), ट्रेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी के विरुद्ध राज्य बोर्ड से सहमति जल एवं वायु प्राप्त किये बिना ही ट्रेन्ट सिटी का संचालन किये जाने के कारण रू० 12,500/- प्रतिदिन की दर से उल्लंघन अवधि (दिनांक 15.01.2023 से दिनांक 31.05.2023 तक) हेतु पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये।

उपरोक्त के संबंध में अपना स्पष्टीकरण इस पत्र प्राप्ति के 15 दिन के अन्दर बोर्ड मुख्यालय में प्रेषित करें, अन्यथा की स्थिति में उपरोक्तानुसार इकाई के विरुद्ध रू० 12500/- प्रतिदिन की दर से उल्लंघन अवधि हेतु पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं इकाई एवं इकाई स्वामी का होगा।

सक्षम अधिकारी द्वारा अनुमोदनोपरान्त पत्र निर्गमन हेतु अधिकृत

  
मुख्य पर्यावरण अधिकारी,  
(वृत्त-6)

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. आयुक्त, वाराणसी मण्डल, वाराणसी।
2. जिलाधिकारी, वाराणसी।
3. उपाध्यक्ष, वाराणसी विकास प्राधिकरण, वाराणसी।
4. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, वाराणसी को इस निर्देश के साथ प्रेषित कि अपने स्तर से भी कारण बताओ नोटिस की प्रति इकाई स्वामी को प्राप्त कराते हुए, पावती एवं जारी कारण बताओ नोटिस के संबंध में उद्योग का अद्यतन निरीक्षण कर आख्या 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी,  
(वृत्त-6)

## Uttar Pradesh Pollution Control Board

Ref.No.HO 2607/C-6/NOC-167/23 Dated 06.11.23

Registered

To

M/s. Parveg Communication (India) Limited  
214, Athena Avenue, Behind Jaguar Showroom,  
S.G. Highway, Gota, Ahmedabad, Gujrat -382 481  
Mobile No.6353395698.

That according to the Inspection Report dated 03.11.2023 submitted by Regional Officer, Uttar Pradesh Pollution Control Board, Varanasi, Varanasi Development Authority entered into Agreement with M/s. Parveg Communication India Ltd. (at present name –M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi for development temporary Tent City in District Varanasi, it has been established/operated at the said site, which would hereinafter be addresscd as Unit.

That vide letter dated 12.01.2023 of the State Board, conditional consent for establishment has been issued to M/s. Parveg Communication India Ltd. (at present name – M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi, wherein, this specific condition had also been stipulated that

  
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provisions of Ganga River (Rejuvenation, Conservation and Management) Authority Order, 2016 be complied with, but you have not made available information to the State Board about permission obtained from National Clean Ganga Mission, New Delhi for establishment of units and you have not forwarded compliance report of conditions of consent for the said establishment to the State Board.

In compliance of order dated 17.03.2023 passed in O.A. No.203/2023 (Tushar Goswami Vs. Union of India & Others) filed in Hon'ble N.G.T., New Delhi, Joint Committee constituted in the case, in question, conducted site inspection of Tent City established by your establishment and relevant part of the inspection report are as under:-

“..... iii) The agreement between VDA and tent city holder is for five years. It is informed by Project Proponent (PP) that construction of the tent city was started on 01.12.2022. It is made operational on 15.01.2023 and proposed to be closed by 31.05.2023. PP has also informed that all the tents and structures will be removed by 30.06.2023.....”

“..... v) Committee observed that the project is operational without getting Consent to Operate (CTO) from UPPCB violating the condition No.4 of the CTE which clearly states that the ‘industry will not start its operation, unless CTO is obtained under Water and Air Act’.....

That according to their report of Regional Officer, Uttar Pradesh Pollution Control Board, Varanasi, M/s. Parveg Communication India Ltd. (at present name –M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi constructed 58 tent in Patch No.01 (08 Ganga Villa Tent with Patch Pool, 11 with Darbari Panch Pool and 38 Kashi Sweet Tent)and in Patch No.2 82 tent (18 with Ganga Villa Darshan Tent Punch Pool, 29 Premium Tent and 35 Deluxe Tent), one Spa comprising 02 rooms, one Dining Hall, Conference Hall and one Library with Art & Craft room were developed. Representative of the Unit has made aware of that Booking of Tent City has been stopped since dated 31.05.2023 and whole structure of both Tent City have been removed completely on 18.06.2023.

That in view of facts found in the inspection report dated 02.05.2023 submitted by the Joint Committee

  
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constituted in compliance of order dated 17.03.2023 passed in O.A. No.203/2023 Tushar Goswami Vs. Union of India & Others filed in the Hon'ble National Green Tribunal, New Delhi vide letter dated 20.10.2023 State Board has issued show-cause Notice to the department viz. Varanasi Development Authority Varanasi for developing temporary tent city about environment compensation for allowing operation of Tent City without obtaining Water & Air Consent from the State Board.

Vide letter dated 04.07.2023 State Board had given conditional consent to executive body M/s. Parveg Communication India Ltd. (at present name -M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi for developing temporary Tent City with this specific condition that only after receiving permission for establishing units by National Clean Ganga Mission, New Delhi under the provisions of Ganga River (Rejuvenation, Conservation and Management) Authority Order, 2016, the said consent would be valid, but you have not made available any information to the Uttar Pradesh Pollution Control Board about the said permission.

Keeping in view the above-mentioned facts and violation of Specific Condition No.4 of consent issued/given by State Board for establishment and Specific Condition No.3 of consent for operation given to executive body M/s. Parveg Communication India Ltd. (at present name -M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi, vide letter dated 03.11./2023 Regional Officer, Varanasi has forwarded recommendations report for imposing environmental compensation as per rules for bringing units operational without obtaining consent form Board against unit for violation period (from dated 15.01.2023 to 31.05.2023).

That Central Pollution Control Board has prepared outline of action plan about use of assessment of environmental compensation and use of collected environmental compensation, according to which, as per prescribed formula for calculation, assessed environmental compensation comes at Rs.12,500/- (Rs. Twelve thousand Five hundred) per day.

Therefore, keeping in view above-mentioned facts and recommendations of Regional Officer, after obtaining

approval of competent officer, show-cause notice is issued against unit for imposing environmental compensation as under:-

1. As to why not environmental compensation at the rate of Rs.12,500/- per day be imposed on M/s. Parveg Communication India Ltd. (at present name – M/s. Parveg Ltd.), Tent City, Varanasi, Patch No.1 and 2, Other side of Ganga River, Katesar, Varanasi for making Tent City operational without obtaining Water & Air Permission from State Board for the duration of violation (from dated 15.01.2023 to 31.05.2023)?

Please submit your explanation about the above-said in the Board Headquarter within the period of 15 days from receipt of this letter, otherwise, environmental compensation at the rate of Rs.12,500/- per day will be imposed against Unit for the violation period as mentioned supra,, unit itself and owner of Unit would be fully responsible for the same.

Authorized for issuance letter after obtaining approval from competent officer.

Sd/-  
Chief Environment Officer,

  
True Copy

(Circle-6)

Copy forwarded to the following-mentioned for information  
& necessary action:

1. Commissioner, Varanasi Division, Varanasi.
2. District Magistrate, Varanasi.
3. Vice-Chairman, Varanasi Development Authority  
Varanasi.
4. Regional Officer, Uttar Pradesh Pollution Control  
Board, Varanasi with the direction that having  
acknowledged copy of show-cause of notice to  
owners of unit from your level, conducted inspection  
of industry about show-cause notice and forward  
report to the Board Headquarter within the period  
of 15 days.

Sd/-  
Chief Environment Officer,  
(Circle-6)



# उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

## UTTAR PRADESH POLLUTION CONTROL BOARD

770

116

Ref. No...../C-6/167/निज्ञेप/VNS/2023

Date.../.../23  
ई-मेल/पंजीकृत

सेवा में,

मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०,  
214, एथिना एवेन्यू, जैगवार शोरूम के पीछे, एसजी हाइवे,  
गोटा, अहमदाबाद,  
गुजरात-382481।

विषय: इकाई मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी को राज्य बोर्ड द्वारा जारी कारण बताओ नोटिस दिनांक 06.11.2023 को निस्तारित किये जाने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक राज्य बोर्ड के पत्रांक-एच.02687/सी०-6/एनओसी/167/वाराणसी/2023 दिनांक 06.11.2022 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा इकाई मेसर्स प्रवेग कम्युनिकेशन इण्डिया लि० (वर्तमान नाम मेसर्स प्रवेग लि०), टेन्ट सिटी, वाराणसी, पैच नं०-1 एवं 2, अदर साइड ऑफ गंगा रिवर, कटेसर, वाराणसी के विरुद्ध राज्य बोर्ड से सहमति जल एवं वायु प्राप्त किये बिना ही टेन्ट सिटी का संचालन किये जाने के कारण रू० 12,500/- प्रतिदिन की दर से उल्लंघन अवधि (दिनांक 15.01.2023 से दिनांक 31.05.2023 तक) हेतु पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में कारण बताओ नोटिस निर्गत किया गया था, जिसके संबंध में कोई उत्तर अथवा प्रत्यावेदन राज्य बोर्ड को प्राप्त नहीं हुआ है।

उक्त के परिप्रेक्ष्य में क्षेत्रीय अधिकारी, वाराणसी के पत्र दिनांक 23.11.2023 द्वारा संस्तुति आख्या प्रेषित की गई है। आख्यानुसार इकाई को जारी कारण बताओ नोटिस में उल्लिखित उल्लंघन अवधि दिनांक 15.01.2023 से दिनांक 31.05.2023 तक (कुल 137 दिन) के सापेक्ष रू० 12500/- प्रतिदिन की दर से कुल अवधि 137 दिन हेतु रू० 1712500/- (रू० सत्तरह लाख बारह हजार पाँच सौ मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए कारण बताओ नोटिस दिनांक 06.11.2023 को निस्तारित किये जाने की संस्तुति की गई है।

अतः क्षेत्रीय अधिकारी की संस्तुति एवं उपरोक्त वर्णित तथ्यों को दृष्टिगत रखते हुये इकाई के विरुद्ध रू० 1712500/- (रू० सत्तरह लाख बारह हजार पाँच सौ मात्र) पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुये कारण बताओ नोटिस दिनांक 06.11.2022 को सक्षम अधिकारी के अनुमोदनोपरान्त निम्न शर्तों के अधीन निस्तारित किया जाता है:-

1. इकाई के विरुद्ध 137 उल्लंघनकारी दिवस हेतु रू० 1712500/- (रू० सत्तरह लाख बारह हजार पाँच सौ मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित की जाती है। उक्त पर्यावरणीय क्षतिपूर्ति धनराशि विलम्बतम् 15 दिवस में उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थिति बैंक के खाता संख्या 701502010002104 IFSC कोड UBIN 0570150 में जमा किया जाना सुनिश्चित किया जाये।
2. गंगा नदी (पुनरुद्धार, संरक्षण और प्रबन्धन) प्राधिकरण आदेश, 2016 के प्राविधानों इकाई द्वारा के अन्तर्गत राष्ट्रीय स्वच्छ गंगा मिशन, नई दिल्ली द्वारा इकाई की स्थापना हेतु अनुमति प्राप्त करने के उपरान्त इकाई द्वारा राज्य बोर्ड से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 25/26 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 21/22 के अन्तर्गत संचालनार्थ सहमति प्राप्त करने के उपरान्त ही अस्थायी टेन्ट सिटी का कार्य किया जाये।

सक्षम अधिकारी द्वारा अनुमोदनोपरान्त पत्र निर्गमन हेतु अधिकृत

मुख्य पर्यावरण अधिकारी  
(पृत्त-6)

प्रतिलिपि :- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. आयुक्त, वाराणसी मण्डल, वाराणसी।
2. जिलाधिकारी, वाराणसी।
3. उपाध्यक्ष, वाराणसी विकास प्राधिकरण, वाराणसी।
4. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, वाराणसी।

मुख्य पर्यावरण अधिकारी  
(वृत्त-6)

Uttar Pradesh Pollution Control Board, Varanasi  
Ref.No.HO 3248/C-6/167/Nikshep/VNS/2023  
Dated 23.11.2023

To

M/s. Parveg Communication (India) Ltd.  
214, Athena Avenue, Behind Jaguar Showroom  
S.G. Highway, Gota, Ahmedabad – 382481.

Sub: Regarding disposal of Show-Notice Notice dated  
06.11.2023 issued by the State Board to Unit M/s.  
Parveg Communication India Ltd. (at present –M/s.  
Parveg Limited), Tent City, Varanasi, Patch No.1 and  
2, In other side of Ganga river, Katesar, Varanasi.

-----

Sir,

Please refer letter No. H.02687/C-  
6/NOC/167/Varanasi/2023 dated 06.11.2022 of the  
State Boards on the above-said subject vide which show-  
cause notice had been issued by the State Board to Unit  
M/s. Parveg Communication India Ltd. (at present –M/s.  
Parveg Limited), Tent City, Varanasi, Patch No.1 and 2, In  
other side of Ganga river, Katesar, Varanasi about  
imposing environmental compensation for the violation  
period (from dated 15.01.2023 to 31.05.2023) (total 137  
days) at the rate of Rs.12,500/- per day on account of  
operating Tent City without obtaining Water & Air

  
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permission from State Board, against which any reply or representation has not been received in the State Board.

In the perspective of the above-said vide letter dated 23.11.2023 Regional Officer, Varanasi has sent report containing recommendations. According to report, while imposing environmental compensation for the violation period mentioned in the show-cause notice issued to the Unit at the rate of Rs.12,500/- from dated 15.01.2023 to 31.05.2023 (total 137 days) at the rate of Rs.12,500/- per day which comes at Rs.17,12,500/-, recommendations have been made for disposing of show cause notice on 06.11.2023.

Now, keeping in view recommendations of the Regional Office and afore-mentioned facts, imposing environmental compensation of Rs.17,12,500/- against unit, show cause notice dated 06.11.2023 is disposed of after obtaining approval of the competent office subject to the following conditions:-

1. Environmental compensation for 147 violating days Rs.17,12,500/- is imposed against unit. Ensure depositing the said environmental compensation in the Account of Uttar Pradesh Pollution Control

Board bearing No.701502010002104, IFSC Code UBIN 0570150 maintained with Union Bank of India, Vibhuti Khand, Gomti Nagar, Lucknow within the period of maximum 15 days.

2. After obtaining permission for establishment of unit by National Clean Ganga Mission, New Delhi under the provisions of Ganga River (Rejuvenation, Conservation and Management) Authority Order, 2016, unit to obtain permission for operation under section 25/26 of the Water (Prevention of Pollutions & Control) Act, 1974 and under section 21/22 of Air (Prevention & Control of Pollution) Act, 1981 from State Board then unit to undertake work of temporary Tent City.

Authorized for issuance letter after obtaining approval from competent officer.

Sd/-  
Chief Environment Officer,  
(Circle-6)

Copy forwarded to the following-mentioned for information & necessary action:

1. Commissioner, Varanasi Division, Varanasi.
2. District Magistrate, Varanasi.

  
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3. Vice-Chairman, Varanasi Development Authority  
Varanasi.
4. Regional Officer, Uttar Pradesh Pollution Control  
Board, Varanasi,

Sd/-  
Chief Environment Officer,  
(Circle-6)



# उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी

## UTTAR PRADESH POLLUTION CONTROL BOARD, VARANASI



संदर्भ सं०/Ref.No. 1954 | प्रवेग कम्युनिकेशन (इण्डिया) लि०/23-24

दिनांक 16-12-23

सेवा में,

मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०,  
214, एथिना एवेन्यू, जैगवार शोरूम के पीछे,  
एसजी हाइवे, गोटा, अहमदाबाद,  
गुजरात-382481

अतिआवश्यक/महत्वपूर्ण  
मा० एन०जी०टी० प्रकरण

*Regd. email*

**विषय:- अधिरोपित पर्यावरणीय क्षतिपूर्ति राज्य बोर्ड के बैंक खाता में जमा करने के सम्बन्ध में।**  
महोदय,

कृपया उपरोक्त विषयक मुख्य पर्यावरण अधिकारी (वृत्त-6), बोर्ड मुख्यालय, लखनऊ के पत्र संख्या एच 03248/सी-6/167/निक्षेप/वी०एन०एस०/2023, दिनांक 23.11.2023 का सन्दर्भ ग्रहण करने का कष्ट करें (छायाप्रति संलग्न)। उक्त पत्र के द्वारा आपकी इकाई के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति धनराशि रू० 17,12,500/- (रू० सत्रह लाख बारह हजार पाँच सौ मात्र) को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थित बैंक खाता संख्या 701502010002104 आई०एफ०एस०सी० कोड यू०बी०आई०एन० 0570150 में जमा करने हेतु निर्देशित किया गया है, किन्तु कार्यालय अभिलेखानुसार अभी तक आप द्वारा उक्त धनराशि जमा करने की सूचना राज्य बोर्ड को नहीं दी गयी है।

अतः आपको निर्देशित किया जाता है कि आपकी इकाई के विरुद्ध पर्यावरणीय क्षतिपूर्ति के रूप में अधिरोपित धनराशि रू० 17,12,500/- (रू० सत्रह लाख बारह हजार पाँच सौ मात्र) को राज्य बोर्ड के उक्त खाता संख्या में तत्काल जमा कराकर इस कार्यालय एवं बोर्ड मुख्यालय, लखनऊ को सूचित करना सुनिश्चित करें।

संलग्नक-उपरोक्तानुसार।

भवदीय,

*(डॉ० एस०सी० शुक्ला) 16/12/23*  
क्षेत्रीय अधिकारी

पृ०सं० एवं दिनांक : उपरोक्त।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. उपाध्यक्ष महोदय, वाराणसी विकास प्राधिकरण, वाराणसी।
2. सदस्य सचिव महोदय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. मुख्य पर्यावरण अधिकारी (वृत्त-6), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
4. विधि अधिकारी (प्रथम), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी

Uttar Pradesh Pollution Control Board, Varanasi  
L. No.1954/Parveg Communication (India) Ltd/23-24,  
Dated 16.12.2023

Registered Post

To

M/s. Parveg Communication (India) Limited  
214, Athena Avenue, Behind Jaguar Showroom,  
S.G. Highway, Gota, Ahmedabad, Gujrat -382 481.

Sub: Regarding depositing environmental compensation  
imposed in the bank account of State Board.

-----

Sir,

Please refer letter No.H 03248/C-  
6/167/Nikshep/V.N.S./2023 dated 23.11.2023 of Chief  
Environment Officer (Circle-6), Board Headquarter,  
Lucknow on the above-said subject (Photocopy annexed).  
Vide the said letter directions had been issued to deposit  
environmental compensation Rs.17,12,500/- imposed  
against your unit in Bank Account Uttar Pradesh  
Pollution Control Board bearing No.701502010002104,  
I.F.S.C. Code UBIN 0570150 maintained with Union Bank  
of India, Vibhuti Khand, Gomtinagar, Lucknow , but as  
per record of the office, you have not informed State Board  
about depositing the said amount as yet.

  
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Therefore, you are hereby directed that you deposit environmental compensation imposed against your unit Rs.17,12,500/- in the above-said account of the State Board at once and ensure informing this office and Board Headquarter, Lucknow.

Encl: As above.

Yours faithfully,  
Sd/-  
(Dr. S.C. Shukla)  
Regional Officer

Endst No.& date : As above.

Copy forwarded to the following-mentioned for  
information & necessary action:

1. Vice-Chairman, Varanasi Development Authority,  
Varanasi.
2. Member Secretary, Uttar Pradesh Pollution Control  
Board, Lucknow.
3. Chief Environment Officer (Circle-6), Uttar Pradesh  
Pollution Control Board, Lucknow.
4. Law Officer (First), Uttar Pradesh Pollution Control  
Board, Lucknow.

Regional Officer

  
True Copy

Date: 20.12.2023

To,  
The Chief Environment Officer  
(Circle-6),  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12V Vibhuti Khand,  
Gomti Nagar, Lucknow,  
Uttar Pradesh - 226010.

Subject: Response to letter bearing Ref. No. H02607/C-6/NOC-167/23  
dated 06.11.2023.

Respected Sir,

1. M/s. Praveg Limited, having its Regt. office at 214, Athena Avenue, Sarkhej - Gandhinagar Hwy behind Jaguar showroom, Gota, Ahmedabad, Gujarat, 382481 (hereinafter 'the undersigned ') is in receipt of the Show Cause Notice dated 06.11.2023 issued by your good self-regarding imposing penalty for operation without obtaining the Consent to Operate and Authorization under provisions of the Water Act, 1974 and the Air Act, 1981 (from 15.01.2023 to 31.05 .2023).

#### A BRIEF BACKGROUND

2. We would like to respectfully bring the following events to the kind notice of your good self that :

- A. The Varanasi Development Authority (hereinafter 'the VDA') vide its Request for Proposal (hereinafter 'the RFP ') dated 21.07 .2022 invited parties for selection of Agency for development of Tent City on the banks of River Ganges at Varanasi, Uttar Pradesh.

Subsequently, the VDA published Corrigendum dated 23.08.2022, revising certain clauses of the RFP dated 21.07.2022 such as Performance

Page 1 of 5

## PRAVEG LIMITED

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom G. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

True Copy

HOSPITALITY | Security, Earnest Money Deposit, Eligibility Criteria, Technical and Ideas  
Financial Evaluation.

- B. On 23.08.2022, the M/s. Praveg Limited submitted its bid to the VDA for a Patch-1(10 hectare land) and Patch 2 (10 hectare land), for development of Tent City as per the Corrigendum.
- The VDA vide its letter dated 13.09.2022 issued Letter of Intent (LoI) to the M/s. Praveg Limited, and intimated that its bid for Patch-1(10 hectare land) and Patch 2 (10 hectare land) was accepted for development of the Tent City. Thereby, the VDA confirmed the acceptance of the bid of the M/s. Praveg Limited being the highest annual licensing fee for Patch-1 & 2 and requested the undersigned to initiate the work immediately.
- C. The M/s. Praveg Limited submitted an Application for Consent to Establish (hereinafter 'CTE') to the Member Secretary, Uttar Pradesh Pollution Control Board (hereinafter 'UPPCB') for development of Tent City with 140 Tents in 10 hectare area land on 11.01.2023.
- D. UPPCB issued the CTE dated 12.01.2023 for New Unit/ Expansion/ Diversification under the Water (Prevention and Control of Pollution) Act, 1974 to the M/s. Praveg Limited, for the period from 11.01.2023 to 10.01.2028.
- E. Thereafter, one Tushar Goswami filed an Original Application bearing O.A. No. 203 of 2023 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter '*the Hon'ble NGT*') on 11.03.2023 inter alia complaining of various irregularities .
- F. The Hon'ble NGT vide its order dated 17.03.2023 directed constitution of a Seven Member Joint Committee and furnish a Report within two months.
- G. The Seven Member Joint Committee submitted its Joint Inspection Report of Tent City (hereinafter '*Joint Inspection Report*') dated

Page 2 of 5

## PRAVEG LIMITED

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HOSPITALITY 24.05.2023 before this Hon'ble Tribunal in compliance of the Order dated 17.03.2023. The Report concluded that :

- "i) It is evident from above observation that process of obtaining NMCG permission by VDA for both the tent cities M/s. Praveg Communications (India) Limited and M/s Niraan the Tent City under The River Ganga (Rejuvenation, Protection and Management) Authorities order, 2016 is still going on.
- ii) Both the projects have obtained CTE but yet to obtain CTO from UPPCB.
- iii) More no. of D. G. sets have been installed as given in the CTE.
- iv) The tent cities structures are under process of dismantling according to their mandate of operation. The operation will be stopped by 31.05.2023 and all structures will be removed in the month of June, 2023."

#### RESPONSE TO THE ALLEGATIONS

3. It is submitted that the M/s. Praveg Limited, has not caused any environmental damage in setting up the Tent City. The Joint Inspection Report had also categorically observed that no sewage is being discharged in the river, and it was also that the project premises and adjoining area is free from indiscriminate littering. **Paragraph 4.3 (iv)** of the Joint Inspection Report is reiterated herein below for the sake of convenience :

*"iv) The PPs have put in place the mechanism to collect the sewage / solid waste and its conveyance to existing sewage treatment plant (STP)/municipal solid waste (MSW) processing facility with no discharges / disposal either into river or on the river bed. The site was observed by the joint committee to be largely free from indiscriminate littering of municipal solid waste or sewage on the Tent City premises and adjoining river / river bed."*

We further attached herewith photographs of the sewage system installed at site as **Annexure B**

4. That on 04.07.2023, the M/s. Praveg Limited, has obtained the Consolidated Consent to Operate and Authorization (hereinafter 'the CTO') from UPPCB under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention &

#### PRAVEG LIMITED

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It is pertinent to state that the M/s. Praveg Limited, was granted CTO at a belated stage for the activities which were deemed fit by your good self on a later date implying that the activities of the M/s. Praveg Limited, as such were not in violation of provisions of the environmental laws.

5. That the M/s. Praveg Limited, started the project on 15.01.2023 after receiving the CTE issued by the UPPCB. It is further submitted that the M/s. Praveg Limited, had complied with all the directions of the VDA from time to time. The VDA vide its letter dated 13.09.2022 & dated 01.12.2022 requested the M/s. Praveg Limited, to start the project immediately. Copy of letter dated 13.09.2022 & dated 01.12.2022 is annexed as ANNEXURE A
6. That the M/s. Praveg Limited, was not aware that it had to obtain any prior permission from the NMCG, since the management and conservation of the Ghats was handed over to the VDA. The M/s. Praveg Limited, in good faith had responded to RFP dated 21.07.2022 issued by VDA for setting up Tent City on the banks of River Ganges at Varanasi, Uttar Pradesh in the belief that VDA had the requisite permission for such activities. In fact, NMCG permissions were to be obtained by the VDA. The M/s. Praveg Limited, has learnt that VDA made appropriate application for such permission which has been considered and granted by NMCG
7. That the M/s. Praveg Limited, had complied with all other mandates as per the environment laws and has utmost respect towards the same. However, it is stated that it failed to obtain the CTO in a timely manner which was neither deliberate nor intentional and which is only a procedural violation with no damage to the environment or a third party.
8. That the penalty of Rs.12,500/- (*Rupees Twelve Thousand Five Hundred Only*) per day for the period 15.01.2023 to 31.05.2023 as proposed to

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, Gota, Highway, Gota, Ahmedabad-382481, INDIA  
 CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

True Copy

HOSPITALITY | be imposed on the M/s. Praveg Limited, for a procedural violation of not ideas  
 HOSPITALITY | having obtained the CTO, is arbitrary and unreasonable. There is no other  
 HOSPITALITY | violation except obtaining the CTO belatedly, and there is no discharge  
 HOSPITALITY | of emissions or waste or sewage or indiscriminate littering which has  
 HOSPITALITY | taken place at the site causing pollution as per the Joint Committee  
 HOSPITALITY | Inspection Report. Thus, the proposed compensation in terms of Action  
 HOSPITALITY | Plan as per the Show Cause Notice in the absence of any environmental  
 HOSPITALITY | damage caused by the M/s. Praveg Limited, is without any basis,  
 HOSPITALITY | disproportionate and exorbitant.

In view of the above, it is requested to your good self to kindly consider favorably dropping the Show Cause Notice seeking to impose a financial penalty of Rs.12,500/- per day from 15.01.2023 to 31.05.2023 in the interests of justice, since it has not caused any environmental damage and has complied with all the conditions except a procedural / technical lapse which was absolutely unintentional.

Thanking you,

Yours faithfully,  
 For, Praveg Ltd.



Bijal Parikh  
 Director

- ENCL: 1. Copy of Letter from VDA dated 13.09.2022 & 01.12.2022  
 2. Copy of photographs of sewage system installed at site

## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पन्ना लाल पार्क, वाराणसी-221002  
फोन: 0542-2280326 ईमेल: vdavaranasi@gmail.com

प्रेषक,

नगर नियोजक,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

Praveg communication (India) Limited  
214, Athena Avenue, Behind Jaguar Showroom, S.G Highway, Gota,  
Ahmedabad, Gujarat- 382481.

पत्रांक :- 645/वि0प्रा0/न0नि0/2022-23

दिनांक :- 13/09/2022

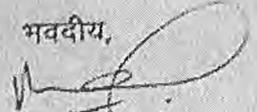
विषय- वाराणसी में गंगा नदी के दूसरी ओर (शमनगर की ओर) गंगा नदी के तट पर टेन्ट शिटी विकसित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषय के सम्बन्ध में वाराणसी में गंगा नदी के दूसरी ओर प्रस्तावित टेन्ट शिटी विकसित किये जाने हेतु प्राधिकरण द्वारा निविदा आमंत्रित की गयी थी, जिसमें आपकी फर्म द्वारा प्रतिभाग किया गया है। उक्त निविदा की तकनीकी विवरण/वित्तीय निविदा का नियमानुसार खोलने हुए निविदा का परीक्षण प्राधिकरण द्वारा किया गया।

आर0एच0पी0 में उल्लेखित शर्तों के आकार पर किये गये मूल्यांकन तथा आपकी फर्म द्वारा दिये गये पत्र दिनांक 09.09.2022 जिसके माध्यम से आपके द्वारा पैच-1 पर भी पैच-2 की उच्च वित्तीय बिड (लाइसेंस फीस) पर कार्य करने की सहमति प्रदान की गयी है। उक्त के क्रम में आपको पैच-1 (10 हेक्टेयर भूमि) एवं पैच-2 (10 हेक्टेयर भूमि) पर टेन्ट शिटी विकसित किये जाने हेतु सक्षम स्तर से स्वीकृति प्रदान की गयी है। अतः प्राधिकरण कार्यालय में उपस्थित हो कर प्रश्नगत कार्य हेतु अनुबन्ध निष्पादित करते हुये कार्य की प्राथमिकता के दृष्टिगत तत्काल कार्य प्रारम्भ कराने का कष्ट करें।

भवदीय,



13.9.2022

(मनोज कुमार)  
नगर नियोजक

पत्रांक :-  
प्रतिलिपि-

/वि0प्रा0/न0नि0/2022-23

दिनांक :-

1. उपाध्यक्ष महोदय को सादर सूचनार्थ।
2. सचिव महोदय को सादर सूचनार्थ।
3. वित्त नियन्त्रक महोदय को सादर सूचनार्थ।
4. अधीक्षण अभियन्ता/प्र0अधि0(निर्माण) को सूचनार्थ।

(मनोज कुमार)  
नगर नियोजक



## वाराणसी विकास प्राधिकरण, वाराणसी

राजा उदय प्रताप मार्ग, पन्ना लाल पार्क, वाराणसी-221002  
फ़ोन: 0542-2280326 ईमेल: vdavaranasi@gmail.com

प्रेषक,

नगर नियोजक,  
वाराणसी विकास प्राधिकरण,  
वाराणसी।

सेवा में,

M/S Praveg communication (India) Limited .  
214, Athena Avenue, Behind Jaguar Showroom, S.G Highway, Gota,  
Ahmedabad, Gujarat- 382481.

पत्रांक :- 920/वि0प्रा0/न0नि0/2022-23

दिनांक :- 01/12/2022

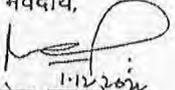
विषय- वाराणसी में गंगा नदी के दूसरी ओर (रामनगर की ओर) गंगा नदी के तट पर टेन्ट सिटी विकसित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषय के सम्बन्ध में वाराणसी में गंगा नदी के दूसरी ओर प्रस्तावित टेन्ट सिटी विकसित किये जाने हेतु उपाध्यक्ष महोदय के आदेश पत्रांक 910/वि0प्रा0/न0नि0/2022-23, दिनांक 26.11.2022 को मौजा-कोदोपुर, परगना-रामनगर, तहसील-सदर, जिला-वाराणसी में स्थित रेता की भूमि में मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि0, के श्री जिग्नेश पटेल, प्रोजेक्ट मैनेजर की उपस्थिति में वाराणसी विकास प्राधिकरण की संयुक्त टीम के द्वारा प्रस्तावित टेन्ट सिटी विकसित किये जाने हेतु अस्सी घाट के सामने से आपको पैच-1 हेतु 10 हेक्टेयर भूमि एवं पैच-2 हेतु 10 हेक्टेयर भूमि को चिन्हित कर आवंटित किया गया है। आर0एफ0पी0 में उल्लेखित शर्तों के आधार पर किये गये मूल्यांकन तथा आपकी फर्म द्वारा दिये गये पत्र दिनांक 09.09.2022 जिसके माध्यम से आपके द्वारा पैच-1 पर भी पैच-2 की उच्च वित्तीय बिड (लाइसेंस फीस) पर कार्य करने की सहमति प्रदान की गयी है। उक्त के क्रम में आपको पैच-1(10 हेक्टेयर भूमि) एवं पैच-2 (10 हेक्टेयर भूमि) में कुल-20 हेक्टेयर भूमि पर टेन्ट सिटी विकसित किये जाने हेतु सक्षम स्तर से स्वीकृति प्रदान की गयी है।

अतः प्राधिकरण कार्यालय में उपस्थित हो कर प्रश्नगत कार्य हेतु अनुबन्ध निष्पादित करते हुये कार्य की प्राथमिकता के दृष्टिगत तत्काल कार्य प्रारम्भ कराने का कष्ट करे।

भवदीय,

  
(मनोज कुमार)  
नगर नियोजक

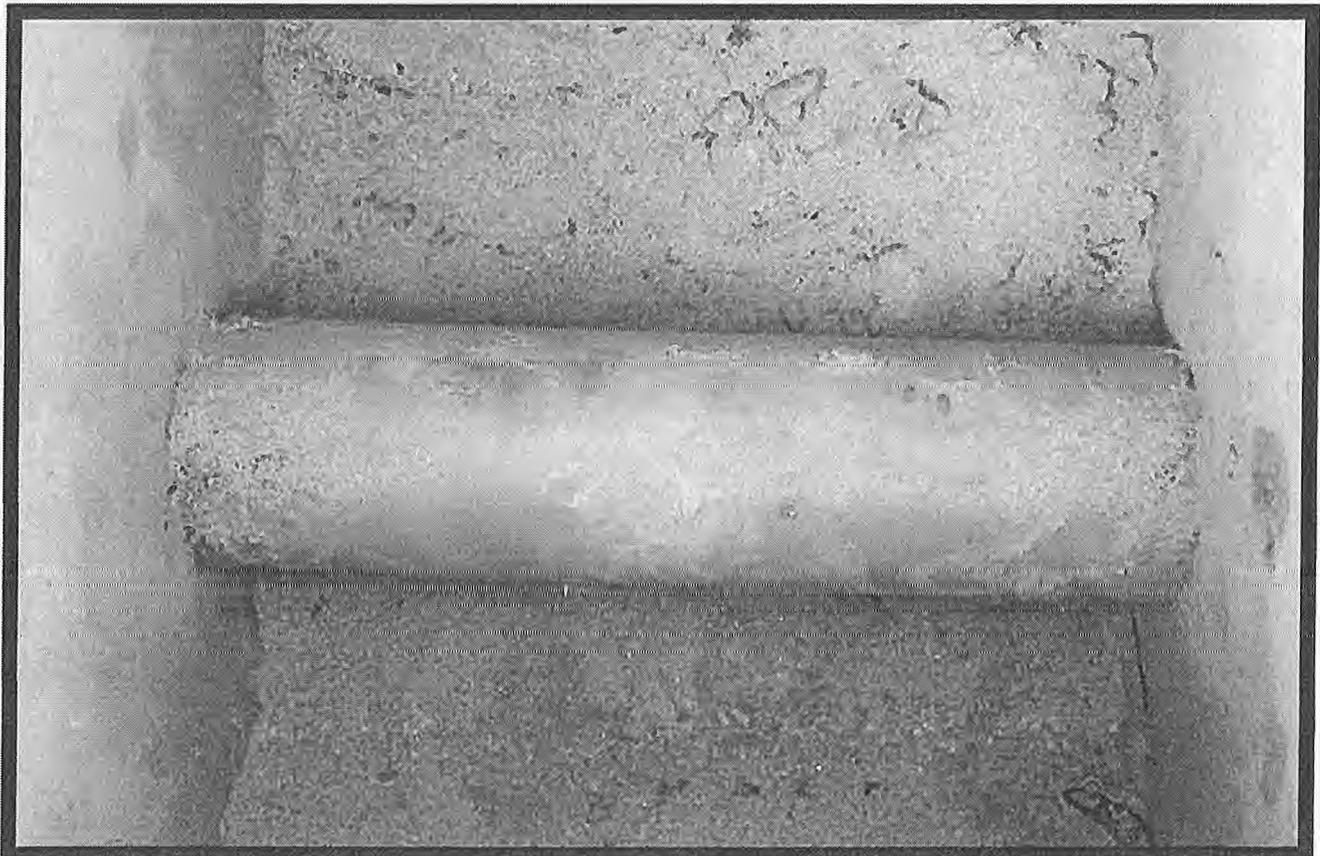
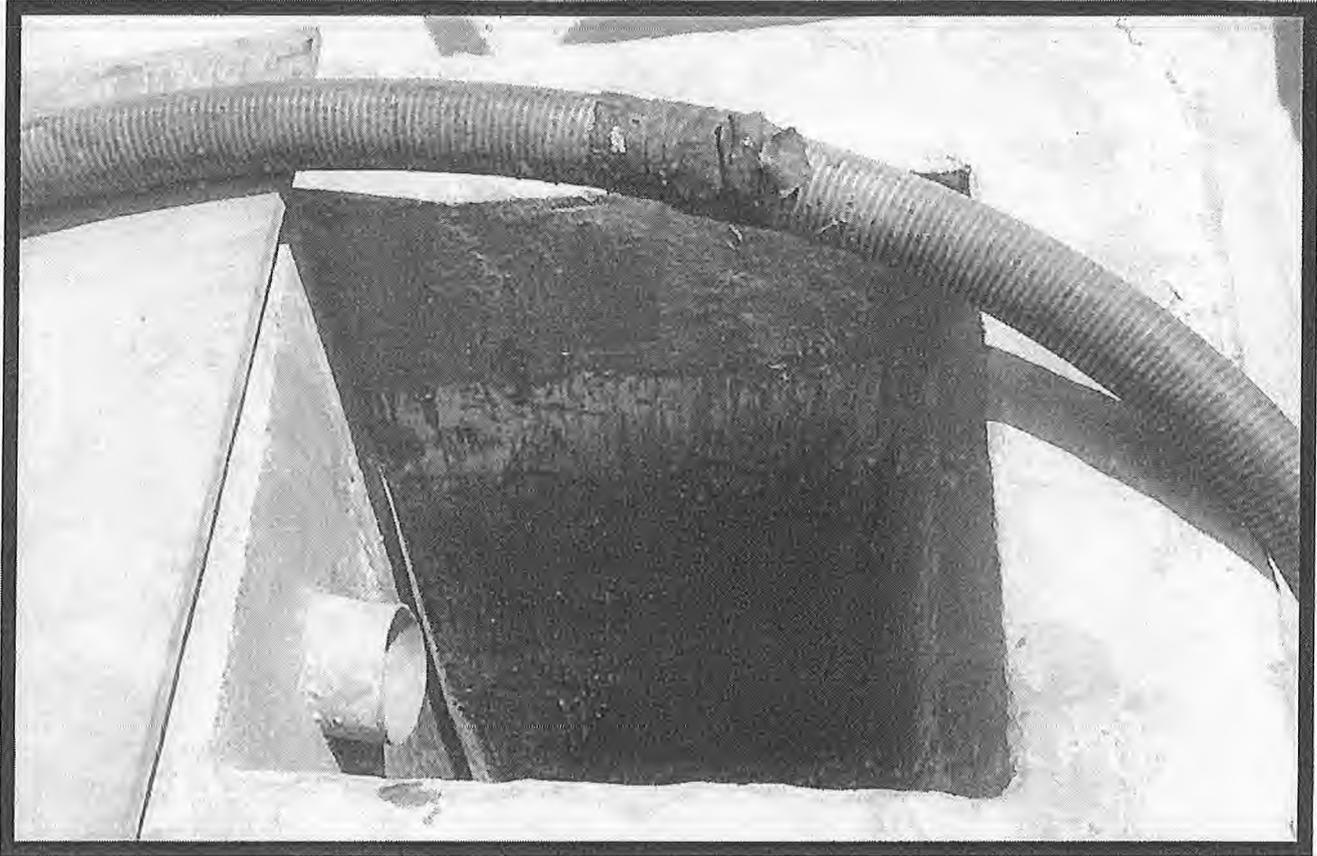
पत्रांक :- /वि0प्रा0/न0नि0/2022-23  
प्रतिलिपि-

दिनांक :-

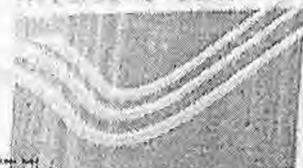
1. उपाध्यक्ष महोदय को सादर सूचनार्थ।
2. सचिव महोदय को सादर सूचनार्थ।
3. वित्त नियन्त्रक महोदय को सादर सूचनार्थ।
4. अधीक्षण अभियन्ता/प्र0अधि0(निर्माण) को सूचनार्थ।

(मनोज कुमार)  
नगर नियोजक





Special (0002000000) (wear mask) Stay Safe



EE869967796IN IVR:6971069967796 India Post

OF CHANDLODIYA SO (382481)

Counter No:1, 21/12/2023, 12:46

To:THE CHIEF ENVIRONMENT, CIRCLE &

PIN:226010, Banti Nagar SO

From:PRAVES LTD, 214 ATHENA

wt:76gms

amt:47.20 (Cash) Tax:7.20

(Track on [www.indiapost.gov.in](http://www.indiapost.gov.in))



Ahmedabad,  
Date: 10<sup>th</sup> January 2024

To,  
The Regional Officer,  
Uttar Pradesh Pollution Control Board  
Awasthi Vikash Office Complex,  
Jawahar Nagar, Bhelupur,  
Varanasi, Uttar Pradesh- 221 010

Dear Sir/Madam,

Sub: Imposition of penalty of Rs.17, 12,250/- Reg.

Ref: 1. UPPCB letter no. H.02687/C-6/NOC-167/23 dated 6-11- 2023.

2. UPPCB letter no. H.03248/C-6/167/Deposit/VNS/2023 dated 23-11-2023.

3. UPPCB letter no.1954/Praveg Communications (India) Ltd/23-24 dated 16-12-2023.

4. Praveg letter dated 20-12-2023.

Dear Sir/Madam,

With reference to your above letters referred at 1,2 and 3, Varanasi Development Authority selected M/s Praveg Limited on annual license fee basis through e-tendering process for the development, maintenance, operate and management of Tent City at patch-1 and Patch-2 land on the other side of "Assi Ghat" on the banks of River Ganga in Varanasi. Accordingly, M/s Praveg Limited developed the world class tent city.

With reference to the UPPCB letter no. H.02687/C-6/NOC-167/23 dated 6-11- 2023, we have represented with complete details through vide dated 20-12-2023. However, the points of the representation is below:

**Response Point No.3**

It is submitted that the M/s. Praveg Limited has not caused any environmental damage in setting up the Tent City at Varanasi. The Joint Inspection Report had also categorically observed that no sewage water is being discharged in the river, and it was also that the project premises and adjoining area is free from indiscriminate littering. Below Paragraph 4.3(iv) of the Joint Inspection Report is reiterated here in below for the sake of convenience:

"The PPs have put in place the mechanism to collect these waste /solid waste and its conveyance to existing sewage treatment plant (STP)/municipal solid waste (MSW) processing facility with no discharges /disposal either into river or on the river bed. The site was observed by the joint committee to be largely free from indiscriminate littering of municipal solid waste or sewage on the Tent City premises and adjoining river/riverbed."

We further attached herewith photographs of the sewage system installed at site as Annexure B

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom | G. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com  
True Copy

**Response Point No: 4**

That on 04.07.2023, the M/s. Praveg Limited has obtained the Consolidated Consent to Operate and Authorization (hereinafter 'the CTO') from UPPCB under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

It is pertinent to state that the M/s. Praveg Limited, was granted CTO at a belated stage for the activities which were deemed fit by your good self on a later date implying that the activities of the M/s. Praveg Limited, as such were not in violation of provisions of the environmental laws.

**Response Point No: 6**

That the M/s. Praveg Limited, was not aware that it had to obtain any prior permission from the NMCG, since the management and conservation of the Ghats was handed over to the VDA. The M/s. Praveg Limited, in good faith had responded to RFP dated 21.07.2022 issued by VDA for setting up Tent City on the banks of River Ganges at Varanasi, Uttar Pradesh in the belief that VDA had the requisite permission for such activities. In fact, NMCG permissions were to be obtained by the VDA. The M/s. Praveg Limited, has learnt that VDA made appropriate application for such permission which has been considered and granted by NMCG.

**Response Point No: 7**

That the M/s. Praveg Limited, had complied with all other mandates as per the environment laws and has utmost respect towards the same. However, it is stated that it failed to obtain the CTO in a timely manner which was neither deliberate nor intentional and which is only a procedural violation with no damage to the environment or a third party.

**Response Point No: 8**

That the penalty of Rs.12,500/- (Rupees Twelve Thousand Five Hundred Only) per day for the period 15.01.2023 to 31.05.2023 as proposed to be imposed on the M/s. Praveg Limited, for a procedural violation of not having obtained the CTO, is arbitrary and unreasonable. There is no other violation except obtaining the CTO belatedly, and there is no discharge of emissions or waste or sewage or indiscriminate littering which has taken place at the site causing pollution as per the Joint Committee Inspection Report. Thus, the proposed compensation in terms of Action Plan as per the Show Cause Notice in the absence of any environmental damage caused by the M/s. Praveg Limited, is without any basis, disproportionate and exorbitant.

We have requested vide letter 20-12-2023 to consider the above representation/reply and drop the show case notice seeking to impose a financial penalty of Rs.12,500/ per day from

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, G. Highway, Gota, Ahmedabad-382481, INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

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15.01.2023 to 31.05.2023 (Rs.17, 12,500/-) since it has not caused any environmental damage and has complied with all the conditions except a procedural/technical lapse which was absolutely unintentional. However, UPPCB vide its letter no. H.03248/C-6/167/Deposit/VNS/2023 dated 23-11-2023 imposed penalty and informed to deposit the amount of rs.17,12,500/- in the Union bank of India account of the Uttar Pradesh Pollution Control Board, Lucknow. In this regard, UPPCB again vide its letter no. 1954/Praveg Communications (India) Ltd/23-24 dated 16-12-2023 informed to deposit the amount in the bank account of the UPPCB.

So, again we request you to drop the show cause notice to impose the penalty and waive the penalty imposed as it has not caused any environmental damage and has complied with all the conditions except a procedural/technical lapse which was absolutely unintentional.

Therefore, by considering above facts, your good self will take the appropriate decision in our favour and oblige us.

Thanking you,  
Yours faithfully,  
For M/s Praveg Limited



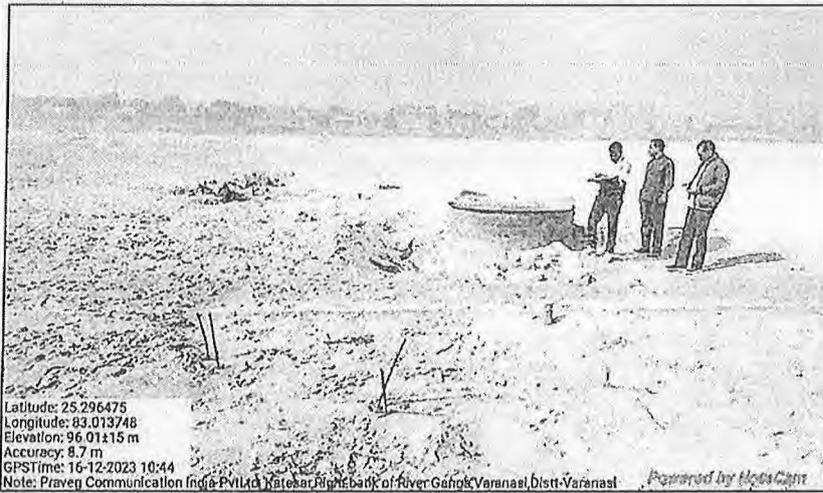
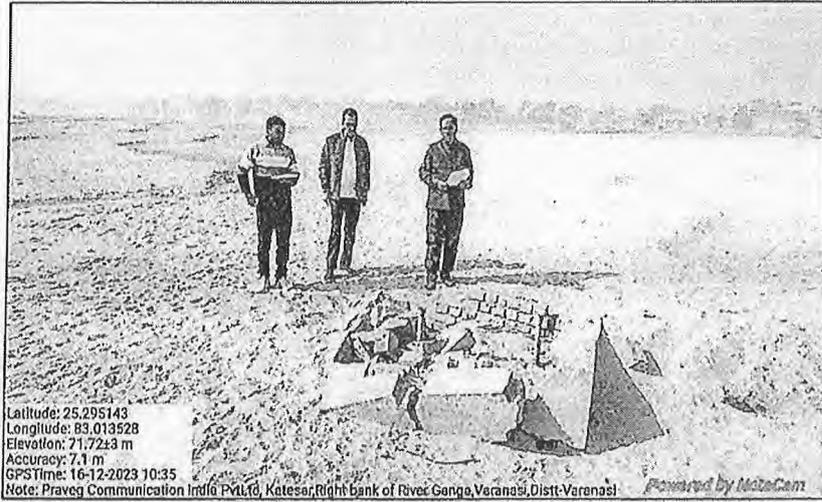
Director

**PRAVEG LIMITED**

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True Copy



मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लिमिटेड, टेन्ट सिटी, कटेसर, रामनगर, वाराणसी

Ahmedabad,  
23rd January 2024

To,  
The Regional Officer,  
Uttar Pradesh Pollution Control Board  
Awasthi Vikash Office Complex,  
Jawahar Nagar, Bhelupur,  
Varanasi, Uttar Pradesh- 221 010

Dear Sir/Madam,

Sub: Imposition of penalty of Rs.17, 12,500/- Reg.

Ref: 1. UPPCB letter no. H.02687/C-6/NOC-167/23 dated 6-11- 2023.

2. UPPCB letter no. H.03248/C-6/167/Deposit/VNS/2023 dated 23-11-2023.

3. UPPCB letter no.1954/Praveg Communications (India) Ltd/23-24 dated 16-12-2023.

4. Praveg letter dated 20-12-2023.

5. Praveg Letter dated 10-01-2024.

6. UPPCB letter no.2077/Praveg communications Ltd/2023-24 dated 13-01-2024.

Dear Sir/Madam,

With reference to your above letter referred at 6 dated 13-01-2024, we have represented with complete details through our letter dated 10-01-2024 citing the reference to the UPPCB letter no. H.02687/C-6/NOC-167/23 dated 6-11- 2023. However, the points of the representation is below:

### Response Point No.3

It is submitted that the M/s. Praveg Limited has not caused any environmental damage in setting up the Tent City at Varanasi. The Joint Inspection Report had also categorically observed that no sewage water is being discharged in the river, and it was also that the project premises and adjoining area is free from indiscriminate littering. Below Paragraph 4.3(iv) of the Joint Inspection Report is reiterated here in below for the sake of convenience:

"The PPs have put in place the mechanism to collect these waste /solid waste and its conveyance to existing sewage treatment plant (STP)/municipal solid waste (MSW) processing facility with no discharges /disposal either into river or on the river bed. The site was observed by the joint committee to be largely free from indiscriminate littering of municipal solid waste or sewage on the Tent City premises and adjoining river/riverbed."

We further attached herewith photographs of the sewage system installed at site as Annexure B

## PRAVEG LIMITED

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, Highway, Gota, Ahmedabad-382481. INDIA  
CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

True Copy



**Response Point No: 4**

That on 04.07.2023, the M/s. Praveg Limited has obtained the Consolidated Consent to Operate and Authorization (hereinafter 'the CTO') from UPPCB under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

It is pertinent to state that the M/s. Praveg Limited, was granted CTO at a belated stage for the activities which were deemed fit by your good self on a later date implying that the activities of the M/s. Praveg Limited, as such were not in violation of provisions of the environmental laws.

**Response Point No: 6**

That the M/s. Praveg Limited, was not aware that it had to obtain any prior permission from the NMCG, since the management and conservation of the Ghats was handed over to the VDA. The M/s. Praveg Limited, in good faith had responded to RFP dated 21.07.2022 issued by VDA for setting up Tent City on the banks of River Ganges at Varanasi, Uttar Pradesh in the belief that VDA had the requisite permission for such activities. In fact, NMCG permissions were to be obtained by the VDA. The M/s. Praveg Limited, has learnt that VDA made appropriate application for such permission which has been considered and granted by NMCG.

**Response Point No: 7**

That the M/s. Praveg Limited, had complied with all other mandates as per the environment laws and has utmost respect towards the same. However, it is stated that it failed to obtain the CTO in a timely manner which was neither deliberate nor intentional and which is only a procedural delay with no damage to the environment or a third party.

**Response Point No: 8**

That the penalty of Rs.12,500/- (Rupees Twelve Thousand Five Hundred Only) per day for the period 15.01.2023 to 31.05.2023 as proposed to be imposed on the M/s. Praveg Limited, for a procedural delay of not having obtained the CTO, is arbitrary and unreasonable. There is no other violation except obtaining the CTO belatedly, and there is no discharge of emissions or waste or sewage or indiscriminate littering which has taken place at the site causing pollution as per the Joint Committee Inspection Report. Thus, the proposed compensation in terms of Action Plan as per the Show Cause Notice in the absence of any environmental damage caused by the M/s. Praveg Limited, is without any basis, disproportionate and exorbitant.

We have requested vide letter 20-12-2023 to consider the above representation/reply and drop the show case notice seeking to impose a financial penalty of Rs.12,500/- per day from

**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

Regd. Office: 214, Athena Avenue, Behind Jaguar Showroom, S. S. Highway, Gota, Ahmedabad-382481, INDIA

CIN: L24231GJ1995PLC024809 | Phone: +91 79 27496737 | Email: info@praveg.com | Website: www.praveg.com

True Copy



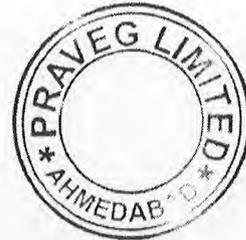
15.01.2023 to 31.05.2023 (Rs.17, 12,500/-) since it has not caused any environmental damage and has complied with all the conditions except a procedural/technical lapse which was absolutely unintentional. However, UPPCB vide its letter no. H.03248/C-6/167/Deposit/VNS/2023 dated 23-11-2023 imposed penalty and informed to deposit the amount of rs.17,12,500/- in the Union bank of India account of the Uttar Pradesh Pollution Control Board, Lucknow. In this regard, UPPCB again vide its letter no. 1954/Praveg Communications (India) Ltd/23-24 dard 16-12-2023 informed to deposit the amount in the bank account of the UPPCB.

So, again we request you to drop the show cause notice to impose the penalty and waive the penalty imposed as it has not caused any environmental damage and has complied with all the conditions except a procedural/technical lapse which was absolutely unintentional.

Therefore, by considering above facts, your good self will take the appropriate decision in our favour and oblige us.

Thanking you,  
Yours faithfully,  
For M/s Praveg Limited

  
Director

**PRAVEG LIMITED**

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A watermark with the text "True Copy" and a stylized signature or logo above it.



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, वाराणसी  
UTTAR PRADESH POLLUTION CONTROL BOARD, VARANASI



संदर्भ सं० / Ref.No. 2077/प्रवेग कम्युनिकेशन (इण्डिया) लि०/2023-24

दिनांक 13-01-2024

अनुस्मारक

सेवा में,

मेसर्स प्रवेग कम्युनिकेशन (इण्डिया) लि०,  
214, एथिना एवेन्यू, जैगवार शोरूम के पीछे,  
एसजी हाइवे, गोटा, अहमदाबाद,  
गुजरात-382481

Regd./email

विषय:- अधिरोपित पर्यावरणीय क्षतिपूर्ति राज्य बोर्ड के बैंक खाता में जमा करने के सम्बन्ध में।  
महोदय,

कृपया उपरोक्त विषयक इस कार्यालय के पत्र संख्या 1954/प्रवेग कम्युनिकेशन (इण्डिया) लि०/23-24, दिनांक 16.12.2023 का सन्दर्भ ग्रहण करने का कष्ट करें (छायाप्रति संलग्न), जिसके माध्यम से मुख्य पर्यावरण अधिकारी (वृत्त-6), बोर्ड मुख्यालय, लखनऊ के पत्र संख्या एच 03248/सी-6/167/निक्षेप/वी०एन०एस०/2023, दिनांक 23.11.2023 द्वारा आपकी इकाई के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति धनराशि ₹0 17,12,500/- (₹0 सत्रह लाख बारह हजार पाँच सौ मात्र) को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक ऑफ इण्डिया, विभूति खण्ड, गोमती नगर, लखनऊ स्थित बैंक खाता संख्या 701502010002104 आई०एफ०एस०सी० कोड यू०बी०आई०एन० 0570150 में जमा करने हेतु निर्देशित किया गया था। किन्तु कार्यालय अभिलेखानुसार अभी तक आप द्वारा उक्त धनराशि जमा करने की सूचना इस कार्यालय को नहीं दी गयी है।

अतः आपको पुनः निर्देशित किया जाता है कि आपकी इकाई के विरुद्ध पर्यावरणीय क्षतिपूर्ति के रूप में अधिरोपित धनराशि ₹0 17,12,500/- (₹0 सत्रह लाख बारह हजार पाँच सौ मात्र) को राज्य बोर्ड के उक्त खाता संख्या में तत्काल जमा कराकर इस कार्यालय एवं बोर्ड मुख्यालय, लखनऊ को सूचित करना सुनिश्चित करें।

संलग्नक-उपरोक्तानुसार।

भवदीय,

(डॉ० एस०सी० शुक्ला) 31/1/24  
क्षेत्रीय अधिकारी

पृ०सं० एवं दिनांक : उपरोक्त।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. उपाध्यक्ष महोदय, वाराणसी विकास प्राधिकरण, वाराणसी।
2. सदस्य सचिव महोदय, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।
3. मुख्य पर्यावरण अधिकारी (वृत्त-6), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को इस अनुरोध के साथ प्रेषित कि राज्य बोर्ड से उक्त इकाई के विरुद्ध अधिरोपित की गयी पर्यावरणीय क्षतिपूर्ति जमा कराये जाने हेतु अपने स्तर से कार्यवाही करने का कष्ट करें।
4. विधि अधिकारी (प्रथम), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी

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ANNEXURE -R11/10 COLLY

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कार्यालय  
सहायक निदेशक, विद्युत सुरक्षा, उ०प्र० शासन  
वाराणसी जोन, SA-04/73 बी 15-A  
दौलतपुर, पट्टिया, वाराणसी

कार्यालय सहायक निदेशक विद्युत सुरक्षा उ०प्र०शासन वाराणसी जोन  
एस.ए.- 4/73, बी-15-ए, दौलतपुर, पाण्डेयपुर, वाराणसी।

संख्या - ५५२ सा०नि० / वि०सु० / वारा०-जो० / टेन्ट सिटी-2023, दिनांक- 11/01/2023

### विद्युत सुरक्षा प्रमाण

प्रमाणित किया जाता है कि जनपद वाराणसी में गंगा पार निर्मित टेन्ट सिटी वाराणसी में सर्वश्री प्रवेग लि० द्वारा निर्मित अस्थाई क्लस्टर.1 में निर्मित समस्त टेन्ट एरिया में कराये गये अस्थायी विद्युतीय अधिष्ठापन का निरीक्षण इस कार्यालय के, श्री मनोज कुमार सिंह एवं श्री दिनेश कुमार, विद्युत सुरक्षा अधिकारीगण द्वारा दि०-10.01.2023 एवं 11.01.2023 को किया गया। निरीक्षण के समय उक्त विद्युतीय अधिष्ठापन भारतीय विद्युत नियमावली, 1956 के सुसंगत नियमों का संतोषप्रद रूप से पालन करते हुए सुरक्षित पाये गये। आयोजन अवधि में सम्बन्धित विद्युत अधिष्ठापनों का अनुरक्षण, परिचालन व पर्यवेक्षण सक्षम व्यक्तियों से कराया जाना अपेक्षित है।

दिनांक-11.01.2023

समय- 5.45



सहायक निदेशक,  
विद्युत सुरक्षा, उ०प्र०शासन  
वाराणसी जोन, वाराणसी।

नोट-1-टेन्ट के स्ट्रक्चर एवं विद्युतीय उपकरण को सक्षम सु-भिन्न की सक्षम अर्थिग करने के पश्चात प्रयोग में लाया जाय।

2- वायरिंग के समस्त तार पी०वी०सी० कन्ड्यूट पाइप में परिवेष्टित करने के पश्चात प्रयोग में लाया जाय। ।

Office of the Assistant Director, Electrical Safety,  
Government of Uttar Pradesh, Varanasi Zone  
S.A.-4/73,B-15-A,Daulatpur, Pandeypur, Varanasi  
No.942 A.D./E.S./Vara. Zo./tent City-2023  
Dated 11.01.2023

Electrical Safety Certificate

Certified that Shri Manoj Kumar Singh & Shri Dinesh Kumar, Electric Safety Officers of this office conducted inspection of temporary electrical installation arranged in the whole Tent Area constructed in temporary Cluster 1 constructed by M/s. Parveg Limited in Tent City, Varanasi constructed in other side of Ganga in District Varanasi on 10.01.2023 and 11.01.2023. During the course of inspection, the said electrical installation was found intact and satisfactory having ensured relevant roles of India Power Regulation, 1956. Maintenance, operation and supervision of electric installation is desired to be executed from competent persons during the event period.

dated : 11.01.2023

Time: 5.45

Sd/-  
Assistant Director  
Electrical Safety, Govt. of U.P.  
Varanasi Zone, Varanasi.

Note:

  
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1. Structure of tent and electrical equipments be used only after proper earthing by the competent persons.
2. Whole wire of wiring be used only after surrounded in P.V.C. Conduit pipe.

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 203 / 2023

IN THE MATTER OF:

Tushar Goswami.

... Applicant

Versus

Union of India & Ors.

... Respondents

KNOW ALL to whom these presents shall come that I, KALPESH PATEL, AUTHORIZED REPRESENTATIVE OF M/S PRAVEG (INDIA) COMMUNICATION LIMITED (RESPONDENT NO.11), do hereby appoint:

V.LAKSHMIKUMARAN, CHARANYA LAKSHMIKUMARAN, YOGENDRA ALDAK, BHAVYA SHUKLA,  
PRANAV MUNDRA, RASHI SRIVASTAVA, TAMANNA SHARMA

Hereafter called the Advocate(s) to be my Advocates in the above noted case and authorize him/them;

To act, appear, plead in the above noted case before the NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI or in any court in which the case may be tried or heard and also in the High court and Supreme Court subject to payment of fee separately for each court.

To sign, file, verify and present pleadings, replications, appeals, cross-objections, for executions, review, revision, restoration, withdrawal, compromise, inspection applications, applications or other petitions, replies, objections, or affidavits or their documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents.

To take out execution proceedings.

To deposit, draw and receive moneys, cheques and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner(s)/Consultant(s) authorizing him to exercise the power and authority hereby conferred upon the advocates whenever they may think fit to do so and to sign the power of attorney on my/our behalf.

And we the undersigned do hereby agree to ratify and confirm the acts done by the Advocate(s) or his/their substitute in the matter as my/our own acts as if done by me/us to all intents and purposes.

And we the undersigned undertake that we or our duly authorized agent would appear in court on all hearings and will inform the Advocate(s) for appearance, when the case is called.

And we the undersigned do hereby agree not to hold the Advocate(s) or his/their substitute responsible for the result of the said case in consequence of his/their absence from the court when the said is called up for hearing, or any negligence of the said Advocate(s) or his/their substitute.

And we the undersigned, do hereby agree that in the event of the whole or any part of the fee agreed by us to be paid to the Advocate(s) remaining unpaid, he/they shall be entitled to withdraw from the prosecution of the said case until the same is paid up. If any costs are allowed for an adjournment, the Advocate(s) would be entitled to the same. The fee settled is only for the above case and court.



IN WITNESS WHEREOF we do hereunto set our hand to these presents, the contents of which have been understood by us this 23<sup>rd</sup> day of January, 2024.

Accepted subject to the terms of fees.

Advocate



Client

CHARANYA LAKSHMIKUMARAN  
MAH/6298/2010  
[Charanya.l@lakshmisri.com](mailto:Charanya.l@lakshmisri.com)

YOGENDRA ALDAK  
D/684/2011  
[Yogendra.aldak@lakshmisri.com](mailto:Yogendra.aldak@lakshmisri.com)

PRANAV MUNDRA  
D/5779/2019  
[pranav.mundra@lakshmisri.com](mailto:pranav.mundra@lakshmisri.com)

BHAVYA SHUKLA  
D/6255/2019  
[bhavya.shukla@lakshmisri.com](mailto:bhavya.shukla@lakshmisri.com)

RASHI SRIVASTAVA  
UP155/2021  
[rashi.srivastava@lakshmisri.com](mailto:rashi.srivastava@lakshmisri.com)

TAMANNA SHARMA  
D/6506/2021  
[tamanna.sharma@lakshmisri.com](mailto:tamanna.sharma@lakshmisri.com)

*Balraj Singh Chhetmal*  
D/14438/2023

**Addresses for communication**  
**LAKSHMIKUMARAN & SRIDHARAN**  
5, Link Road, Jangpura Extension, New Delhi 110 014  
Phones: 41299900/26192243/26192273/26192280  
Fax: (011) 26197578 / (011) 41299899 MOB: 8010333998  
Email: [yogendra.aldak@lakshmisri.com](mailto:yogendra.aldak@lakshmisri.com)

NOC  
*Anuradha Mishra*

**ANURADHA MISHRA**  
ADVOCATE-ON-RECORD  
SUPREME COURT OF INDIA  
3, Birbal Road, 1st Floor, Jangpura Extension,  
New Delhi-110014  
Phone: 9971391034



**CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE MANAGEMENT COMMITTEE OF PRAVEG LIMITED AT THEIR COMMITTEE MEETING HELD ON FRIDAY, JANUARY 12, 2024 AT 214, ATHENA AVENUE, BEHIND JAGUAR SHOWROOM, S. G. HIGHWAY, GOTA, AHMEDABAD - 382481**

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**Authority to act on behalf of the Company and authorize officials**

**“RESOLVED THAT** Mr. Kalpesh Patel, Authorised Representative of Praveg Limited be and are hereby jointly/ severally authorized for doing the following:

- (i) To represent the Company in respect of any litigation matters or instituting litigation in matters before any court or tribunal and for the said purpose to appoint, change advocates, pleaders, signing of applications, vakalatnamas, power of attorneys, affidavits, documents, pleadings, replies, give evidences, etc.;
- (ii) To delegate all or any of the aforesaid powers to any officer, employee, representative, consultant, professional etc.
- (iii) To do all such acts, deeds and things as may be required to be done to give effect to this resolution.

**RESOLVED FURTHER THAT** the Authorized Person may act for and on behalf of the Company with respect to the above matters and, if required, Powers of Attorney(s) be issued in favour of the Authorized Person by any one director and if required, seal of the Company be affixed thereto.”

Certified To Be True Copy

For **Praveg Limited**

(Formerly known as Praveg Communications (India) Limited)

**Mukesh Chaudhary**  
Company Secretary &  
Compliance Officer



**PRAVEG LIMITED**

(Formerly known as Praveg Communications (India) Limited)

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