BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

CENTRAL ZONE BENCH AT BHOPAL

ORIGINAL APPLICATION NO. 188 OF 2023

[(EARLIER O.A. NO. 619 OF 2023 (PB)]

IN THE MATTER OF:

BRAJESH KUMAR BHARADWAJ …APPLICANT IN PERSON

VERSUS

STATE OF MADHYA PRADESH & ORS. …RESPONDENTS

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Most Respectfully Submitted.

Filed by: -

Place: Chhindwara M.P

Filed on: 19.07.2024

19/07/2024

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OBJECTIONS TO THE JOINT COMMITTEE REPORT DATED 15.05.2024 SUBMITTED AS PER THE HON'BLE TRIBUNAL'S ORDER DATED 16.02.2024

MOST RESPECTFULLY SHOWETH:

1. That the above-titled Original Application raises the grievance against the ongoing expansion of non-functional Pachmarhi airstrip from 1200m to 1800m. It is submitted that the excavated area of airstrip is located 162m from the Protected Area boundary (CORE ZONE) of the Satpura Tiger Reserve falling in the Eco-Sensitive Zone (ESZ) i.e. Pachmarhi Hills in Narmadapuram District of Madhya Pradesh and inside the UNESCO Biosphere Reserve of Pachmarhi. That Pachmarhi is listed in Annexure II of the ESZ Notification at Sr. No. 79 as the area is falling within ESZ and buffer area of notified Satpura Tiger Reserve Madhya Pradesh. Pachmarhi is in the buffer area which is encircled by the Core area of tiger reserve, as shown in the annexed map. **ANNEXURE-04.** It is submitted that the project is in violation of the provisions of ESZ notification, EIA 2006 notification, MPPCB rules, NTCA Guidelines, Wild Life (P) Act, 1972, Ministry of Civil Aviation N. Delhi regulations and the decision to allow such project inside the Satpura tiger reserve will be disastrous to the long-term survival of Tiger a Keystone species and the ecosystem. Intolerable loud noise from the Aeroplane and Helicopter operations from Pachmarhi airstrip will harm the Avifauna, adjacent to the PA areas **(ANNEXURE-78).** The airborne noises will

resonate in the surrounding gorges, distressing the Avi-fauna (habitat of endangered Vulture Gyps). The project proposal goes against the core objective of establishing the Satpura Tiger Reserve M.P and Pachmarhi Biosphere. The project has the potential to harm the biodiversity and biological resources of the tiger reserve and biosphere. The Satpura Tiger Reserve's Protected Area comprises of three protected areas: Satpura National Park, Bori Wildlife Sanctuary, and Pachmarhi Wildlife Sanctuary, which surround the Pachmarhi town on the hills. The airstrip is adjacent to the boundary of Satpura National Park. The Satpura Tiger Reserve is part of the largest Tiger Habitat in the world which includes Chhindwara, Hoshangabad, Betul, Harda, Khandwa and Melghat extending over 10,000 square kilometer. The Satpura landscape has tiger corridors and it is most vital for survival of tiger and this area has historically been renowned for Tiger, Gaur and Sambhar. At least 14 endangered species of mammals, birds and reptiles inhabit these forests. The flying squirrel, Indian giant squirrel and Leaf nosed bats must be regarded among the most sensitive to habitat changes.

- *"The Government of Madhya Pradesh considers the Satpura National Park, Bori Wildlife Sanctuary and Pachmarhi Wildlife Sanctuary as critical tiger habitat and it is of adequate ecological, faunal and floral significance, to be kept* ***inviolate*** *for the purposes of conservation of tiger, other predators, their prey base, and their habitat and environment."* Hence, the said areas were declared as the *Core area* of the Satpura Tiger Reserve as notified on 24.12.2007. **ANNEXURE-05**
- Government of Madhya Pradesh declared the *buffer* zone of Satpura Tiger Reserve vide notification dated 03.01.2011. **ANNEXURE-06**
  Ministry of Environment and Forests N. Delhi decided on 03.03.1999 to designate the Pachmarhi area as Biosphere Reserve (BR) with area encompassing Satpura National Park as the CORE ZONE. The remaining area surrounding the core zone will serve as buffer zone. According to the **Para 4(b)** of the decision letter dt 03.03.1999 ***"the Core Zone of the biosphere reserve will be kept absolutely undisturbed.*****"** **ANNEXURE-07**
- The MoEF&CC N. Delhi notified the Eco-Sensitive Zone of Satpura Tiger Reserve MP on August 9, 2017. **ANNEXURE-08**

2. That the above-titled Original Application No. 619 of 2023 (PB) was earlier registered as a letter petition by the Hon'ble Tribunal, Principal Bench. Vide

order dated 7.12.2023, the Hon'ble Tribunal deemed it proper to implead the following as Respondents in the Original Application, and directed notices to be issued to the same, which are reproduced below: **ANNEXURE-01**

(i) Ministry of Environment and Forests and Climate Change through the Secretary.

(ii) Airport Authority of India through the Director General.

(iii) District Magistrate, Narmadapuram.

The Hon'ble Tribunal, Principal Bench further transferred the above-titled Original Application before the Hon'ble Central Zone Bench, and disposed of the said Application. Thereafter, the Application was registered as O.A. No. 188 of 2023.

3. That vide order dated 16.02.2024, this Hon'ble Tribunal observed that although the Respondents were directed to submit the reply, no reply has been filed till date. Hence, this Hon'ble Tribunal deemed it appropriate to form an Expert Committee considering the technical nature of the matter. The Expert Committee was directed to be comprised of the following persons:

i. One representative from the MoEF&CC, Bhopal

ii. One representative from the CPCB, Bhopal

iii. One representative from the District- Narmadapuram, M.P.

iv. One representative from the State Pollution Control Board

v. One representative nominating by the SEIAA, M.P.

That the Committee was also directed to visit the site and submit a factual and action taken report within three weeks. **ANNEXURE-02.** Further, the order dated 16.4.2024 is annexed as **ANNEXURE-03.**

4. That the Expert Committee after the site visit to Pachmarhi Airstrip along with the applicant on 29.03.2024 has submitted its report on 15.05.2024. **The expert committee report has clearly suggested that the project needs to be discouraged (Page 8 Para 4) and found that the airstrip expansion project has been undertaken in violation of** Satpura Tiger Reserve ESZ Notification, EIA Notification 2006, NTCA guidelines, Wild Life Protection Act, 1972 as well as without obtaining Consent to Establish and Consent to Operate from Madhya Pradesh Pollution Control Board (MPPCB). Therefore, the Applicant

submits the following in response to the Expert Committee Report dated 15.05.2024.

CHRONOLOGICAL FLOW CHART OF DATES AND EVENTS. **(Extracted from official website of Satpura TR/Gazettes)** **https://satpuratigerreserve.org/**		
S. No.	**YEAR**	**EVENT/MILESTONE**
1.	1862	Capt. James Forsyth discovered and explored Pachmarhi.
2.	1864	Colonel Pearson introduced fire protection measures.
3.	1865	Bori Reserve created.
4.	1931	Bori Sanctuary declared.
5.	1975	Bori Wildlife Sanctuary came into existence.
6.	1977	The Government of Madhya Pradesh notified Pachmarhi Sanctuary under Section 18(1) of the Wild Life (Protection) Act, 1972 on 01.06.1977
7.	1981	Satpura National Park notified.
8.	1999	Pachmarhi Biosphere Reserve declared as the first Bio-sphere reserve of India on 03.3.1999 by Ministry of Environment & Forests N. Delhi.
9.	2000	Satpura Tiger Reserve officially notified and brought under Project Tiger with 1486.31 Sq.km. (1501.72 sq.km.)
10.	2007	Core Zone or Critical Tiger Habitat with 1339.26 Sq.km. notification on 24.12.2007
11.	2009	The Pachmarhi Biosphere Reserve nominated by UNESCO on 26.05.2009 **ANNEXURE-09**
12.	2010	Buffer Zone with 794.04 Sq.km. notification on 03.01.2011
13.	2013	Core and Buffer under unified control of Field Director.
14.	2017	Notification of Eco-Sensitive Zone by MoEF&CC on 09.8.2017
15.	2021	Submission by Permanent delegation of India to UNESCO on 13.04.2021 (Justification of biosphere Outstanding Universal Value.) **ANNEXURE-10** https://whc.unesco.org/en/tentativelists/6532/

A. OBJECTIONS RAISED TO THE REPORT OF JT. COMMITTEE:

The Joint Committee Report had erred in the following observations:

I. Para 2.0 Observations has observed that: "…The revised estimate also has been sent by EE PWD Division No. 1, Narmadapuram vide letter dated 01.09.2023 to S.E PWD Circle Narmadapuram for a contract value of Rs. 61.17 Crores for construction of Air strip including apron, isolation way, internal roads, approach road, boundary wall, I- type quarters (2 Nos.), entrance & exist gates, small toilet, drainage, culvert and electrification work. As submitted by PWD, Narmadapuram 0m to 1400m airstrip is to be restored and from 1400- 2000m is to be expanded. Copy of the letter dated 5.4.2024 of PWD, Narmadapuram is enclosed as Annexure-IV." Page No. 3.

5. **The Joint Committee in the aforementioned observations 2.0**

a). The Joint Committee failed to report that the proposed erection of a **boundary wall** around the airstrip being adjacent to the CORE AREA will lead to Tiger habitat fragmentation, block tiger spillover movements & wild animals from moving unhindered. (The M31 pillar in CORE/CRITICAL TIGER HABITAT boundary has been identified as 162m from the excavated area in Annexure 7 of the Joint Committee report). ***This Hon'ble Tribunal*** *Order of O.A. No. 92/2023 CZ dated 21.9.2023* **ANNEXURE-11** *in Captain Brajesh Bharadwaj versus State of Madhya Pradesh & Ors,* directed the dismantling of a cemented and chain link fence about 200m from the core area in the Eco-sensitive Zone (ESZ) of Pench Tiger Reserve Seoni Madhya Pradesh, to be replaced by bio-fencing: -

> ***37 (4).*** *"Instead of the metallic wired fencing, these fences should be replaced with bio-fence with the involvement of local Forest Officers. The bio-fence of appropriate height and plant species shall be identified by the Forest Department. The bio-fence would also act as a habitat for birds, animal and provide necessary protection and feed to the herbivorous animals as well".*

[As a result, erecting a proposed concrete boundary wall around an Pachmarhi airstrip near the CORE/CRITICAL TIGER HABITAT of Satpura Tiger Reserve MP and Pachmarhi Biosphere Core zone is illegal.]

[Leads to Habitat fragmentation].

b). The Joint Committee report has failed to report that the proposed restoration and further expansion of the airstrip to 2000m would necessitate levelling of the present slope (depicted in Page No. 27 of report) along the length and width of the airstrip, resulting in additional excavation work of the sloped airstrip to proceed closer towards the Satpura Tiger Reserve's and Pachmarhi Biosphere CORE ZONE boundary Munara Pillar M31 (**disrupting the inviolate state of the Core Zone, violating the Wild Life (P) Act, 1972**). This would need carrying an enormous quantity of excavated soil to the opposite end of the airstrip. The further excavation, hauling and levelling would produce a significant amount of noise and air pollution from the heavy earth moving machinery used. The same violations occurred at Pachmarhi airstrip during **prior** excavation activities, illegal trees felling and trunk removal. The ecologically destructive project continued in violation of the established laws. These activities violate the following provisions of the Satpura Tiger Reserve MP's Eco Sensitive Zone (ESZ) notification dated August 9, 2017: - **ANNEXURE-08**

*3. **Measures to be taken by State Government. -** The State Government shall take the following measures for giving effect to the provisions of this notification, namely:*

*6) **Noise pollution**. - Prevention and Control of noise pollution in the Eco-sensitive Zone shall be complied with in accordance with Noise Pollution (Regulation And Control) Rules, 2000 under the Environment (Protection) Act, 1986.*

*(7) **Air pollution**. - Prevention and control of air pollution in the Eco-sensitive Zone shall be complied with in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and rules made thereunder.*

*(15) **Vehicular Pollution**. - Prevention and control of Vehicular Pollution shall be complied with in accordance with applicable laws and the efforts to be made for use of cleaner fuel for example CNG, LPG, etc.*

*(17) **Protection of Hill Slopes**. -The protection of hill slopes shall be as under: - (b) No construction on existing steep hill slopes or slopes with a **high degree of erosion** shall be permitted.*

II. **Observations 2.0 (ii) "No construction related activities were on-going at site but the remnants of the past ground preparation work were seen during the site visit. As submitted by Sh. Sanjay Raykwar, Executive Engineer, PWD Narmadapuram, the expansion work was stopped since December 2022 as appointment of the expert advisor & revised estimation was still pending. Copy of the PWD department reply is enclosed at Annexure-IV."**

6. **The Joint Committee in the aforementioned Observations 2.0 (ii) Page No 3, 4** failed to report that the project proponent (PWD department) had started work on the site without first engaging an approved expert advisory agency.

III. **Observations 2.0 (iii): "As submitted, the nearest pillar (Munnara i.e. M31 GPS location: 22°27'18.07" N, 78°23'49.07"E) of the <u>CORE ZONE</u> of Satpura Tiger Reserve is only 162m away from the airstrip/excavated area. The map & Munnara's GPS details are enclosed as Annexure-VII." (Para 2, Page No. 4)**

7. **The Joint Committee in the aforementioned Observations 2.0 (iii),** omitted to mention that the limit of Nazul land of Pachmarhi airstrip extends upto a road junction that is quite close to Pillar M31**, <u>hence reducing the actual distance of airstrip (Annexure-77, Page No. 479) towards the Core Zone boundary (lesser than 162m)</u>** of Satpura Tiger Reserve and Pachmarhi Biosphere (**<u>Annexure-7 of Jt Committee Report</u>**). The reported distance between the excavated area of airstrip and Pillar M31 of Core Zone is 162m. The Satpura Tiger Reserve's Protected Area comprises of three protected areas: Satpura National Park, Bori Wildlife Sanctuary, and Pachmarhi Wildlife Sanctuary. Pillar M31 marks the Satpura National Park's boundaries. Page. No. 469. (emphasis added)

IV. **Observations 2.0 (vi): "During the field visit, it was observed that trees were cut down near the airstrip area. Later, the co unting of the cut down**

trees was carried out on 2.4.2024 by the forest department. Total 333 trees were cutdown (species of trees are Amaltas, Saal, Aamla, Sumer, Sindoor, Jamun, Achar, Dudhi, Harra, Beeja and lendiya etc). The classification of the measured diameter was done in 8 categories….” (Page No. 5)

8. **The Joint Committee in the aforementioned Observations 2.0 (vi)**, although the trees were illegally felled down near the Pachmarhi airstrip by the project proponent (PWD), **Revenue and Forest department were not held accountable by the Joint Committee,** for their failure in preventing illegal felling of schedule trees, despite the fact that the Satpura Tiger Reserve’s manned forest barrier (road to Dhoopgarh) is about 300 metres away from excavation site of the airstrip. It is submitted that illegal felling of trees was also done to facilitate the illegal expansion of Pachmarhi airstrip for commercial flight operations planned within 1 km of PA boundary, which is a Prohibited activity as per ESZ Notification Section 4(13).

V. Observations 2.0 (vii): “The Pachmarhi revenue land record states that the land under airstrip was recorded under Sheet No. 32 plot no. 03 Rakba 351063 SQFT, Sheet No. 33 Plot No. 02 Rakba 142845 SQFT, Sheet No. 36 plot no. 03 Rakba 191645 SQFT, Plot No. 04 Rakba 106239 SQFT is in the name of Public Works Department. Land Allotment & transfer records are enclosed with Khasra no. at Annexure-IX.” (Page No. 6)

9. **The Joint Committee in the aforementioned Observations 2.0 (vii)** had incorrectly stated that the land allotment & transfer records are enclosed with Khasra No, merely Nazul Khasra was included in Annexure-IX *without any transfer records*. The committee has specifically failed to report the facts mentioned in Annexure-IX, which is the reply letter dated 04.04.2024 issued by the Tehsildar Pipariya, District Narmadapuram-MP. In table S.No.01 **Tehsildar had replied to the requested information by the Joint Committee, stating that “information regarding land allotment and transfer to PWD is not recorded in the Pachmarhi Nazul records**”. Despite the lack of the aforementioned Nazul records, the annexed Nazul maintenance Khasra, from year 1992-93 onwards, reveal that the airstrip is in the name of the Public Works Department. In **ANNEXURE 65 Page No. 439**, letter Dt.

28.06.2023 states that the Nazul transferred the land on 27.4.2022 to PWD. The letter also mentions about commencement of work on airstrip as per MP Aviation Dept letter Dt. 13.5.2021. Furthermore, the certified map of the PWD airstrip land limits as per the Pachmarhi Nazul map sheets was ***suppressed*** by the Tehsildar-Pipariya as it was not annexed, although it being part of land records.

a) According to Annexure-IX annexed by the Joint Committee, Tehsildar Pipariya reply letter dated 04.04.2024 Table S. No. 02, mentions that authorization to cut down trees is **unrelated** to the Tehsildar office. This demonstrates that despite the fact that the trees were on revenue department land, the Tehsildar Pipariya did not intervene to stop the illegal tree felling.

VI. *"***3.0 Status of the statutory permissions**

3.1 Violation under Eco Sensitive Zone (ESZ)

"Further, it was noted that the activities involving landing & taking off are not clearly stated under the prohibited activities."(Page No. 8, Para 4)

10. **The Joint Committee in the aforementioned (3.1) Violations under ESZ,** stated that the activities involving landing & taking off are not clearly stated under the prohibited activities. It is pertinent to mention that, according to ESZ notification **Para 4(23)** ***"Under taking other activities related to tourism like over flying the ESZ area by hot air balloon, helicopter, drones, Microlites, etc"*** is considered regulated activity regulated as per applicable law. It implies that merely **overflying** the ESZ region is permissible as per the ESZ notification, although landings and take-offs are not. However, the establishment of an airport or airstrip is not considered to be part of the same. For more clarity the Hindi version of the aforementioned paragraph **4(23)** from ESZ notification is as follows: - (**Page No. 8, Para 4)**

4(23) "पर्यटन से संबंधित क्रियाकलाप जैसे कि गर्म हवा के गुब्बारे, हेलीकॉप्टर, ड्रोन, माइक्रोलाइट्स आदि द्वारा पारिस्थितिक संवेदी जोन क्षेत्र के ***ऊपर से उड़ना"****- लागु विधियों के अधीन विनियमित होंगे ।*

Further in **HON'BLE NGT (CZ)** ORIGINAL APPLICATION NO. 82/2022 JUDGMENT DATED 12.9.2023 **ANNEXURE-12**

*120. It is argued that plying of non-motorized boats is a **regulated activity** in para 4(B) and community based eco-tourism (with minimum construction activity) is a permitted activity under para 4(C). Since motorized boats is not mentioned as such in the order dated 16.03.2022, it means that there is no restriction of plying of **motorized boats** in the wetland and therefore, running of Cruise Boat which is operated by motors is neither illegal nor contrary to the provisions of Wetland Rules, 2017 and statutory orders issued therein.*

121. ***We find no merit in the submission.***

122. When out of various modes, one mode is specifically mentioned in a statutory order, ***unless there is an inbuilt suggestion, the remaining modes will be treated to be deliberately omitted and cannot be treated to be permitted activities. Community based eco-tourism cannot be extended to the term plying of motorized boats which is a serious activity when plying of non-motorized boats has been kept in the category of regulated activities****....*

[Hence, as per the aforementioned judgment if the activity (landing and take-off in ESZ) is not listed as prohibited, *it cannot be considered as permitted* unless there is an inbuilt suggestion, which isn't. That's the reason merely overflying of helicopters etc is considered as regulated activity, landings and take-offs are not in ESZ notification.]

11. **The Joint Committee in the aforementioned (3.0) Status of statutory permissions, (Page Nos. 6-9),** failed to note the status of the Zonal Master Plan (ZMP) and approval for the establishment of a Civil Aerodrome at Pachmarhi as per ZMP. **ZMP has not been notified till date for Satpura Tiger Reserve MP.** According to the ESZ notification dated 09.08.2017 of Satpura Tiger Reserve MP: - **ANNEXURE-08**

2. ***Zonal Master Plan for the Eco-sensitive Zone. -***

(1) The State Government shall, for the purpose of the Eco-sensitive Zone prepare, a Zonal Master Plan, within a period of two years from the date of publication of final notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of Competent Authority in the State Government.

(2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.

(9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.

*3. **Measures to be taken by State Government. -** The State Government shall take the following measures for giving effect to the provisions of this notification, namely: -*

*(3) **Tourism or Eco-tourism**. **-d.(ii)** All new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism.*

*(14) **Vehicular traffic**. - The vehicular movement of traffic shall be regulated in a **habitat friendly** manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan.....*

*(16) **Industrial Units.** - (i) On or after the publication of this notification in the Official Gazette, **no new polluting industries** shall be allowed to be set up within the Eco-sensitive Zone.*

*(ii) **Only non-polluting industries** shall be allowed within Eco-sensitive Zone as per classification of Industries in the Guidelines issued by Central Pollution Control Board in February 2016, unless so specified in this notification and in addition, non-polluting cottage industries shall be promoted.*

*6. **Terms of Reference**: -*

(1) The Monitoring Committee shall monitor the compliance of the provisions of this Notification.

*(8) The provisions of this notification shall be subject to the orders, if any, passed, or to be passed, by the Hon'ble Supreme Court of India, or the High Court or **National Green Tribunal.***

VII. "3.2 Violation under Environmental Clearance". (Page No. 9)

12. **In the aforementioned 3.2 Violation under Environmental Clearance**: the Joint Committee failed to include several relevant documents in the report that were supplied via emails by Applicant in accordance with this Hon'ble Tribunal's order dated 16.02.2024.

VIII. "3.4 Violation under Consent to Establish (CTE) & Consent to Operate (CTO)." (Page No. 10)

13. **In the aforementioned Violation 3.4:** the Madhya Pradesh Pollution Control Board (MPPCB) neglected to propose any penalising action based on current laws, despite the fact that a violation was noted in the joint committee report that the project is under the RED category. The project proponent required CTE and CTO from MPPCB for commencing the project, since the project falls under the **RED** category in the Industrial classification list of MPPCB and CPCB.

IX. 4.0 Action Taken Report,

"ii. Recently vide letter dated 11.9.2023, 19.12.2023 & 20.12.2023 the PWD department has applied to Chairman, Monitoring Committee for the necessary approval (as per Annexure-X). Further, vide letter dated 2.1.2024 sent to Satpura Tiger Reserve, PWD has requested for required permission. Copy of letter is enclosed as Annexure-XIII.

iii. Presently, since December 2022 the expansion work was stopped in light of awaited revised estimate & appointment of expert advisor agency." (Page No. 10)

14. **In the aforementioned Action Taken Report 4.0 (ii) (Page No. 10),** the Joint Committee has omitted to report that it was after receiving Applicant's Objection Representation dated 08.07.2023 and CM Helpline Complaint Nos. 22602384 dated 09.6.2023 and No. 22502505 dated 03.6.2023 (copy of the mentioned complaint was supplied to Joint Committee via email dt 01.04.2024).

- **It is important to emphasise that illegal expansion of airstrip and felling of trees began prior to seeking such permissions**. **The trees were also felled at the end of the runway, which was overlooked by the expert committee. The trees were cut to make a turning pad for an aeroplane, which requires a larger space ANNEXURE-77.**
- The allocation of budget that resulted in the start of works at site and trees felling seems contentious. The prior services of the expert

advisory agency were not used to assess the feasibility of commencing the project on-site.

- **Arbitrary information in Joint Committee- Letters as Annexures-10 (Page Nos. 63-67) and Annexure-13 (Page Nos.100-101).**

a) **Annexure-10 Filed by Jt. Committee Page 63; date is unclear.** Following is the Breach by Project Proponent (PWD): -

i). **The administrative letter S. No. F-9-9/2021 dated 30.7.2021 from the MP Aviation Department Bhopal cannot be a treated as a permission to begin work on-Pachmarhi airstrip.** The PWD department stated that the approval letter was granted on **30.7.2021,** (however the Joint Collector Narmadapuram letter stated that the letter was issued on **30.6.2021**, for the same work by MP Aviation Department Bhopal). It is worth noting that Joint Collector Narmadapuram sent a letter to Applicant dated 11.7.2023 **(ANNEXURE-13)** in response to Applicant's CM Helpline complaint No. 22602384 dated 09.6.2023 about the ongoing activities at the Pachmarhi airfield. The Joint Collector stated in the letter that work was carried out after consent from the **MP Aviation Department Bhopal letter no. 9-9/21/45/Bhopal dated 30.6.2021**. It was indicated that a copy of said letter was enclosed; however, it was not enclosed. **The Joint Collector stated in letter that due to heavy rains, potholes and drains have formed on both sides of the runway which needs to be necessarily filled. That is misleading and false information to hide the reality about the work done at the site**. Furthermore, after receiving the aforementioned Joint Collector's letter, an online RTI application dated 25.7.2023 reference MPRTI/2307/343126 **ANNEXURE-14** was filed by applicant with Madhya Pradesh Aviation Department Bhopal demanding the certified copy of the aforesaid letter no. 9-9/21/45/Bhopal dated **30.6.2021** allowing the expansion work of Pachmarhi Airstrip in District Narmadpuram M.P. "***The Dy Secretary and PIO MP Aviation Department Bhopal in RTI reply letter Dt. 04.8.2023 stated that no such letter was issued.***" **ANNEXURE-14**

ii). The Panchnama dated 27.4.2022, stated in report's **Annexure-10 Page No. 63 Para 1** proposed the transfer of Nazul land to PWD for further

expansion of the Pachmarhi airstrip. **Rather, it was a proposal and not an allocation. There were no records submitted by Nazul Dept. for the final allocation of proposed land.**

iii). As per Joint Committee Report and panchnama, till date **333 trees** have been cut down without permission (Report Page No. 5 Para 2(vi)), including schedule Saal trees. **The tree felling was proposed in Annexure-10 Page No. 63 but was executed without permissions**.

iv). Presently, the **boundary wall around the airfield is proposed**, contradicting the statement that no vertical construction will be built, implying that the letter included incorrect and misleading information.

b). **Annexure-10 (page No. 64-65) dt.19.12.2023 and Annexure-13 (page No. 100-101):** - Misleading and arbitrary statements stated by Project Proponent (PWD) in the said Annexure-10 and 13, rather these are the correct facts:

i). **The Writ Petition (W.P) No. 5937/2003 before the Hon'ble MP High Court Jabalpur was filed for the removal of unauthorised structures in Pachmarhi, and the same was disposed of on April 16, 2014 ANNEXURE-15**.

*(".....**W.P.No.5937/2002** is yet another writ petition pending in this Court for issuing direction to the appropriate Authority to initiate action in respect of unauthorized structures in the Pachmarhi area. It is further prayed that the Authorities shall ensure that no further construction is allowed in the said area. It is not in dispute that the interim relief has already been granted directing the Authorities to ensure that no further construction is put up in Pachmarhi area. That interim relief will now operate in W.P.No.11909/2013 being suo motu proceedings initiated by this Court. The present order disposes of the other prayer in the said writ petition to remove unauthorized structures put up in Pachmarhi area being involved in W.P.No.11909/2013. **As a result, even this petition (W.P.No.5937/2002) need not be continued further.** No appearance has been made on behalf of the petitioner when this writ petition was called out. As a result, **we dispose of this petition** but direct continuance of the interim arrangement ordered in this petition as having been passed in the pending W.P.No.11909/2013 till the disposal thereof. In view of disposal of the*

above noted writ petitions, ***all pending Interim Applications in the respective petitions are also disposed of****.)"*

In the expert committee report page No. 19, Sr. No. 2, letter Dt. 05.4.2024, the project proponent (PWD) Executive Engineer Narmadapuram stated that after the clearance from CWLW, *"**the application for permission from Hon'ble High Court MP would be submitted**,"* which contradicts their own statement in Annexure -13 Page No. 66 (1) letter Dt. 20.12.2023 stating that the construction is being done on the demand of the army and the Hon'ble High Court MP W.P No. 5937/2002 order Dt 12.11.2003 doesn't prohibit the work done for army.

The unauthorized expansion, excavation, construction of an RCC building relating to the flight operation, and tree cutting at the Pachmarhi airstrip on Nazul land, inside the buffer zone and close (within 200m) to the core area boundary of Satpura Tiger Reserve MP, are *unrelated* to the Hon'ble High Court Jabalpur aforementioned judgment in W.P 5937/2002. Rather authorities were directed *to ensure no further construction is put up in Pachmarhi area*. The work on airstrip was not done by the army on military land. The fact is that till date no airplanes have landed on the Pachmarhi airstrip in almost three decades, thus assertions about threatening the country's security and the necessity for landing by army are absurd. Military helicopters seldom land at the Pachmarhi airstrip, and when they do, the flight path crosses over the Satpura Tiger Reserve's Protected Area, thus disrupting the CORE area, which is intended to be *inviolate* under the law (Wild Life Protection Act 1972) for tiger conservation. Tiger is a keystone species protected under Schedule-I of WL(P) act 1972. The local Avi-fauna are startled during such helicopter operations. The proposed **boundary wall** will lead to undesirable tiger habitat fragmentation. If the project is deemed to be *feasible* i.e. only after the issuance of mandatory clearances from central and state government departments then it would go through **obstacle limitation surface survey OLS**, as per Ministry of Civil Aviation Notification G.S.R. 751(E) N. Delhi Dt. 30.9.2015 -**ANNEXURE-16.**

X. 5.0 Recommendations by Joint Committee. Page Nos 11-12.

"ii. Panchmarhi is critical habitat area for tigers and endangered vulture population. Hence, the project proponent is directed to undertake detailed studies on the impact of flight operations in the ESZ Area on the terrestrial wildlife and Avian Fauna of the area before the execution of the project."

15. **The Joint Committee in the aforementioned Recommendation 5.0 (ii) Page No. 11** had directed project proponent to undertake detailed studies on the impact of flight operations in the ESZ Area. This activity is against the ethos of establishing a tiger reserve, biosphere and ESZ. Flight operations inside the ESZ area in buffer areas of tiger reserve cannot be permitted since they would violate several provisions of the ESZ notification and would result in low-level flight paths over Protected Areas. It would also require an approval from the National Board of Wild Life (NBWL). The **Hon'ble Madras High Court,** in W.P.No.15200 of 2023 and WMP.No.14710 of 2023, issued a judgement on May 17, 2023 **ANNEXURE-17** , prohibiting helicopter tourism flights above the Nilgiris. Also, in Original Application No. 114 of 2024, Order Dt. 07.02.2024, the **Hon'ble NGT (PB)** took *suo moto* cognizance **ANNEXURE-18** of the news item headlined "Forest Dept. objects to operating flights over protected areas" which appeared in the Times of India on December 31, 2023. The matter was transferred to the Hon'ble NGT SZ under Original Application No. 88 of 2024 (SZ).

[Thus, such recommendation by expert committee is contentious.]

XI. 5.0 (iv). Recommendations by Joint Committee. **"The said expansion of air strip falls under the violation category of EIA Notification, 2016 taking into consideration the land development work undertaken so far. It may be noted that a Standard Operating Procedure (SOP) notified by MOEFCC in July, 2021 laid out the policy for identification and handling of violation cases. However, the July, 2021 notification was stayed by Hon'b1e Supreme Court. In the absence of an appropriate guidelines, the environment compensation for loss/damage/degradation to the environment (due to the airstrip expansion activity) shall be retrieved from the project proponent based on a separate environmental damage assessment study to be undertaken through an institute of repute like IITs,**

NITs, NEERI, etc. The costs towards the execution of the study and the implementation of the recommendations/outcomes of the study shall be paid by the project proponent (i.e., PWD) to the MPPCB under polluter pays principle. Six monthly progress of the study and its implementation shall be reviewed by a joint committee comprising of officers from MOEFCC, RO Bhopal, CPCB, RD Bhopal, MP State Forest Department, Panchmarhi and MPPCB." Page No 11.

16. **The Joint Committee in the aforementioned Recommendation 5.0 (iv)-** The Wildlife Institute of India **(WII)-**Dehradun and the National Tiger Conservation Authority **(NTCA)** should also conduct habitat and environmental damage assessments. The Applicant has annexed a MoEF&CC Notification S.O. 804(E) dated 14.03.2017, that was partially amended by Notification S.O. 1030(E) dated 08.03.2018 issued regarding **Violations**, "*….which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006.*"

As per aforementioned **S.O. 804(E) Paras**: - **ANNEXURE-19**

*"7. Whereas, the **Hon'ble High Court of Jharkhand** had passed an order dated the 28th November, 2014 in W.P. (C) No. 2364 of 2014 ….. **held that action for alleged violation would be an independent and separate proceeding** and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent.*

*12. And whereas**, Hon'ble Supreme Court** in Indian Council for Enviro-Legal Action Vs. Union of India (the Bichhri village industrial pollution case), while delivering its judgment on 13th. February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 (1996 [3] SCC 212)……. The question of liability of the respondents to defray the costs of remedial measures can also be looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. **"The polluter pays principle** demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".*

13(3). In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of ***section 19 of the Environment (Protection) Act,*** *1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance."*

As per S.O.1030(E) dated 08.03.2018: - **ANNEXURE-20**

In the said notification, in paragraph 13,

(a) for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:-

(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the environmental clearance shall be granted at Central level,…."

B. HON'BLE SUPREME COURT OF INDIA JUDGMENTS

The relevant portions thereof are extracted hereinbelow: -

17. Further, The **HONBLE SUPREME COURT OF INDIA** in **Goa Foundation Case (2014**) 6 SCC page 590 had directed that the MoEF & CC shall follow the procedure and issue notification of ESZs under Rule 5 of the Environment (Protection) Rules, 1986. The relevant provisions of the 1986 Rules are reproduced as under: —

5. Prohibition and restriction on the location of industries and the carrying on of processes and operations in different areas*. — (1) The Central Government may take into consideration the following factors while prohibiting or restricting the location of industries and carrying on of processes and operations in different areas:*

(i) Standards for quality of environment in its various aspects laid down for an area.

*(ii) The maximum allowable limits of concentration of various environmental pollutants (**including noise**) or an area.*

*(iii) The likely emission or **discharge of environmental pollutants** from an industry, process or operation proposed to be prohibited or restricted.*

*(iv) The **topographic** and climatic features of an area.*

*(v) The **biological diversity** of the area which, in the opinion of the Central Government needs to be preserved.*

*(vi**) Environmentally compatible land use**.*

*(vii) **Net adverse environmental impact** likely to be caused by an industry, process or operation proposed to be prohibited or restricted.*

*(viii) Proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a **sanctuary, National Park**, game reserve or closed area notified as such under the Wild Life (Protection) Act, 1972 or places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international conference, association or other body.*

(3) (a) Whenever it appears to the Central Government that it is expedient to impose prohibition or restrictions on the location of an industry or the carrying on of processes and operations in an area, it may, by notification in the Official Gazette and in such other manner as the Central Government may deem necessary from time to time, give notice of its intention to do so.

(b) Every notification under clause (a) shall give a brief description of the area, the industries, operations, processes in that area about which such notification pertains and also specify the reasons for the imposition of prohibition or restrictions on the location of the industries and carrying on of processes or operations in that area.

It is to be noted that Rule 5 of the 1986 Rules prescribes a detailed procedure for issuing notification prohibiting or restricting various activities in the specified areas. The said power flows from Sections 3(v) of the Environment (Protection) Act, 1986 (hereinafter referred to as ―1986 Act‖).

18. Further, **HON'BLE SUPREME COURT OF INDIA** in (Civil Appeal No: 4603-4604 of 2024). Date of Judgment: May 6, 2024**.** Appellants: Tapas Guha & Ors Versus Respondents: Union of India & Ors **ANNEXURE-21**

15. *Paragraph 2 of the notification dated 14 September 2006 requires* ***prior*** *Environmental Clearance "before any construction work or preparation of land by the project management is carried out except for the securing of land". The nature of the activities which were carried out at the site was evidently of an extensive nature and is in breach of paragraph 2 of the notification.*

19. *From the material which has been placed on the record, we are clearly of the view that the authorities, in the present case, have acted in violation of the provisions contained in Para 2 of the notification dated 14 September 2006 by carrying out an extensive clearance at the site even in the* ***absence*** *of an Environmental Clearance.*

21*. Environmental regulations are in place precisely to ensure that developmental projects, such as the establishment of* ***airports****, are undertaken in a manner that minimizes adverse ecological impacts and safeguards the well-being of both the environment and local communities.* ***While acknowledging the importance of infrastructure development, it is paramount that such projects proceed in harmony with environmental laws to prevent irreparable damage to ecosystems and biodiversity.*** *The requirement for Environmental Clearance serves as a crucial safeguard against unchecked exploitation of natural resources and helps uphold the principles of sustainable development- which safeguards the interests of both present and future generations. Therefore, while the decision to establish an airport may serve broader policy objectives, it must be executed within the confines of legal frameworks designed to protect the environment and ensure responsible resource management. Failure to adhere to these norms not only undermines the integrity of environmental governance but also risks long-term environmental degradation and societal discord.*

22*. Setting up an airport is specifically within the ambit of* ***Entry*** *7 of the Schedule to the notification dated 14 September 2006. Admittedly, no Environmental clearance has been issued till date.* ***Development has to be in conformity with environmental standards prescribed by the law.***

23*. In consequence, there shall be a direction that absolutely no activity shall be carried out in breach of the provisions of the Notification dated 14 September 2006 at the site of the proposed greenfield airport at Silchar.*

19. Further, **The HON'BLE SUPREME COURT OF INDIA** in (I.A. NO. 20650 OF 2023 In Writ Petition (CIVIL) No.202 OF 1995 IN RE: Applicants: Gaurav Kumar Bansal. Date of Judgment: March 06, 2024. **ANNEXURE-22**

"The tiger perishes without the forest and the forest perishes without its tigers. Therefore, the tiger should stand guard over the forest and the forest should protect all its tigers."

This is how the importance of the tigers in the ecosystem has been succinctly described in 'Mahabharta'. The existence of the forest is necessary for the protection of tigers. In turn, if the tiger is protected, the ecosystem which revolves around him is also protected. The tiger represents the apex of the animal pyramid and the protection of their habitat must be a priority. "A healthy tiger population is an indicator of sustainable development in the 13 tiger range countries".

In spite of such an importance given to the tiger and many statutory provisions enacted for the conservation and protection of the tiger, the present case depicts a sorry state of affairs as to how human greed has led to devastating one of the most celebrated abodes of tigers i.e. the Corbett Tiger Reserve.

...Looking at the empirical evidence of the impact of carnivores in maintaining the ecosystem of forests, the efforts of tiger conservation in the Jim Corbett National Park, an iconic National Park of this country is imperative and of utmost importance.

I. BACKGROUND

1. *The background leading to the present proceedings, in brief, is thus:*

1.1 *Mr. Gaurav Kumar Bansal, who has intervened in the present proceedings, had approached the Delhi High Court by filing W.P. (C) No. 8729 of 2021 and CM Application No. 27181 of 2021, alleging therein that illegal construction of bridges and* ***walls*** *within the Tiger Breeding Habitat of Corbett Tiger Reserve and that too, without the approval from the Competent Authority were being carried out. He had sought intervention of the Court to protect and* ***conserve the Biological Diversity****, flora and fauna as well as the ecology of the Corbett National Park.*

III. ***STATUTORY PROVISIONS***

8. *Before we consider the submissions of the learned counsel for the parties, it will be relevant to refer to certain provisions of the WLP Act.*

17. *Sub-section (24A) of Section 2 of the WLP Act defines "protected area", which reads thus:*

"(24A) ***"protected area" means a National Park, a sanctuary, a conservation reserve or a community reserve notified under Sections 18, 35, 36-A and 36-C of the Act;"***

21. *Chapter IV of the WLP Act deals with "protected areas". Section 18 provides for "Declaration of sanctuary", which reads thus:*

> *"**18.** Declaration of sanctuary.—(1) The State Government may, by notification, declare its intention to constitute any area other than an area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance,* ***for the purpose of protecting, propagating or developing wild life or its environment.***

23. *Section 35 of the WLP Act deals with "Declaration of National Parks", which reads thus:*

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

27. *Chapter IVB of the WLP Act deals with "National Tiger Conservation Authority". Section 38-O deals with "Powers and Functions of Tiger Conservation Authority", which reads thus:*

> *"**38-O. Powers and functions of Tiger Conservation Authority**.—(1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—*
>
> > *(b) evaluate and assess various aspect of sustainable ecology and* ***disallow any ecologically unsustainable land use*** *such as, mining, industry and* ***other projects within the tiger reserves****;*
> >
> > *(k)* ***perform such other functions as may be necessary to carry out the purposes of this Act with regard to conservation of tigers and their habitat.***

(2) ***The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority shall be bound to comply with the directions****:*

28. *Section 38V of the WLP Act deals with "Tiger Conservation Plan", which reads thus:*

*"**38V. Tiger Conservation Plan**. — (1) The State Government shall, on the recommendations of the Tiger Conservation Authority, notify an area as a **tiger reserve.***

(3) The State Government shall prepare a Tiger Conservation Plan including staff development and deployment plan for the proper management of each area referred to in subsection (1), so as to ensure—

(a) protection of tiger reserve and providing site specific habitat inputs for a viable population of tigers, co-predators and prey animals ***without distorting the natural prey-predator ecological cycle in the habitat;***

(b) ***ecologically compatible land uses in the tiger reserves*** *and areas linking one protected area or tiger reserve with another for addressing the livelihood concerns of local people, so as to provide dispersal habitats and corridor for spill over population of wild animals from the designated core areas of tiger reserves or from tiger breeding habitats within other protected areas;*

(4)…Explanation.—For the purposes of this section, the expression "tiger reserve" includes,—

(i) ***core or critical tiger habitat areas of National Parks and sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation,..***

(ii) ***buffer or peripheral area consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provisions contained in Explanation (i) above, where a lesser degree of habitat***

protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species*,..*

32. *A perusal of the aforementioned provisions of the WLP Act would reveal that various measures have been provided under the said Act for the protection of protected areas. No doubt that the definition of "protected area" as defined under sub-section (24A) of Section 2 of the WLP Act only includes a National Park, a sanctuary, a conservation reserve, or a community reserve, which are notified under Sections 18, 35, 36A and 36C of the WLP Act. However, the harmonious construction of the various provisions of the WLP Act would reveal that the legislature intended the* ***"Tiger Reserves" to be kept at a higher pedestal than a sanctuary, a National Park, a conservation reserve, or a community reserve.***

39. *The importance given to the Tiger Conservation Authority can be seen in sub-section (2) of Section 38-O of the WLP Act,* ***which empowers it to issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority are bound to comply with the directions****...*

46. *It could thus be seen that, the entire emphasis of the WLP Act is on the conservation, protection, and management of wildlife. Various provisions contained in the WLP Act, discussed hereinabove, emphasize on providing measures for the conservation, protection and management of wildlife.* ***The provisions contained in Chapter IVA lay a specific emphasis on the protection of tigers and other habitats in the tiger reserve.*** *The provisions contained therein are in addition to the provisions contained for sanctuaries and National Parks.*

50. *The guidelines also deal with various production sectors in the buffer zone which require mainstreaming of wildlife concerns in these sectors like:*

(d) Tourism (D)

(h) Industry (D)

51. *Clause 6 of the said guidelines deals with* ***importance of a buffer zone*** *vis-à-vis the tiger land tenure dynamics, which reads thus:*

*"****6. Importance of a buffer zone vis-à-vis the tiger land tenure dynamics***

6.1 Tiger is a territorial animal, which advertises its presence in an area and maintains a territory. It is a well-known fact that partial overlaps of resident male territories in an area do occur. However, the degree of overlap increases lethal internecine combats. Several female territories do occur in an overlapping manner within the territory of a male tiger. The tiger land tenure dynamics ensures presence of prime

adults in a habitat which act as source populations, periodically replacing old males by young adults from nearby forest areas (Plate 2).

6.2 The ongoing study and analysis of available research data on tiger ecology indicate, that the minimum population of tigresses in breeding age, which are needed to maintain a viable population of 80-100 tigers (in and around core areas) require an inviolate space of 800 -1000 sq km (see Annexure I). ***Tiger being an "umbrella species", this will also ensure viable populations of other wild animals (co-predators, prey) and forest, thereby ensuring the ecological viability of the entire area / habitat. Therefore, buffer areas with forest connectivity are imperative for tiger dynamics, since such areas foster sub adults, young adults, transients and old members of the population.*** *The young adults periodically replace the resident ageing males and females from the source population area.*

6.3 The ***buffer area****, absorbs the "shock" of poaching pressure on populations of tiger and other wild animals. In case of severe* ***habitat depletion in buffer areas****, the source population would get targeted and eventually decimate.*

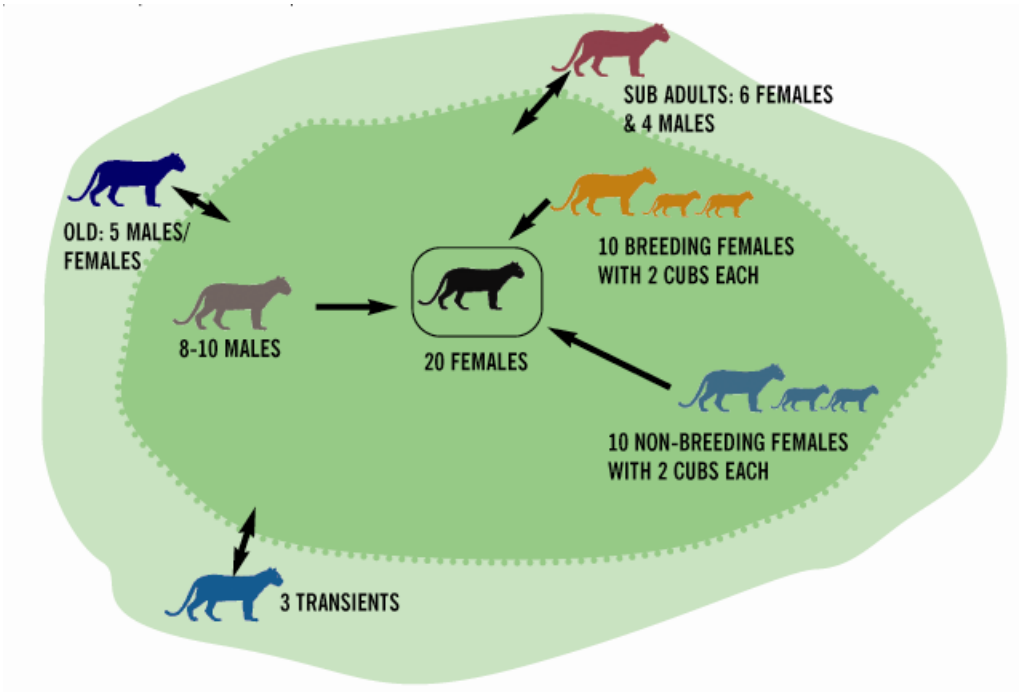


Plate 2: Tiger Land Tenure Dynamics. Minimum population of tigers in breeding age needed for maintaining a viable population (80-100 tigers), which require an inviolate space of 800-1000 square kilometers."

66. ***<u>It is further relevant to note that the National Wildlife Action Plan, 2017-2031 also emphasizes on the concept of protection of the wildlife as a whole, beyond protected areas to protect the integrity of the Tiger Reserve.</u>*** *The relevant portion of the Plan is reproduced herein below:*

"Landscape Level Approach for Wildlife Conservation

Overview and Objectives-

> *"1. It is increasingly recognized that wildlife conservation has to go beyond Protected Areas (PAs) to the larger landscapes in which these are embedded. A landscape is defined as 'a large tract of land constituted by a mosaic of interacting land uses with people and the impacts of their activities as the cornerstone of its management.'*

67. *It is thus amply clear that the National Wild Life Action Plan also recognizes the necessity of wildlife conservation beyond the protected areas."*

V. CONSIDERATION

68. *This Court had an occasion to consider an issue with regard to environmental justice in the case of* ***T.N. Godavarman Thirumulpad v. Union of India and others****, wherein this Court held thus:*

> *"17.* ***Environmental justice could be achieved only if we drift away from the principle of anthropocentric to ecocentric****.*
>
> *Many of our principles like sustainable development, polluter-pays principle, intergenerational equity have their roots in anthropocentric principles. Anthropocentrism is always human interest focussed and that non-human has only instrumental value to humans. In other words, humans take precedence and human responsibilities to non-human based benefits to humans. Ecocentrism is nature-centred where humans are part of nature and non-humans have intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest.* ***Ecocentrism is therefore life centred, nature-centred where nature includes both humans and non-humans.*** *The National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ecocentrism."*

69. *It could thus be seen that this Court has held that, to achieve environmental justice, the approach of anthropocentrism i.e.human interest focused and that non-human has only instrumental value to humans will have to be* ***avoided.*** *It has been held that ecocentrism i.e. nature centered where humans are a part*

of nature and non-humans have intrinsic value will have to be adopted. It has been held that human interest does not take automatic precedence and humans have obligations to nonhumans independently of human interest. It has been held that the National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ***ecocentrism****.*

75. *Further in the case of* ***Intellectuals Forum, Tirupathi v. State of A.P. and others****, this Court observed thus:*

> ***"84. …….*** *It is now an accepted social principle that all human beings have a* ***fundamental right*** *to a healthy environment, commensurate with their well-being, coupled with a corresponding duty of ensuring that resources are conserved and preserved in such a way that present as well as the future generations are aware of them equally."*

76. *In* ***Indian Council for Enviro-Legal Action v. Union of India and others6****, this Court observed thus:*

> ***"41. ……..*** *Even though, it is not the function of the court to see the day-to-day enforcement of the law, that being the function of the Executive, but because of the* ***nonfunctioning of the enforcement agencies****, the courts as of necessity have had to pass orders directing the enforcement agencies to implement the law."*

87. *Section 38XA of the WLP Act specifically provides that the provisions contained in the said Chapter shall be in addition to, and not in derogation of, the provisions relating to sanctuaries and National Parks.* ***As such, it could be seen that the legislature has put 'Tiger Reserve' on a higher pedestal than the sanctuaries and the National Parks.***

89. *It is thus clear that, even in buffer or peripheral areas, though a lesser degree of habitat protection than the core area is to be provided, however, the provisions are required to be made to ensure the integrity of the critical tiger habitat with* ***adequate dispersal for tiger species.***

91. *As held by this Court in the case of T.N. Godavarman Thirumulpad v. Union of India and others (supra), the approach has to be* ***ecocentric*** *and not anthropocentric. The approach has to be nature-centred where humans are a part of nature and non-humans have intrinsic value.*

134. *The importance of the* ***'Public Trust' doctrine*** *in environmental and ecological matters has been explained by this Court in the case of* ***M.C. Mehta v. Kamal Nath and others****. This Court has elaborately referred to various articles and the judgments on the issue to come to a conclusion that the 'public trust' doctrine is a part of the law of the land in the following paragraphs:*

> ***"23.*** *The notion that the public has a right to expect* ***certain lands*** *and natural areas to retain their natural characteristic is finding its way into the law of the land.*

135. *This Court in unequivocal terms has held that the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or* ***for commercial use****. The aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems of our country cannot be permitted to be eroded for private,* ***commercial*** *or any other use unless the courts find it necessary, in good faith, for the public good and in public interest to encroach upon the said resources*.

(emphasis added)

(f) Principle of Ecological Restitution

150. *It will be relevant to refer to the Convention on Biological Diversity, 1992 ("CBD" for short), to which India is a signatory. Article 8 of the CBD pertains to in situ conservation. Under clause (f) thereof, it requires the contracting parties to, as far as possible and as appropriate, to rehabilitate and restore the degraded ecosystems and promote the recovery of threatened species. It reads thus:*

> *(f)* ***Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species,*** *inter alia, through the development and implementation of plans or other management strategies.*
>
> (emphasis supplied)

VI. CONCLUSIONS

159. It is well known that the presence of a Tiger in the forest is an indicator of the well-being of the ecosystem. Unless steps are taken for the protection of the Tigers, the ecosystem revolving around Tigers cannot be protected.

161. *We therefore find that the following* ***directions*** *need to be issued in the interests of justice:*

> *C. The said Committee will:*
>
> > *(i) recommend the measures for restoration of the damages, in the local* ***in situ*** *environment to its original state before the damage was caused;*
> >
> > *(ii) assess the environmental damage caused in the Corbett Tiger Reserve (CTR) and quantify the costs for restoration;*
> >
> > *(iii) identify the persons/officials responsible for such a damage. Needless to state that the State shall recover the cost so quantified from the persons/delinquent officers found*

> ***responsible*** *for the same. The cost so recovered shall be exclusively used for the purpose of restoration of the damage caused to the environment.*
>
> *(iv) specify how the funds so collected be utilized for active restoration of ecological damage.*
>
> *D. The aforesaid Committee, inter alia, shall consider and recommend:*
>
> *(iii) While considering the aforesaid aspect, the Committee shall take into consideration the following factors:*
>
> *a) the approach must be of* ***ecocentrism*** *and not of anthropocentrism;*
>
> *b) the* ***precautionary principle*** *must be applied to ensure that the least amount of environmental damage is caused;*

20. Further, **HON'BLE SUPREME COURT OF INDIA** in (Civil Appeal No 12251 of 2018 with Civil Appeal No 1053 of 2019). Date of Judgment: March 29, 2019. Hanuman Laxman Aroskar Vs Union of India and Federation of Rainbow Warriors Vs Union of India & Ors. **ANNEXURE-23**

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B. Submissions

15 Ms Anitha Shenoy, learned counsel appearing on behalf of the appellants urged that the EIA report which is carried out under the terms of the 2006 notification is a tool to evaluate the environmental consequences of a proposed activity. *The proposed international airport, being a Category 'A' project, is governed by the second, third and fourth stages of scoping, public consultation and appraisal respectively envisaged under the 2006 notification. In addition to the 2006 notification, the* ***Guidance manual*** *furnishes a significant sign post in the procedure envisaged prior to the grant of an EC. The project proponent is required to submit Form 1 complete with relevant details of the proposed project and the status of the environment. The ToR which is finalized by the EAC is founded on the disclosures which are made by the project proponent. In this backdrop, the principal submissions urged by the appellants before the Court are as follows:*

(v) The EIA report is grossly deficient in ***failing to notice wildlife*** *in the surrounding forests. On the contrary, the appellants have relied on a rapid survey conducted to assess the presence of various mammals in the study area. Moreover, no avi-faunal study was done.*

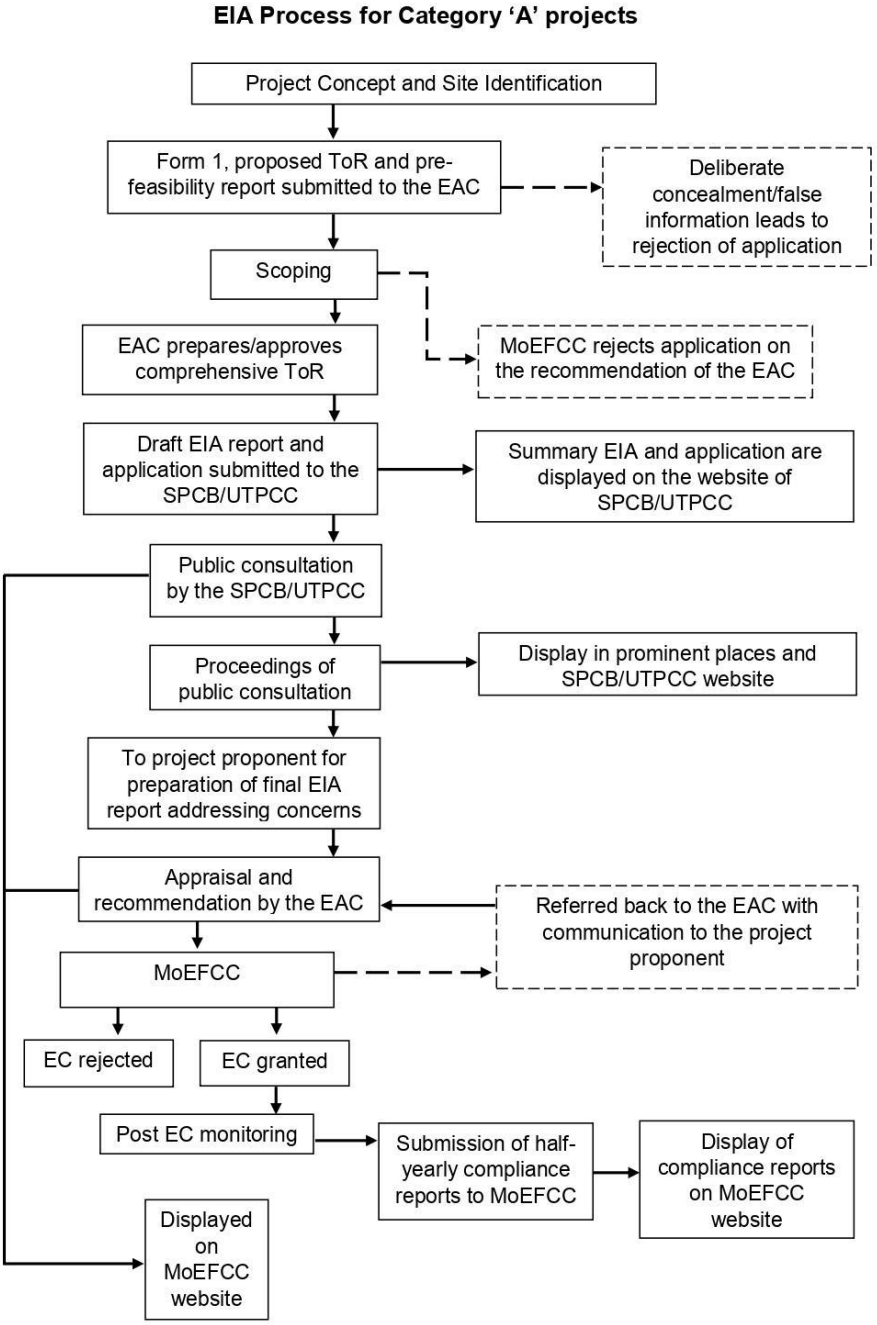
30 The rival submissions now fall for our consideration.

C Scheme of the 2006 notification and the Guidance manual for Airports

C.1 EIA Process

31 The objective of the EIA process is to ensure that environmental and developmental concerns are appropriately balanced on the basis of the most accurate information available.

40 The salient objective which underlies the 2006 notification is the protection, preservation and continued sustenance of the environment when the execution of new projects or the expansion or modernization of existing projects is envisaged. It imposes certain restrictions and prohibitions based on the potential environmental impact of projects unless prior EC has been granted by the concerned authority. The EC is required before any construction work, or preparation of land (except for securing the land) is started on the project or activity listed in the Schedule to the notification. The process stipulated under the 2006 notification is illustrated by the following flow-chart: -



41 Based on the spatial extent of the potential impact and the potential impacts on human health and natural and man-made resources, the 2006 notification categorizes all projects into ***Category 'A'*** *and Category 'B' projects. The MoEFCC in the Central Government and the SEIAA at the state level constitute the regulatory authorities for the purposes of the notification.*

Category 'A' projects ***require prior*** *environmental clearance from the MoEFCC, based on the recommendation of the EAC constituted by the Central Government for this purpose. Category 'B' projects will require prior environmental clearance from the SEIAA, based on the recommendations of the SEAC. Where no SEIAA or SEAC has been constituted, Category 'B' projects are treated as Category 'A' projects.*

58 Under the 2006 notification, ***the process of obtaining an EC*** *commences from the production of the information stipulated in Form 1/Form 1A. Crucial information regarding the particulars of the proposed project is sought to enable the EAC or the SEAC to prepare comprehensive ToR which the applicant is required to address during the course of the preparation of the EIA. Some of the information sought is produced thus:*

(ix) Environment sensitivity which includes, amongst other things, the furnishing of the following details:

> ***a. Areas protected under international and national legislation;***
>
> ***b. Ecologically sensitive areas; and***
>
> ***c. Areas used by protected, important or sensitive species of flora or fauna.***

C.2 Guidance manual for airports

61 ***In February 2010, the MoEF brought out its Guidance manual for airports.*** *The need for a sector specific manual arose because the 2006 notification "re-engineered the entire EC process" under its earlier avatar of 1994 and new sectors were incorporated into the ambit of the EC process. The 2006 notification noted that as many as 39 developmental sectors require prior ECs. Sector specific manuals, it was hoped, would bring about standardisation in the quality of appraisal and obviate potential inconsistencies between the work performed by SEIAAs and SEACs. Chapter IV of the Guidance manual, which is titled 'Description of Environment', prescribes the study area for carrying out an EIA:*

> *"…****The basis for selection of these criteria is that the aircraft gains a height of 1000ft in this area below which noise and air pollution are generated maximum during its take off stage…****"*

62 …The Guidance manual specifically requires collection of baseline data on the following: (i) land environment; (ii) water environment; (iii) air environment; (iv) noise environment; (v) biological environment; (iv) socio-economic environment and (vii) solid waste.

*The importance of collecting data on **land environment** is emphasised in the following extract:*

***"The terrain and hill slope, general slope and elevation of the area,** the flow direction of streams and rivers, the water bodies and wet lands and the vegetation which together describe the physiography of the land, will control the drainage pattern in the region. Land farms, terrain, may get affected due to construction of airport. It may require large scale quarrying, dredging and reclamation, which may cause changes in the topography. This in turn may affect the drainage pattern of the land / terrain. Baseline data pertaining to existing land at the proposed project area including the description of terrain hill slopes, terrain features, slope and elevation are to be collected. Study of land use pattern, habitation, cropping pattern, forest cover, environmentally sensitive places etc., is to be undertaken by employing remote sensing techniques and ground truthing. Ecological features of forest area; agricultural land; grazing land; **wildlife sanctuary land & national parks; migratory routes of fauna; water bodies;** and drainage pattern including the orders of the drain and water sheds are to be described. Settlements in the study area may be delineated with respect to ARP on the site map…"*

*On the aspect **of air environment**, the Guidance manual emphasises that:*
"Aircraft engines produce emissions that are similar to other emissions resulting from any oil-based fuel combustion. These, like any exhaust emissions, can affect local air quality at ground level. It is emissions from aircraft below 1,000ft, above the ground (typically around 3km from departure or, for arrivals, around 6km from touchdown) that are chiefly involved in influencing local air quality. .."

PART C

Local emissions attributed to aircraft operations at airports include Oxides of Nitrogen[45], Carbon Monoxide[46], Hydrocarbons[47], Sulphur Dioxide[48], and particulate matter (PM 10 and PM 2.5).

*63 The Guidance manual brings into focus the **biological environment**. It acknowledges that airport operations may alter eco-systems, threaten endangered species and disturb the movement and breeding patterns of wildlife. In this context, the collection of baseline data on sensitive habitats and wild or endangered species in the project area is contemplated. The Guidance manual stipulates thus:*
***"Airport operations may cause change in local ecosystems, threaten endangered species, and disturb movements and breeding patterns of local wildlife**. Airports are located within a variety of settings (both urban and rural), which support habitats and species of their own, some of which will have direct interaction with those located on the airport and vice versa. Some local areas will also be designated for their nature conservation value. The biological*

environment of the airport should hence be seen as an integral component of the wider landscape scale ecological network….

> ***Data on sensitive habitats, wild or endangered species in the project area also is to be collected from Zoological Survey of India (ZSI), Botanical Survey of India (BSI), Wildlife Institute of India (WII) and Ministry of Earth Sciences. Wildlife symbolizes the functioning efficiency of the entire eco system. Just as wild flora needs special treatment for preservation and growth, wild fauna as well deserves specific conservatory pursuits for posterity****. As per Wildlife Act (1972), the various wild animals are enlisted in the schedules of wildlife Act based on the intensity of threat to them as rare, endangered, threatened, vulnerable etc. Primary data on survey of the wild animals and birds in the study area is collected and identified with the classification into various schedules taken from secondary data."*

64 It is in the backdrop of the 2006 notification and the Guidance manual that it becomes necessary to assess the process that was adopted in the present case and its outcome.

85 ***The glaring deficiency which emerges from the EIA report is its failure to notice the existence of ESZs within a buffer distance of 10 kilometres of the project site. On one hand, the EIA report takes note of the HLWG report dated 15 April 2013. But, on the other hand, the EIA report ignores the existence of ESZs within the study area on the ground that the project site is not situated in an ESZ. That, as we have seen, can never be accepted as an adequate response. The purpose and object of the EIA report is to map areas, understand their vulnerabilities, and conduct a study on a scientific basis of the impact of the proposed project on an ecologically sensitive terrain.*** *The EIA report fails to meet a classical requirement of administrative law: to take into account a relevant consideration namely, that within the study area which has to be considered, there is the presence of ESZs.*

86 In deducing the impact of a proposed activity on an ESZ, it is not sufficient to take recourse to a generic assessment of a proposed activity on the ecology of the study area. The EIA report must factor in those specific features which make an area ecologically sensitive. These would encompass all aspects of environmental concern which render the area ecologically sensitive. This would include wet lands, water sources, water bodies, costal zones, ***biospheres, mountains and forests****. The vulnerabilities of each of them must be studied as distinctive components together with a holistic analysis of their existence in a chain of bio-diversity.* ***Where an area is ecologically sensitive because of the presence of flora or fauna requiring protection, that must be specifically adverted to and studied. The deficiency of the EIA report emanates from its failure to notice that the purpose of the study was not only***

to determine whether the project site is ecologically sensitive. Confining itself to this aspect, the EIA report failed to consider a crucial and relevant consideration.

113 Clause (vi) of para 8 of the 2006 notification stipulates thus:

"(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice."

J Environmental Rule of Law

126 Fundamental to the outcome of this case is a quest for environmental governance within a rule of law paradigm. Environmental governance is founded on the need to promote environmental sustainability as a crucial enabling factor which ensures the health of our eco system.

141 The 2006 notification must hence be construed as a significant link in India's quest to pursue the SDGs. Many of those goals, besides being accepted by the international community of which India is a part, constitute a basic expression of our own constitutional value system. Our interface with the norms which the international community has adopted in the sphere of environmental governance is hence as much a reflection of our own responsibility in a context which travels beyond our borders as much as it is a reflection of the aspirations of our own Constitution. ***The fundamental principle which emerges from our interpretation of the 2006 notification is that in the area of environmental governance, the means are as significant as the ends. The processes of decision are as crucial as the ultimate decision.*** *The basic postulate of the 2006 notification is that the path which is prescribed for disclosures, studies, gathering data, consultation and appraisal is designed in a manner that would secure decision making which is transparent, responsive and inclusive.*

21. Further, **HON'BLE SUPREME COURT OF INDIA** in (Case Diary No: 72013/1989) Case No W.P.(C) No.-000967-000967 – 1989.

INDIAN COUNCIL FOR ENVIRO-LEGAL ACTION ETC. Versus. UNION OF INDIA AND ORS.ETC. DATE OF JUDGMENT: 13/02/1996

ANNEXURE-24

Conclusions:

(V) ***Sections 3 and 5 of the Environment [Protection] Act, 1986****, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in* ***Section 2(a) of the Environment [Protection] Act****. This power includes the power to prohibit an activity, close an industry, direct and/or carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The principle* ***"Polluter Pays"*** *has gained almost universal recognition, apart from the fact that it is stated in absolute terms in Oleum Gas Leak Case. The law declared in the said decision is the law governing this case.*

22. Further in, **HON'BLE SUPREME COURT OF INDIA** in CIVIL APPEAL NOS. 1628-1629 OF 2021. Date of Judgment 21.3.2024. Noble M. Paikada versus Union of India. **(ANNEXURE-25)**

FACTUAL ASPECTS

5. *Before we go into the challenge to the impugned notification, we must note here that items 6 and 7 were substituted by further notification dated 30th August 2023 (for short, 'amended impugned notification') issued during the pendency of these appeals. Substituted items 6 and 7 in the amended impugned notification read thus:*

> *"6.* ***Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. shall be subject to the compliance of standard operating procedures and environmental safeguards issued in this regard from time to time****.*

SUBMISSIONS

10. *The learned senior counsel invited our attention to a decision of this Court in the case of* ***Hanuman Laxman Aroskar v. Union of India***[2]*. She also relied upon a decision of this Court in the case of* ***Deepak Kumar***[1]*. She pointed out that as a result of item 6, there will not be any regulation of the extraction of ordinary earth for utilisation in linear projects, such as, roads, pipelines, etc. She submitted that such a*

blanket exemption will defeat the very object of enacting the EP Act and, in particular, Section 3 thereof. She submitted that the decision of this Court in the case of ***Deepak Kumar***[1] *and subsequent decisions mandated that there must be a requirement to obtain EC for the minor minerals pertaining to materials used for linear projects. The learned senior counsel submitted that allowing the extraction of the earth in such an indiscriminate manner is wholly arbitrary and violative of Article 14 of the Constitution of India.*

NON-COMPLIANCE WITH THE DIRECTIONS OF THE NGT

32. Therefore, we have no hesitation in striking down item 6 of the substituted Appendix-IX forming part of the impugned notification dated 28th March 2020 and item 6 of the amended impugned notification dated 30th August 2023. Accordingly, we quash item 6 in the two notifications above*.*

[The earth from the Pachmarhi Airstrip was extracted and borrowed to level the slope of the Runway (linear project). Any further continuing of such work without EC for same would be a violation of the aforementioned judgement].

23. Further in, **HON'BLE HIGH COURT OF MADHYA PRADESH** Jabalpur in Writ Petition 5937/2002, W.P.No.11909/2013 (*sou moto)*. Date of Judgment 16.04.2014 **ANNEXURE-15**

The relevant portions thereof are extracted hereinbelow: -

W.P.No.5937/2002 is yet another writ petition pending in this Court for issuing direction to the appropriate Authority to initiate action in respect of unauthorized structures in the Pachmarhi area. It is further prayed that the Authorities shall ensure that no further construction is allowed in the said area. ***It is not in dispute that the interim relief has already been granted directing the Authorities to ensure that no further construction is put up in Pachmarhi area.*** *That interim relief will now operate in W.P.No.11909/2013 being suo motu proceedings initiated by this Court. The present order disposes of the other prayer in the said writ petition to remove unauthorized structures put up in Pachmarhi area being involved in W.P.No.11909/2013. As a result, even this petition (****W.P.No.5937/2002****) need not be continued further. No appearance has been made on behalf of the petitioner when this writ petition*

was called out. As a result, ***we dispose of this petition*** *but direct continuance of the interim arrangement ordered in this petition as having been passed in the pending W.P.No.11909/2013 till the disposal thereof. In view of disposal of the above noted writ petitions, all pending Interim Applications in the respective petitions are also disposed of.*

Reverting to the question of removal of unauthorized structures, this issue can be redressed by directing the appropriate Authority - be it for the purposes of Sanctuary or the Cantonment Board or the Authority for the purposes of Wild Life Protection Act, 1972 or the Defence Estate Officer. ***The concerned Authorities are under bounden duty to ensure that no structure is put up in the area under their respective jurisdiction without prior permission and further that the structure in respect of which prior permission is granted is constructed strictly in conformity with the scope of permission. In other words, if the structure has been put up without prior permission or for that matter in excess of the permission granted by the appropriate Authority, such structure will have to be treated as unauthorized structure and proceeded with by the concerned Authority under the respective enactments by following due process.***

It is brought to our notice by the learned Amicus Curiae that when the Authorities such as the Collector or for that matter the Chief Executive Officer, Cantonment Board and/or the Defence Estate Officer intends to take action of removal of the unauthorized structure(s), no logistical support is provided by the local police administration.

Without going into the correctness of this factual position, we direct the Superintendent of Police, Hoshangabad, to ensure that as and when requisition is sent by any of these Authorities for removal of unauthorized structures in Pachmarhi area, full logistical support will be provided to them at the time and place notified two days in advance to the Superintendent of Police. He shall be "personally" responsible to comply with this direction to ensure that the removal of unauthorized structure(s) is completed before the next date of hearing.

24. Further in, **HON'BLE HIGH COURT OF MADRAS** in W.P.No.15200 of 2023 And WMP.No.14710 of 2023**.** Date of Judgment 17.05.2023.

ANNEXURE-17

PRAYER: *Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from conducting 'heli tourism' as part of the May 2023 Summer Festival in Nilgiris as advertised by the District administration.*

ORDER

This Public Interest Litigation (PIL) has been filed by a resident of Chennai seeking a mandamus forbearing the respondents being the Additional Chief Secretaries of the State of Tamil Nadu, Department of Environment, Forest and Climate change/R1 and R3, the Principal Secretary to the Government and Chairman of the Tamil Nadu Tourism Development Corporation/R2, the District Collector/R4 and Forest Officer, Nilgiris District/R5 from conducting 'heli tourism' as part of the May, 2023 summer festival in Nilgiris as advertised by the District administration.

15. While whoever has drafted letter draft 12.04.2023 is well aware of the necessity for clearance from the Forest Department, in the final executed version the reference to Forest department has been deleted, perhaps for the reason that ***such clearance might not have been forthcoming****. Clearly, the attempt seems to have been to go plough ahead with heli tourism irrespective of environmental concerns and despite all evidence pointing to the same. It is thanks to the above slip-up by the respondents that the conscious sidelining of the Forest Department has come to light.*

16. The proposed heli tourism project is one of the activities planned to attract tourists for the 200th year Summer Festival in Ootacamund. Ooty is the District headquarters of Nilgiris District, that comprises substantially hilly terrain, forest land and wildlife sanctuaries. The specific route for the joy ride is unknown and it is on this premise that learned Additional Advocate General would say that a decision on the project can be taken once the route is finalized.

17. The petitioner, in his anxiety, has circulated a probable map of the joy ride, which is vehemently agitated to by the respondents who point out that it is only a hypothesis. As to the hypothetical route map that has been circulated, we put it down to the anxiety of the petitioner, and find the effort well taken. A report in the Times of India dated 06.05.2023 states thus:

> ***….The firm will follow the guidelines prescribed by the Supreme Court for helicopter ride in the hills, Sundar added. As per SC guidelines, flight is prohibited in zones such as national parks, core and buffer zones of tiger reserves and bird sanctuaries.***

18. Normally, one hardly pays heed to media reports in judicial proceedings but we have referred to the above instance, since an officer of the Tourism Department is quoted and ***it is hence taken to be authentic****. The officer is quoted as referring to an engagement with a third party who is, in*

turn quoted to state that the probable flight path will cover 30 kms. Thus the joy ride would evidently require the flight path to be routed over the forest land. We also agree that there is little value otherwise in a helicopter ride over Ooty.

20. Nilgiris district which comprises about 2500 sq. kms is hilly, and at an elevation of between 1000 to 2500 level mean sea level. It straddles the junction of the Western and Eastern Ghats and the rolling topography is home to several species of wildlife as well as birds, some of them endangered. ***Three National Parks, viz., Mudumalai National Park, Mukurthi National Park and the Silent Valley National Park fall within the region. This area has been formed into the Nilgiri Biosphere Reserve, India's first Biosphere Reserve, in 1986.***

21. In the Case of T.N.Godavarman Thirumalpad Vs. Union of India & Others[1], the ***Hon'ble Supreme Court held as follows:***

> *15. Adherence to the principle of sustainable development is a constitutional requirement. While applying the principle of sustainable development one must bear in mind that development which meets the needs of the present without compromising the ability of the future generations to meet their own needs. Therefore, Courts are required to balance development needs with the protection of the environment and ecology[1]. It is the duty of the State under our Constitution to devise and implement a coherent and coordinated programme to meet its obligation of sustainable development based on inter-generational equity.* ***While economic development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation****; at the same time, the necessity to preserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of environment and vice versa, but there should be development while taking due care and ensuring the protection of environment.*
>
> *16.* ***In Vellore Citizens' Welfare Forum v. Union of India****, this Court held that the* ***'Precautionary Principle'*** *is an essential feature of the principle of 'Sustainable Development'. It went on to explain the precautionary principle in the following terms:*
>
> *(i) Environmental measures--by the State Government and the statutory authorities--must anticipate, prevent and attack the causes of environmental degradation.*

(ii) Where there are threats of serious and irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

*(iii) The **"onus of proof"** is on the actor or the developer/industrialist to show that his action is environmentally benign.*

*17. The **principle of precaution** involves the anticipation of environmental harm and taking measures to avoid it or to choose the least environmentally harmful activity. It is based on scientific uncertainty. Environmental protection should not only aim at protecting health, property and economic interest but also protect the environment for its own sake. Precautionary duties must not only be triggered by the suspicion of concrete danger but also by justified concern or risk potential.*

*22. **The feasibility of commercial helicopter operations over such an ecologically sensitive region must be very cautiously approached and carefully assessed. The policy in regard to tourism must balance with public concerns, specifically, environmental and wildlife.***

*23. Though public interest must prevail to some measure, it must be seen to be in harmony with projects that might have an adverse impact on the environment. However, it is nobody's case that heli tourism would have any public use whatsoever, except as a revenue earner to the State. While considering the balance to be achieved between private/state commercial interests and larger public concerns, the **Hon'ble Supreme Court refers to the judgment in M.C.Mehta V. Union of India[2] in the following terms**:-*

*18. A situation may arise where there may be irreparable damage to the environment after an activity is allowed to go ahead and if it is stopped, there may be irreparable damage to economic interest**.** (M.C.Mehta v. Union of India (2004) 12 SCC 118). **This Court held that in case of a doubt, protection of environment would have precedence over the economic interest.** It was further held that precautionary principle requires anticipatory action to be taken to prevent harm and that harm can be prevented even on a reasonable suspicion. Further, this Court emphasises in the said judgment that it is not always necessary that there should be direct evidence of harm to the environment.*

*26. **As a consequence, there is not a single document produced before us to indicate seeking of, or grant of clearance of the heli tourism project, by the Forest officials after consultation with Wildlife wardens of the National***

Parks/Sanctuaries. *This is not just curious but indicates abject non-application to the relevant considerations on hand. The authorities/administration cannot, but be aware of and sensitive to the special features and demands of the area in which they are posted and serve and the apparent and blatant disregard in this case, leaves us baffled.*

30. ***The scientific literature that has been placed on record by the petitioner reiterates the importance of preservation of this vulnerable area and of the biodiversity to which it is home. Some species of birds fly here for the nesting season and of concern is the disturbance that the helicopter noise will cause…***

32. The petitioner also submits that the breeding season of some of the birds living in that area is around now, and the disturbance caused by the helicopters would adversely impact the cycle. The behaviour of wildlife including the Elephants for whom this region constitutes a critical corridor connecting the two ranges, would also be greatly impacted by this unplanned proposal.

34. While we are not possessed of the technical expertise to pass judgment upon the finer and detailed aspects of the biodiversity in the Nilgiris or of the deleterious effects of helicopters in that region, and neither is that the requirement in this case, ***we are of the categoric view that the respondents have been remiss in rushing to endorse and advertise the heli tourism project even prior to assessing all relevant material, and holding consultations with the Sanctuary wardens and officials of the Forest Department.***

35. ***In arriving at the above conclusion we find no necessity for a counter as the records speak for themselves establishing the abject sidelining of the Forest Department, the wildlife wardens and other relevant persons who should have been involved in the decision making process for a project of this nature.***

38. ***The fragile eco-system and vulnerability of this bio-diverse region cannot be the victim of crass commercialism, that too in such an unplanned and careless fashion.*** *It was on 1st June 1823 that Stone house, now the Government Art College, was opened as the official residence and office of the then Ruler, John Sullivan, of 'Ottakamundu'. Ooty, as we know it, became the first hill station of the English Empire. This, then, is the 200th year of Ooty.*

39. Prophetically, the Coffee Table book is entitled 'Tamil Nadu – Where Stories Never End'. ***This Writ Petition is, in light of the discussion as above, allowed with the fond and fervent hope that such projects be implemented cautiously and with sensitivity to all stake holders, particularly***

the environment and wildlife, such that the ethereal and timeless beauty of the Nilgiris, does continue endlessly. *No costs. Connected Miscellaneous Petition is closed.*

25. Further in, **HON'BLE NATIONAL GREEN TRIBUNAL** Principal Bench

Original Application No. 114 of 2024 **ANNEXURE-18**

*News Item titled "**Forest Dept. objects to operating flights over protected areas"** appearing in the Times of India dated 31.12.2023*

Date of hearing: 07.02.2024 ***ORDER***

*1. This original application has been registered on the basis of the news item titled **"Forest Dept. objects to operating flights over protected areas"** appearing in the 'Times of India' dated 31.12.2023. The news item discloses that a chartered helicopter flew over Mudhumalai Tiger Reserve (MTR) and the protected area of Mukurthi National Park in the Nilgiris. It also contains the stand of the Forest Department to avoid forest and protected areas in Tamil Nadu while designating paths for choppers and flights.*

2. The news item raises substantial issue relating to compliance of environmental norms.

3. Power of the Tribunal to take up the matter in suo-motu exercise of power has been recognized by the Hon'ble Supreme Court in the matter of "Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors." reported in 2021 SCC Online SC 897.

4. Hence, we implead the following as respondents in this OA:

i. Principal Chief Conservator of Forests, Tamil Nadu Forest Department.
ii. Chief Wildlife Warden, Tamil Nadu.
iii. Directorate General of Civil Aviation through its Director General.

5. The status report on behalf of Respondents No. 1 and 2 has been filed stating that the helicopter took off from outside the boundaries of reserve forest area. Along with status report a communication of Tamil Nadu Forest Department has been placed on record at page 16 which quotes the order of the High Court in W.P. No. 15200 of 2023 which in turn quotes the Hon'ble Supreme Court's guidelines "prohibiting flights in zones such as National Parks, core and buffer zones of tiger reserves and bird sanctuaries".

6. Learned Counsel appearing for Respondents No. 1 and 2 on advance notice seeks time to file further comprehensive report.

7. Let Notice be issued to Respondent No. 3 for filing the response at least one week before the next date of hearing before the appropriate bench of the Tribunal.

8. Since the matter relates to the Southern Zonal Bench, Chennai, therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Southern Zonal Bench, Chennai.

9. List before Southern Zonal Bench at Chennai on 01.04.2024.

[The aforementioned transferred case has been registered as Original Application No: 88 of 2024 (SZ).]

[It is pertinent to note that in order to land on Pachmarhi Airstrip/helipad from any direction, Aircraft/Helicopter must fly at low level above Protected Areas of Satpura Tiger Reserve (CORE AREA) as Pachmarhi is surrounded by Protected Areas.] **ANNEXURE-04**

26. Further in, **HON'BLE NATIONAL GREEN TRIBUNAL** Southern Bench *Original Application No: 88 of 2024 (SZ)/Original Application No. 114 of 2024 (PB)* **ANNEXURE-28**

C. SUBMISSIONS BY APPLICANT: -

MINISTRY OF CIVIL AVIATION N. DELHI.

27. **CIVIL AVIATION REQUIREMENTS (CAR)- DGCA N. DELHI**

(Minimum Requirements to be complied with for commencing operations to New Stations. **ANNEXURE-30**

As per, Civil Aviation Requirements **(CAR)** issued by Directorate General of Civil Aviation (DGCA), Section 3, Air Transport Series E, Part I, Issue I, 24 August 1995. Minimum Requirements to be complied with for commencing operations to new stations: -

2. ii) ***Fencing****: -*

Proper operational fencing should be provided around the airport as per the guidelines of Bureau of Civil Aviation Security. However, to start the operations, adequate guarding arrangements may be made around the perimeter of the airport by the owner of the airfield till regular fencing is

provided. This arrangement should only be for short duration and fencing should be provided quickly.

[As per CAR, Fencing is a mandatory requirement. Thus, implementation of CAR would Fence the Airstrip near Core Zone of Satpura Tiger Reserve and that will lead to Tiger Habitat fragmentation.]

(emphasis added)

vi) ***ATC Facilities: -***

The airport should at least have a Control Tower with ATC facilities, two-way VHF communication and adequate ATC personnel. The operations shall be planned within the ATC watch hours.

[Since ATC facilities are an essential prerequisite as per DGCA CAR for beginning air operations. The EC clearance under EIA notification 2006 under Airports 7(a) Category-A applies. In addition to routine operations, ATC plays a significant role during disaster management.]

(emphasis added)

3**.** *The above facilities are the* ***bare minimum*** *for commencing operations to new stations or to the airports not in use. Efforts should, therefore, be made by all concerned agencies to provide additional facilities relating to communication, navigation and landing aids, meteorological services and passenger facilities.*

[Civil Aviation Requirements-bare minimum requirements]

28. **LICENSING OF AERODROMES**

Flight operations *would require prior site suitability approval* from Aerodrome Standards division of Directorate General of Civil Aviation (DGCA) N. Delhi in accordance with **Para (xi) of Aircraft Rules 1937**: -

78. Licensing of Aerodromes **ANNEXURE-31 and ANNEXURE-34**

(1) No aerodrome other than a defence aerodrome shall be used as a regular place of landing and departure by a scheduled air transport service or for a series of landings and departures by any aircraft ***carrying passengers*** *or cargo for hire or reward unless -*

(a) it has been ***licensed*** *for the purpose, and save in accordance with the conditions prescribed in such licence; or*

(4) No person shall operate or cause to be operated any flight from a temporary aerodrome or an aerodrome ***which has not been licensed or approved,*** *as the case may be, under these rules unless it meets the minimum safety requirements laid down by the Director-General.*

29. **RTI APPLICATION** FILED WITH-AERDROME STANDARDS DIVISION DGCA N. DELHI SEEKING COPY OF SITE SUITABILITY APPROVAL OF PACHMARHI. **ANNEXURE-32**

Online RTI application was filed with the aforementioned authority on 03.01.2024 seeking the certified copy of site suitability approval granted to Pachmarhi in Madhya Pradesh by the Aerodrome Standards Division of DGCA Ministry of Civil Aviation in accordance with Paragraph (xi) of Aircraft Rules 1937. The reply dt. 29.01.2024 to filed RTI: *No such approval granted by Aerodrome Standards Directorate, DGCA for Pachmarhi (Madhya Pradesh). Hence No information available with CPIO.*

30. **MINISTRY OF CIVIL AVIATION** Notification New Delhi, the 30th September, 2015. **G.S.R.751 (E).–** **ANNEXURE-16**

1.(1) These rules may be called the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015.

3(ii) **"aerodrome" includes civil** and defence airports, **airstrips,** communication, navigation and surveillance facilities used for the aeronautical purposes in India;

4. Restrictions on constructions, erections, trees, etc.—

(1) No structure shall be constructed or erected, or any tree planted or grown on any land within a radius not exceeding twenty kilometers from the Aerodrome Reference Point of the civil and defence aerodromes, as specified in Schedule III to Schedule VII, without obtaining a No Objection Certificate for the height clearance, except in cases specified in subrule (2) of rule 7.

(2) No structure shall be constructed or erected, or any tree planted or grown on any land within the areas specified in Schedule I of the civil and defence aerodromes, as listed in Schedule III to Schedule VII, except for essential navigational aids and other installations required for aeronautical purposes.

5. Issuance of No Objection Certificate. — *(1) The No Objection Certificate in respect of civil aerodromes shall be issued by the designated officer on behalf of the Central Government in respect of civil aerodromes.*

(3) In case of State owned and private aerodromes, licensed by the Directorate General of Civil Aviation, the No Objection Certificate for the protection of ***obstacle limitation surfaces (OLS)*** *at such airports shall be issued by the designated officer and* ***the procedure in cases of State owned and private aerodromes, not licensed by the Directorate General of Civil Aviation, shall be regulated in the manner as specified in rule 13.***

13. Procedure to be followed in case of State owned and private airports not licensed by Directorate General of Civil Aviation. — *(1) In case of State owned or private aerodromes not licensed by the Directorate General of Civil Aviation, the concerned State Government shall be responsible for the protection of obstacle limitation surfaces at such airports:*

Provided that the designated officer shall give guidance to the State Government on the protection of obstacle limitation surfaces, whenever such guidance is sought by the concerned State Government.

[Unauthorized structure of an RCC terminal building at the Pachmarhi Airstrip is in violation of mentioned clauses 4(1) and (2) of the Notification, as the Pachmarhi Airstrip is listed in Schedule-IV Part-2 at Sr. No. 96.]

31. **DGCA- AVIATION ENVIRONMENT CIRCULAR 1 OF 2009**
4. Initiatives at National and DGCA Levels **ANNEXURE-33**

4.2 As a proactive initiative, an Aviation Environmental Unit ***(AEU)*** *has been recently set up in DGCA to coordinate the aviation related environmental issues.*

32. **DGCA- AIRCRAFT RULES, 1937. 3. Definitions and Interpretations:**

(2) **"Aerodrome"** means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto; **(ANNEXURE-34)**

33. **NOTIFICATION**: G.S.R. 977(E) Dt 05.10.2016. **AIRCRAFT RULES**, 1937 AMENDMENT. **ANNEXURE-35**

2. In the Aircraft Rules, 1937, -

b) in rule 78,

(i) in sub-rule (1), for the words, "No aerodrome", the words, "No acrodrome other than a defence aerodrome" shall be substituted;

34. **NOTIFICATION**: G.S.R. No.770(E) Dt 17.12.2020. **PACHMARHI Airstrip** listed in Sr. No. 73, Schedule IV Part-2 Aerodrome not licensed by DGCA. **(Dimensions 1200m X 61m,** Elevation 1085m, Runway 04/22)-

ANNEXURE-54.

[According to the aforementioned notification, the reported dimensions of the airstrip are **1200m x 61m**, not 1400m x 75m as stated in the PWD letter dated 05.04.2024 annexed in the expert committee report Annexure-04, Page No. 19, Sr. No. 2. The Expert Committee Annexure-06 letter from Field Director's office dated 12.4.2024, page 30, Para 2.0 claims that the measured dimensions are 1300m x 82m, implying a discrepancy.]

E. MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

ADVISORY:

35. **MoEF&CC (Wildlife Division) Advisory** F.No.8-55/2022 WL Dt. 25.11.2022**:** **ANNEXURE-36**

The relevant portions thereof are extracted hereinbelow: -

2. The Standing Committee of the National Board for Wild Life, in its 70th meeting held on 13th October, 2022, deliberated on some of the policy issues pertaining to the conservation and protection of wildlife and their habitat as highlighted by Hon'ble Prime Minister. After detailed discussions. the Standing Committee decided that an advisory be issued to all the States/UTs to take necessary steps on the following aspects for more effective management and conservation of protected areas:

2 d. ***Carbon action through LIFE****: In order to mitigate climate change, it is essential to make people aware of the importance of making changes in life style by adopting the principle of reduce, reuse, and recycle. The following actions may be taken by States/UTs in this regard:*

i. Linear infrastructure projects such as roads, railways etc. should be aimed at reducing carbon footprints:

ii. While formulating projects special attention should be paid to mitigating climate change, ***especially when such projects are proposed to be***

<u>located within protected areas, tiger reserves, forests, wildlife corridors and eco-sensitive zones.</u> *The total carbon footprint of the project should be evaluated.*

iii. While submitting proposals for consideration of the Standing Committee of the National Board for Wild Life, there should be a cost-benefit analysis in terms of maintenance of carbon neutrality or increase in carbon sequestration.

iv. Proposal only having positive carbon footprint will be considered by the Standing Committee henceforth.

<u>NOTIFICATIONS</u>:

36. **Ambient Air Quality Standards** Notification G.S.R. 826(E) Dt. 16.11.2009 **<u>ANNEXURE-37</u>**

37. **Ambient Noise Standards with respect to Airport Noise Zone.** Notification G.S.R. 568(E) Dt. 18.6.2018 **<u>ANNEXURE-38</u>**

38. **National Tiger Conservation Authority (NTCA)** Notification Dt. 15.10.2012 **<u>ANNEXURE-39</u>**

<u>GUIDELINES</u>:

39. **MoEF&CC (Wildlife Division) Revised Guidelines** Dt: 24.02.2023 and 21.07.2022 for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas- reg **<u>ANNEXURE-40</u>**

1.6 ACTIVITIES INSIDE ECO-SENSITIVE ZONES:
Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries, if ESZ has not been notified, prior approval of the NBWL/SCNBWL shall be required: ***a.*** *for construction and al-lied activities undertaken by and for Indian Railways and any of its subsidiaries/sister concerns; or* ***b.*** *if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.*

40. **MoEF&CC Wildlife Guidelines** for declaring ESZ around National Parks and Wildlife Sanctuaries Dt. 09.02.2011. In the <u>Annexure-1</u> of the said Guidelines: **<u>ANNEXURE-41</u>**

Identification of Activities

"While some of the activities could be allowed in all the eco-sensitive areas, others will need to be regulated / prohibited. ***<u>However, which activity can be regulated or prohibited and to what extent, would have to be PA specific</u>****. A broad list of activities (this may need supplementation) which could be allowed, promoted, regulated or prohibited is given in the table below: allowed, Promoted, Regulated or Prohibited…*

[**<u>The Guidelines explicitly stipulate that the activities will be PA specific.</u>]**

<u>OFFICE MEMORANDUMS (OM)</u>: **<u>ANNEXURE-42</u>**

41. **MoEF&CC OM** Dt.17.05.2022 regarding: Subject: Clarification on Requirement of Various Environmental and Forest Clearances for Project/Activity in Eco-Sensitive Zone and Other Such Areas outside Protected Area - regarding.

42. **MoEF&CC IA Division OM** Dt. 28.03.2024 **<u>ANNEXURE-43</u>**

Regarding: Compliance of the Judgement dated 21/03/2024 of **Hon'ble Supreme Court** in Civil Appeal Nos 1628-1629 of 2021, Noble M. Paikada Vs Union of India. (Extraction or sourcing or borrowing of ordinary earth for the linear projects).

43. **NTCA CIRCULAR** Dt. 28.11.2018. F. No. 7-9/2010-NTCA (Part). **<u>ANNEXURE-44</u>**

Regarding: Compliance of the statutory provisions in context of infrastructure Development Projects.

> *1. Project proposal involving area falling within a Tiger Reserve: In respect of projects falling within a notified tiger reserve, be it core or* ***buffer,*** *irrespective of area involved, the project proposal need wildlife clearance…*

44. **NTCA No. PS-MS (NTCA)/2009-**Miscle. Dated the 28th April, 2009. **<u>ANNEXURE-45</u>**

Sub: ***Plying of diesel vehicles/mini-trucks / canters inside core/ critical tiger habitats.***

<u>As you are aware, the core /critical tiger habitats of tiger reserves notified under section 38 V of the Wildlife (Protection) Act, 1972, are required to be kept inviolate for tiger conservation.</u> However, tourism infrastructure is present in many core areas, and visitors are permitted in such tourism zones, and guidelines have been issued from this end for phasing out the tourism

*activities from such areas to the outer buffer zones. Till the desired tranquillity is achieved in the core /critical tiger habitat, every care should be taken to ensure that **minimum noise pollution is caused** in such areas due to plying of canters / mini-trucks, another diesel vehicles transporting tourists. In this context, it is suggested that every effort should be made for promoting CNG run vehicles using Bio-fuel, while reducing the use of diesel / other polluting vehicles. It is pertinent to add that the **Hon'ble Apex Court** has also strongly recommended the use of CNG vehicle in our urban landscape to reduce pollution.*

[Aeroplanes/Helicopters take-offs and landings from Pachmarhi Airstrip will violate the law by producing excessive Noise Pollution, which will disturb the peripheral CORE ZONE's *inviolate* state. Engine exhaust smoke will pollute the air. Vehicles plying to and from the airstrip would cause the same. The same would be caused by vehicles driving to and from the airstrip.]

NTCA STUDY REPORTS:

45. **NTCA: PENCH-SATPURA-MELGHAT CORRIDOR STUDY:**

1. **PENCH-SATPURA** "*…Yet genetic studies show that gene flow of tigers between Satpura and Pench occurs…"* **ANNEXURE-46**

46. **NTCA STATUS OF TIGERS 2022**: **ANNEXURE-47**

*The information generated from the past four cycles has resulted in major changes in policy and the management of tiger populations. It has also provided scientific data to fully implement provisions of the Wildlife (Protection) Act 1972, **in letter and spirit**. The major outcomes that were a direct or indirect consequence of information generated by the monitoring exercises were: 1) tiger landscape conservation plans, 2) designation and notification of inviolate critical core and buffer areas of tiger reserves, 4) recognition of tiger landscapes and the importance of the corridors and their physical delineation at the highest levels of governance.*

2. Central Indian Highlands and Eastern Ghats Landscape- …*The region contains five biosphere reserves and is home to the largest number of tigers and contains the largest tiger-occupied forest in the country. The forests of this region are under threat from various activities, despite their high biodiversity and conservation significance. Two endangered subspecies, the Central Indian Wild Buffalo and Hard Ground Barasingha, are now confined to the tiger*

reserves in this landscape. The tiger landscape is further sub-divided in 13 smaller tiger landscapes: ***(viii) Satpuda-Melghat…***

Figure 2.1: Tiger distribution in Central India and Eastern Ghats landscape in 2022.

[The aforementioned facts clearly illustrate the existence of tigers in the Satpura Tiger Reserve MP and surrounding corridors.]

7. **AIR (PREVENTION AND CONTROL OF POLLUTION ACT), 1981**
ACT NO 14 of 1981 **ANNEXURE-48**

2. Definitions. In this Act, unless the context otherwise requires,

*(a) "**air pollutant**" means any solid, liquid or gaseous substance [2]**[(including noise)]** present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment:*

(b) "air pollution" means the presence in the atmosphere of any air pollutant;

48. **BIOLOGICAL DIVERSITY ACT: PRESS RELEASE Dt. 07.8.2023**
ANNEXURE-49

The Government of India has taken several steps for conservation of biodiversity which includes survey, inventorization. taxonomic validation and threat assessment of floral and faunal resources; assessment to develop an accurate database for planning and monitoring as well as conservation and protection of forests; establishment of a protected area network of ***National Parks. Wildlife Sanctuaries.*** *conservation and community reserves: designating* ***Biosphere*** *Reserves for conservation of representative ecosystems: undertaking of species-oriented programmes, such as* ***Project Tiger.***

49**.** **THE ENVIRONMENT (PROTECTION) RULES, 1986**
Notification: G.S.R. 844(E) Dt. 19.11.1986 **ANNEXURE-50**
The relevant provisions of the 1986 Rules are reproduced as under: **—**

"5. Prohibition and restriction on the location of industries and the carrying on of processes and operations in different areas*. — (1) The Central Government may take into consideration the following factors while*

prohibiting or restricting the location of industries and carrying on of processes and operations in different areas:

(i) Standards for quality of environment in its various aspects laid down for an area.

*(ii) The maximum allowable limits of concentration of various environmental pollutants (**including noise**) or an area.*

*(iii) The likely emission or **discharge of environmental pollutants** from an industry, process or operation proposed to be prohibited or restricted.*

*(iv) The **topographic** and climatic features of an area.*

*(v) The **biological diversity** of the area which, in the opinion of the Central Government needs to be preserved.*

*(vi**) Environmentally compatible land use**.*

*(vii) **Net adverse environmental impact** likely to be caused by an industry, process or operation proposed to be prohibited or restricted.*

*(viii) Proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a **sanctuary, National Park**, game reserve or closed area notified as such under the Wild Life (Protection) Act, 1972 or places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international conference, association or other body.*

*(3) (a) Whenever it appears to the Central Government that it is expedient to **impose prohibition** or restrictions on the location of an industry or the carrying on of processes and operations in an area, it may, by notification in the Official Gazette and in such other manner as the Central Government may deem necessary from time to time, give notice of its intention to do so.*

(b) Every notification under clause (a) shall give a brief description of the area, the industries, operations, processes in that area about which such notification pertains and also specify the reasons for the imposition of prohibition or restrictions on the location of the industries and carrying on of processes or operations in that area.

It is to be noted that Rule 5 of the 1986 Rules prescribes a detailed procedure for issuing notification prohibiting or restricting various activities in the specified

areas. The said power flows from Sections 3(v) of the Environment (Protection) Act, 1986 (hereinafter referred to as —1986 Act).

50. **The Noise Pollution (Regulation and Control) Rules, 2000;**

Ambient Air Quality Standards in respect of Noise. ANNEXURE-51

Please refer to the table in the next page: -

SCHEDULE
(see rule 3(l) and 4(l)

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq *	
		Day Time	NightTime
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

51. **EIA GUIDANCE MANUAL- AIRPORTS. Dt. February 2010**
ANNEXURE-52

1.2 Environmental Clearance Process.

"General Condition shall apply

Any project or activity specified in Category 'B' will be treated as Category 'A' if located in whole or in part within 10 km from the boundary of: i. Protected areas notified under the Wildlife (Protection) Act, 1972; *(ii) Critically polluted areas as notified by the Central Pollution Control Board from time to time;* ***(iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as****, Mahabaleswar Panchangi, Matheran,* ***Pachmarhi,*** *Dahanu, Doon Valley and (iv) inter-state boundaries and international boundaries…*

Stage 1 (Scoping)-

The projects to be located within 10km of the National parks, Sanctuaries, Biosphere reserves, Migratory corridors of wild animals, the project proponent shall submit the map duly authenticated by Chief Wildlife

Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)".

52. [The said EIA Guidance was quoted in **Section C2** of the **HON'BLE SUPREME COURT OF INDIA** in (Civil Appeal No 12251 of 2018 with Civil Appeal No 1053 of 2019). Judgment: Dt. 29.03.2019. **ANNEXURE-23**]

53. **STANDARD [TOR] FOR EIA- AIRPORTS Dt. April 2015** **ANNEXURE-53**

54. **ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION 2006 AND SUBSEQUENT AMENDMENTS New Delhi, the 14th September, 2006 S.O. 1533(E).** **ANNEXURE-55**

*"2. Requirements of prior Environmental Clearance **(EC)**:- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under **Category 'A'** in the Schedule*

SCHEDULE

Note:

General Condition (GC)[92]:

Any project or activity specified in Category 'B' will be appraised at the Central Level as Category 'A, if located in whole or in part within 5 km from the boundary of. (i) Protected Areas notified under the Wild Life (Protection) Act. 1972 (53 of 1972): (ii) Critically Polluted areas as identified by the Central Pollution Control Board[3] constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time: (iii) Eco-sensitive areas as notified under sub section (2) of section 3 of the Environment (Protection) Act, 1986,"

55. **CENTRAL EMPOWERED COMMITTEE:** MoEF&CC NOTIFICATION S.O.5238(E) Dt. 08.12.2023 **ANNEXURE-56**

*1. "... the Central Empowered Committee (hereinafter referred to as the Committee) **for the purposes of monitoring and ensuring compliance of the orders of the Hon ble Supreme Court in the matter Writ Petitions (Civil) No. 202/1995 and 171/1996. covering the subiect matters of Environment and***

Forest & Wildlife, *and related issues arising out of the said orders and to suggest measures and recommendations generally to the State as well as Central Government, for the more effective implementation of the Act and other orders of the Court."*

F. INFORMATION SOUGHT UNDER THE RIGHT TO INFORMATION ACT, 2005 (RTI).

56. **TRIPARTITE MEMORANDUM OF UNDERSTNADING BETWEEN THE MINISTRY OF ENVIRONEMENT AND FORESTS (NATIONAL TIGER CONSERVATION AUTHORITY) SATPURA TIGER RESERVE NARMADAPURAM GOVERNEMENT OF MADHYA PRADESH AND FIELD DIRECTOR SATPURA TIGER RESERVE**

RTI application No. NTCAD/R/E/24/00027 dated 07.04.2024 was filed online with NTCA N. Delhi seeking a copy of Appendix-C (containing Article 1-5) of the **Tripartite Memorandum of Understanding (MOU**) between the Ministry of Environment and Forests (National Tiger Conservation Authority) New Delhi, the Government of Madhya Pradesh, and the Field Director Satpura Tiger Reserve as per Paragraph 17 of NTCA Gazette notification No 15-31/2012 NTCA dated October 15, 2012. The online RTI vide registration No. NTCAD/R/E/24/00027 reply dated 29.4.2024, including the abovementioned MOU, is filed here as **ANNEXURE-29.**

The relevant portions thereof are extracted hereinbelow: -

"Para 17. ***The Tiger Reserve States would be required to enter into a Tripartite Memorandum of Understanding with the Ministry of Environment and Forests, as provided in the format at Appendix-C.***

Appendix-C,
ARTICLE II

Obligations of the Government of ……

The state government has agreed and affirmed that: -

(14) ***The State Government shall certify that no ecologically unsustainable land use such as mining, industry and similar projects operate within the tiger reserve.***

ARTICLE III

Obligations of the Field Director……Tiger Reserve has agreed and affirmed that: -

(1) A Security Plan would be drawn up for the Reserve, considering its strength, weakness, opportunity and threat which would form, part of the Tiger Conservation Plan, to ensure intelligence based enforcement for ***protection*** *of tiger, other wild animals and* ***the habitat.***

(2) The day-to-day monitoring protocols for tiger and other wild animals would be duly followed, as prescribed by the National Tiger Conservation Authority, ***to ensure forecasting of untoward happenings in the habitat.***

ARTICLE V

Consequences of the non-observance of the terms of the MOU

In case of the non-observance of the terms of MOU by the state government and the Field Director

4. Non observance of the MOU leading to loss of Tiger and its ***habitat*** *and violations of the statutory provisions of the NTCA may lead to penal action on the Field Director through the State Government."*

[Hence, under the terms of the aforementioned MOU Appendix C Article II (14) the Government of Madhya Pradesh is required to reject the *unsustainable land use* Pachmarhi Aerodrome project within the Satpura Tiger Reserve.]

[According to Article III (1), the Field Director of Satpura Tiger Reserve is responsible for protecting Tiger Habitat, which he failed to accomplish owing to the vast excavation of the Pachmarhi Airstrip (habitat in buffer area). Para (2) The Field Director is responsible for ensuring the forecasting of undesirable events affecting wildlife in the deeply excavated habitat, which he failed to do.]

57. RTI Appeal reply Dt. 02.8.2023 from **Airports Authority of India N. Delhi.** Reg: - "*Certified copy of the clearance issued by RCS Directorate/Airports Authority of India AAI for the ongoing Pachmarhi Airstrip expansion project*

in District Narmadapuram Madhya Pradesh. The Pachmarhi Airstrip was chosen under RCS scheme. The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco sensitive Zone ESZ and is in the UNESCO Biosphere."
Reply: The reply is annexed as **ANNEXURE-57**

58. RTI reply Dt. 28.7.2023 from **Airports Authority of India N. Delhi**.
Reg:*"Kindly provide a list of all airports, aerodromes, airstrips and helipads that are located inside the Sanctuaries, National Parks, Eco Sensitive zones and Tiger Reserves in India."* **ANNEXURE-58**
Reply: **"*The specific information sought is not available*.** *However, airports considered operational as on 15.06.2023 is attached as Annexure. The above list is subject to continuous updates and dynamic in nature. This list is maintained for academic purposes only."*

59. RTI reply Dt. 03.8.2023 from **Ministry of Civil Aviation N. Delhi**.
Reg: "*Please refer to your RTI application bearing Registration No. MOCAV/R/E/23/00409/1 dated 25.07.2023 vide which you had sought information regarding airports at Sanctuaries, National Parks, Eco Sensitive zones and Tiger Reserves in India.* **ANNEXURE-59**

2. ***In so far as the CPIO, AAI Section is concerned, it is to stated that requisite information is not available in the records of the answering CPIO. However, list of 148 operational airports as available in records with the answering CPIO is attached herewith (5 pages)."***

60. RTI reply Dt.29.01.2024 from **DGCA N. Delhi** **ANNEXURE-60**

Reg: "*1. Certified copy of site suitability approval granted to Pachmarhi in Madhya Pradesh by the Aerodrome Standards Directorate of the DGCA, Ministry of Civil Aviation in accordance with Paragraph (xi) of the Aircraft Rules 1937."*

Reply**:** "***No such approval granted by Aerodrome Standards Directorate, DGCA for Pachmarhi (Madhya Pradesh). Hence No information available with CPIO."***

61. RTI reply Dt. 31.07.2023 from **MoEF&CC N. Delhi**. **ANNEXURE-61**
Reg**: "*Standing committee National Board of wildlife*.** *Sir, Please supply the following information in accordance with the RTI Act of 2005. A certified copy*

of the WL Wildlife clearance application submitted by the project proponent/Govt of Madhya Pradesh seeking recommendation/approval from standing committee of National Board of Wildlife NBWL for the ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh. The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco sensitive Zone ESZ and is in the UNESCO Biosphere. Thanks"

Reply: "***Nil information is available wrt to the details sought in the application."***

62. RTI reply Dt. 13.7.2023 from **PCCF(Wildlife) Bhopal**. **ANNEXURE-62**

Reg: **"***A certified copy of the Wildlife clearance issued by **MP forest Department**, allowing the project proposal involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, for ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh.*
The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere."

Reply: *"विषयांतर्गत संदर्भित द्वारा चाही गई जानकारी के संबंध में लेख है कि सूचना का अधिकार अधिनियम 2005 के अंतर्गत जानकारी चाही गई है।* ***चाही गई जानकारी कार्यालय में उपलब्ध न होने के कारण वांछित जानकारी उपलब्ध कराने में असमर्थ हैं। सूचनार्थ प्रेषित"***

63. RTI reply Dt. 04.08.2023 from **MP Aviation Dept Bhopal**. **ANNEXURE-14**

Reg: Online RTI application MPRTI/2307/343126 Dt. 25.7.2023 seeking-
*"1. Certified copy of the **approval letter issued by Aviation department MP, letter reference No. 9-9/2021/45/Bhopal** dated 30.06.2021 allowing the expansion work of Pachmarhi Airstrip in District Narmadapuram MP."*
Reply: **"सूचना का अधिकार अधिनियम, 2005 के तहत ऑनलाईन प्राप्त आपका आवेदन पत्र क्रमांक MPRTI/2307/343126, दिनांक 25.7.2023 द्वारा चाहा गया इस विभाग का कोई पत्र कमांक एफ 9-9/2021/45 दिनांक 30.06.2021 नहीं है"**

64. RTI reply Dt. 06.07.2023 from **PWD MP Govt Bhopal**. **ANNEXURE-63**

Reg: Online RTI application MPRTI/2306/341423 Dt. 20.6.2023 seeking-
*"1. Certified copies of the government permissions received by the PWD Department, allowing the project involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, **for executing the ongoing***

<u>expansion project of Pachmarhi Airstrip</u> *in District Narmadapuram Madhya Pradesh.*
The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere."

Reply: ***"उपरोक्त विषयांतर्गत संदर्भित पत्र के माध्यम से आपके द्वारा सूचना के अधिकार अधिनियम 2005 के तहत चाही गई जानकारी कार्यालय अभिलेख अनुसार इस तरह की अनुमति नहीं पायी जा रही है, तदानुसार सूचना प्रेषित है एवं आवेदन निराकृत किया जाता हैं"***

65. RTI reply Dt. 08.9.2023 from **Revenue Dept Govt of MP**.
<u>ANNEXURE-64</u>

Reg: Online RTI application MPRTI/2306/341429 Dt. 20.6.2023 seeking-

"Collector Narmadapuram MP. Please supply the following information in accordance with the RTI Act of 2005.

A certified copy of the clearance issued by MP forest department to Collector Narmadapuram, permitting the cutting of trees for ongoing Pachmarhi Airstrip expansion in District Narmadapuram MP, involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere in DistrictNarmadapuram MP. Many trees have been cut for the said project.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

Thank you."

Reply: *"विषयान्तर्गत आपके द्वारा सूचना के अधिकार अधिनियम के तहत ऑनलाईन प्रस्तुत आवेदन पत्र में जो जानकारी चाही है। वह जानकारी शासन स्तर पर किसी नस्ती / प्रकरण में संधारित नहीं हैं। आवेदन में चाही गई जानकारी तहसील / अनुभाग / जिला स्तर / सम्भाग की है। ऐसी स्थिति में आपके द्वारा चाही गई जानकारी उपलब्ध कराया जाना सम्भव नहीं हो पा रहा है। आपसे अनुरोध है कि चाही गई जानकारी के संबंध में संबंधित तहसील / अनुभाग / जिला / सम्भाग के लोक सूचना अधिकारी को आवेदन पत्र प्रस्तुत करने का कष्ट करें"*

66. RTI reply Dt. 10.7.2023 from **Ministry of Civil Aviation** Reg: The RCS connectivity and challenges faced by Govt. of MP**.** **<u>ANNEXURE-75</u>**

67. **<u>CORRESPONDENCE</u> WITH GOVERNMENT DEPARTMENTS-ABOUT ONGOING OBJECTIONAL EXPANSION WORKS AT PACHMARHI AIRSTRIP IS ANNEXED HEREWITH AS- (<u>ANNEXURE 65-ANNEXURE-71.)</u>**

68. **SATPURA TIGER RESERVE BIRD SURVEY REPORT: Year 2022.**

<u>ANNEXURE-72</u>

BIRD SURVEY REPORT: "*Looking at the IUCN listed birds, we can see a good numbers of Near Critically Endangered. Endangered, Vulnerable and Threatened species some 3500+ individuals were recorded. This shows that this biosphere is good and safe habitat for IUCN* ***Red*** *Listed species."*

69. **LETTER OF AWARD:** By **AAI** N. Delhi, Dt. 14.2.2022 to Big Charters Pvt Ltd Gurugram for route Pachmarhi-Indore-Pachmarhi as stated at Sr.No.14 in list of Awarded routes under RCS Scheme. **<u>ANNEXURE-73</u>**

70. **RCS-UDAN-SMALL AIRCRAFT SUB-SCHEME ("SAS") VERSION 1.0 MINISTRY OF CIVIL AVIATION, GOVERNMENT OF INDIA-MARCH 2022.** **<u>ANNEXURE-74</u>**

"2.1.1.5 ***The Airports Authority of India (AAI)*** *is being designated as the Implementing Agency through its RCS Cell headed by Executive Director RCS (ED-RCS) under this Scheme. <u>The Proposing State(s)</u> shall have two (2) options through which to engage the Implementing Agency to fulfil the roles and responsibilities listed above. These shall be:*

1) ***No Support by AAI/ RCS Cell****: <u>Under this option, the Proposing State(s) shall be responsible to fulfil all of 2.1.1.4.1 - 2.1.1.4.5 through its own means.</u> AAI shall not be responsible for any support and therefore there would not be any fee payable from the Proposing State(s) to AAI. <u>Under this option the* ***Proposing State(s)*** *would be deemed as the Implementing Agency and would be required to discharge all of the obligations expected from the Implementing Agency in a timely manner.</u>*

Annexure – 1A: List of Unserved and Underserved Airports / Airstrips in the country" Para 1- ***"…<u>Further, Applicants are expected to undertake their own due diligence vis-à-vis suitability of these airports for their proposals.</u>"***

[Pachmarhi is listed in the said *Annexure-1A* at Sr. No. 114 under RCS UDAN Scheme. As per Para-1 of Annexure-1A, the Applicant did not investigate the suitability of Pachmarhi in terms of its location in the buffer area, ESZ, biosphere, and proximity to the core area of the tiger reserve, for flight operations]

71. **NOISE REPORT BY WILDLIFE INSTITUTE OF INDIA-WII.**

Dt 09.12.2016. Relevant Sections are being mentioned: - **ANNEXURE-78**

"***BOX 3.2 Categories defining sensitive areas***

- *Environmentally sensitive areas*
- *Scenic areas*
- *mountains/hills*
- *Biosphere reserves*
- *National parks and wildlife sanctuaries*
- *Critical habitats important for threatened, rare, or restricted range species*
- *Tiger reserves, elephant reserves, turtle nesting grounds*
- *Habitats of migratory birds*

***Figure 4.2 NOISE INDUCED PHYSIOLOGICAL AND BEHAVIORAL CHANGES**: - But the fact remains that a large number of wild animals rely heavily on auditory signals for their sustenance, defence and reproduction. The **precautionary principle** suggests that all artificial sources of noise in a natural ecosystem should be minimized.*

***Figure 4.3 HABITAT LOSS AND FRAGMENATION**: .... The fragmentation of habitat into spatially isolated parts is a major cause of the decline of biodiversity; e.g. habitat loss and fragmentation of amphibian populations worldwide has led to a substantial decline in their numbers during the last century (Stuart et al. 2004). Habitat fragmentation has become a global issue associated with most linear forms of infrastructure development, including road and rail. **The fragmentation process initiates a shrinking in available habitat, which in turn leads to a progressive reduction in species diversity in the landscape, with consequent isolation of species** (Figures 4.3 and 4.4). The contraction in available habitat together with isolation becomes the most important impact (Harris 1984).*

***IMPACTS OF HEADLIGHT GLARE ON WILDLIFE**: Headlight glare can interfere with the **flights of birds** and bats. It can disrupt homing behaviour and mating calls (croaking) of amphibians in wetland habitats, and influence navigational ability and decline in population of reptiles (Beier 2006; Perry*

& Fisher 2006). For migrating and dispersing animals, highway lights can be disorienting.

***INTRODUCTION**: Wild animals rely on sound for effective navigation, intra and inter-specific communication, avoiding danger and finding food for survival. **Excessive noise caused by engines and emission of exhaust, aerodynamic sources, tyre/pavement interactions and movement of trains have multiple effects on ecosystems**. Roads and traffic alter the physical and acoustic environment of species and ecological communities, both during construction and when a road is open to traffic. While the construction-related noise produced during earthworks, pile driving and road surfacing is usually of limited duration, the traffic-induced noise persists over time.*

*Noise may interfere with the acoustic signals that are used by various species for navigation, maintaining or establishing contact with members of a family or larger social group. Signals convey many types of message, including distress or danger, the presence of food, and extent of territory (Fletcher & Busnel 1978**).** Noise may harm not only individual species, but it may also alter species' relationships, as in the case of song birds that depend on acoustics for defending territories, attracting mates, begging for food (by fledglings in a nest), and alarm calling (Slabbekoorn & Halfwerk 2009). **Noise pollution is one of many factors contributing to the depletion of wildlife populations. Limited studies in India indicate a lower abundance and variability of birds in forests affected by air and noise pollution than in non-polluted forest in the same bio-geographic zone (Saha & Padhy 2011).***

***Laboratory experiments** and field studies have suggested that **wildlife** are adversely impacted by noise pollution in the following four ways:*

- ***Hearing loss**, resulting from noise levels of 85 decibels dB(A) or greater.*
- ***'Masking',** which is the inability to hear important environmental cues and animal signals because of other background noise (Warren et al. 2006).*
- ***Non-auditory physiological effects**, such as increased heart rate and respiration, and general stress reaction (Francis et.al. 2009).*
- ***Behavioural effects**, which vary greatly between species and according to the characteristics of the noise, resulting in, for example, abandonment of territory and failed reproduction (Barber et.al. 2009).*

***Although the generally accepted definition of 'excessive noise' is an increase of 10 dB(A) or greater, the sensitivity of different groups of wildlife varies.** According to the US Department of Transportation, Federal Highway Administration (https://www.fhwa.dot.gov/), they can be summarised as:*

- *Mammals: 10 Hz to 150 kHz; sensitivity to -20 dB(A).*
- *Birds (more uniform than mammals): 100 Hz to 8-10 kHz; sensitivity at 0-10 dB(A).*
- *Reptiles (poorer than birds): 50 Hz to 2 kHz; sensitivity at 40-50 dB(A).*
- *Amphibians: 100 Hz to 2 kHz; sensitivity from 10-60 dB(A).*

The air quality standards. It directs State Governments to categorise areas into 'industrial', 'commercial', 'residential' or 'silence' areas or zones for the purpose of implementing noise standards for different areas (Table 11.1).

Government of India, through the Noise Pollution Regulation and Control Rules (2000), prescribes ambient prescribes ambient air quality standards. It directs State Governments to categorise areas into 'industrial, 'commercial, 'residential or 'silence' areas or zones for the purpose of implementing noise standards for different areas (Table 11.1).''

''Table 11.1. Ambient Air Quality Standards in respect of noise.

Area code	*Category of area zone*	*Limits in db(A)**	
		Day time	*Night time*
A	*Industrial area*	*75*	*70*
B	*Commercial area*	*65*	*55*
C	*Residential zone*	*55*	*45*
D	*Silence zone*	*50*	*40*

Note:

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.

2. Night time shall mean from 10.00 p.m. to 6.00 a.m.

3. Silence zone' is an area comprising not less than 100 m around hospitals, educational institutions, courts, refigious places or any other area which is declared as such by the competent authority.

4. Mixed categories of areas may be declared as one of the four abovementioned categories by the competent authority.

> ****dB(A) Leg** denotes the time weighted average of the level of sound in decibels on scale A **which is relatable to human being**.*

A "decibel" is a unit in which noise is measured.

"A" in dB(A) Leq. *denotes the frequency weighting in the* ***measurement of noise and corresponds to frequency response characteristics of the human ear,***

Leq: is an energy mean of the noise level over a specific period."

[AS A RESULT, THE SOUND VALUES AS MENTIONED IN TABLE ARE APPLICABLE TO HUMANS RATHER THAN *AVIFAUNA* AND ARE INAPPLICABLE NEAR THE CORE AREAS OF TIGER RESERVES AND BIOPSHERE, WHICH ARE SPECIFICALLY NOTIFIED TO BE *INVIOLATE*. WILDLIFE HAVE DIFFERENT SOUND TOLERANCE LEVELS THAN HUMAN BEINGS. AEROPLANE AND HELICOPTER OPERATIONS EXCEED THE AMBIENT NOISE VALUES.] emphasis added

72. RTI reply Dt. 07.08.2023 from Wildlife Institute of India (WII).

Reg: "*Final copy of: Wildlife Institute of India (WII) submitted an final report to Chief wildlife warden with regard to height and noise level for flights over Kedarnath wildlife sanctuary. WII recommended to notify areas above wildlife Sanctuaries as an silent zone.* **ANNEXURE-27**

*Reply****: This study was conducted by WIl on the request of the Uttarakhand Forest Department. report has been submitted to the Chief Wildlife Warden, Uttarakhand.*** *The RTI applicant may be requested to collect a copy of the WIl report from the Office of the Chief Wildlife Warden, Uttarakhand."*

73. **KALPVRIKSHA'S ESA THREAT STUDY IN YEAR 2009, IDENTIFIED THE EXPANSION OF PACHMARHI AIRSTRIP TO AERODROME AS A THREAT TO PACHMARHI HILL STATION. ANNEXURE-26**

74. **Anthropogenic** destructive activities at the Pachmarhi airstrip have devastated the buffer area and tiger habitat. The deeply excavated area offers a risk to wildlife that may fall into it. The majority of the land surrounding the airstrip is predominantly PA forest, inhabiting wildlife. The buffer areas of the tiger reserve have almost similar faunal diversity and habitat conditions as that of the core area. However, due to proposed anthropogenic activities like flight operations inside the buffer area and ESZ would affect wildlife and degrade

the ecosystem of one of the premier Tiger Reserves of the country. Tigers are a ***keystone species***, crucial for the integrity of the ecosystems in which they live. The buffer area and ESZ absorbs the "shock" of all kinds of adverse anthropogenic pressure on populations of tiger, birds and other wild species. In case of severe habitat depletion in buffer areas, the source population would get targeted and eventually decimate. The concept of protecting Tiger Reserves and National Parks is that the Avifauna must be permitted to reside in the natural habitat and not be chased away.

75. The illegal felling of trees at airstrip area was also done to facilitate the illegal expansion of Pachmarhi airstrip. Action is required as per clause **6(4)** of ESZ Notification Dt. 09.08.2017 under section 19 of the Environment (Protection) Act, 1986 against the erring officials and Project proponent for the execution of the unauthorized works worth crores of rupees of public money, at the cost of the environment and the wildlife in a prestigious Satpura Tiger Reserve and UNESCO Pachmarhi Biosphere. This apparently violates the **"Public Trust Doctrine."** Visitors to the Pachmarhi hill station question the devastation inflicted, bringing a negative reputation to the hill station. **Article 21** guarantees a right to live in a pollution-free environment. Citizens have a fundamental duty under **Article 51-A(g)** to protect and improve the environment, so does the State under **Article 48** of Indian Constitution.

76. That **"Seventh Generation"** sustainability principle, or the "Great Law of the Iroquois" which requires all decisions making to withstand for the **benefits of seven generations down the line**.

PRAYER

In light of above facts and circumstances, it is most respectfully prayed that by appropriate orders or directions, this Hon'ble Tribunal may be pleased to:

(i) Direct to undertake restoration measures at Pachmarhi airstrip by planting trees and legal action as per law.

(ii) Direct to remove the present unauthorized RCC building, demolish temporary rooms and remove construction vehicles for unhindered Tiger and wildlife dispersal from the adjacent Core area.

(iii) Direct to permanently prohibit unauthorized airstrip expansion project for future Airplane and helicopter operations.

(iv) Prohibit to overfly Protected areas of Satpura Tiger Reserve MP.

(v) Direct to Prohibit flights landing and taking-off from ESZ of Satpura Tiger Reserve MP.

(vi) Direct to take appropriate decision for the entire excavated area (500m x 24.84m x 4.10m) of airstrip to prevent soil erosion and accumulation of water during rains.

(vii) Direct National Tiger Conservation Authority (NTCA) N. Delhi and Wildlife Institute (WII) of India- Dehradun to submit the report.

(viii) Direct the Chief Wildlife Warden M.P for aerial videography of the site using a drone for the Hon'ble Tribunal's records and assessment, as forest department is equipped with drones.

Legal intervention has been necessitated hence, pass any other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

For kind consideration by this Hon'ble Tribunal.

Filed on: 19.07.2024 Filed by:

Place: Chhindwara M.P

19/07/2024

Brajesh Kumar Bharadwaj

(Applicant in Person)

632, Yellow Bungalow, Shubhalay Colony

Narsinghpur Road, Chhindwara

M.P -480001

Mobile: 9810670991. Email: brijii100@gmail.com

ANNEXURE-01

Item No.01 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No.619/2023

Brajesh Kumar Bharadwaj Applicant

Versus

State of Madhya Pradesh Respondent

Date of hearing: 07.12.2023

CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Mr. Brajesh Kumar Bharadwaj, Applicant in Person

ORDER

1. This Original Application has been registered on the basis of the letter petition sent through email by one Brajesh Kumar Bharadwaj resident of Chhindwara raising the grievance against the expansion of non-functional Panchmarhi airstrip from 1200m to 1800m. The plea of the Applicant is that the airport is located near the protected boundary of the Satpura Tiger Reserve falling in the Eco-Sensitive Zone (ESZ) i.e.Panchmarhi Hills in Narmadapuram District of Madhya Pradesh and inside the UNESCO Biosphere Reserve of Panchmarhi.

2. As per stand of the Applicant,Panchmarhi is listed in Annexure II of the Notification at Sr. No. 79 as the area falling within ESZ of Tiger Reserve. According to the Applicant the project is in violation of the provisions of ESZ notification and the decision to allow such project will be disastrous to the long term survival of Tiger a Keystone species and the ecosystem.

3. The perusal of the letter petition and enclosurestherewith reveal that the petition raises substantial issue relating to compliance of the environmental norms.

4. Hence at this stage, we deem it proper to implead the following as Respondents in this original application:-

(i) Ministry of Environment and Forests and Climate Change through the Secretary.

(ii) Airport Authority of India through the Director General.

(iii) District Magistrate, Narmadapuram.

5. Let notice be issued to abovesaid Respondents to enable them to file their response atleast one week before the next date of Hearing.

6. Since the issue is relating to the Central Zone Bench of this Tribunal, therefore, the original application is transferred to the Central Zone Bench at Bhopal for appropriate further action in the matter. The Registry is directed to transfer the record of this matter to the Central Zone Bench at Bhopal.

7. List the matter on 16.02.2024 before the Central Zone Bench at Bhopal.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 07, 2023
Original Application No.619/2023
AS

ANNEXURE-02

Item No. 3

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)

Original Application No.188/2023(CZ)
(O.A.No.619/2023 - PB)

Brajesh Kumar Bharadwaj — Applicant(s)

Versus

State of Madhya Pradesh & Ors. — Respondent(s)

Date of Hearing: 16.02.2024

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

For Applicant(s):	Brajesh Kumar Bharadwaj (Applicant in Person)
For Respondent(s):	Mr. Rohit Sharma, Adv. Dr. Sapna Aggarwal, Adv. Mr. Mehul Bhardwaj, Adv.

ORDER

1. Issue raised in this application is violation of Eco-Sensitive Zone of Tigers reserve duly notified and adversely affecting the survival of Tigers and the eco-system.
2. The matter was taken up by this Tribunal on 07.12.2023 and the respondents were directed to submit the reply but no reply has been filed till date. Since, the matter is technical in nature, thus it is desirable that a expert report should be called on the point by the Expert Committee consisting with the following persons –
    i. One representative from the MoEF&CC, Bhopal
    ii. One representative from the CPCB, Bhopal
    iii. One representative from the District- Narmadapuram, M.P. and
    iv. One representative from the State Pollution Control Board
    v. One representative nominating by the SEIAA, M.P.

3. The Committee is directed to visit the place and submit the factual and action taken report within three weeks. The State PCB will be the nodal agency for coordination and logistic support.
4. Registry/Applicant is directed to supply the copy of the application and relevant documents to the Committee within a week.
5. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.
6. Learned counsel for the respondent MoEF&CC has sought a short time to file the reply. Reply may be file within three weeks.

List it on **16th April, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

16th February, 2024
O.A. No. 188/2023 (CZ)
PN

ANNEXURE-03

Item No. 06

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)

Original Application No.188/2023(CZ)

(O.A. NO. 619/2023 PB)

Brajesh Kumar Bharadwaj Applicant(s)

Vs

State of Madhya Pradesh & Ors. Respondent(s)

Date of Hearing: **16.04.2024**

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

For Applicant (s): Mr. Brajesh Kumar bharadwaj

For Respondent(s): Mr. Prashant M. Harne, Adv. with
Mr. Mehul Bhardwaj, Adv.
Ms Sapna Aggarwal, Adv.

ORDER

1. Mr. Brijesh Kumar Bhardwaj attending the proceedings personally raised serious objection with regard to expansion of non functional Panchmarhi airstrip from 1200m to 1800m on the ground that the airport is located near the protected boundary of the Satpura Tiger Reserve falling in the Eco-Sensitive Zone i.e Pachmarhi Hills.

2. The matter was taken up by this Tribunal and a committee was constituted to submit the report. Learned Counsel for the respondent has submitted that the committee visited the site and report is under preparation and sought a short time to file the report. Report may be filed within three week. All the respondents are directed to submit the reply within three weeks.

3. List it on **30th July, 2024.**

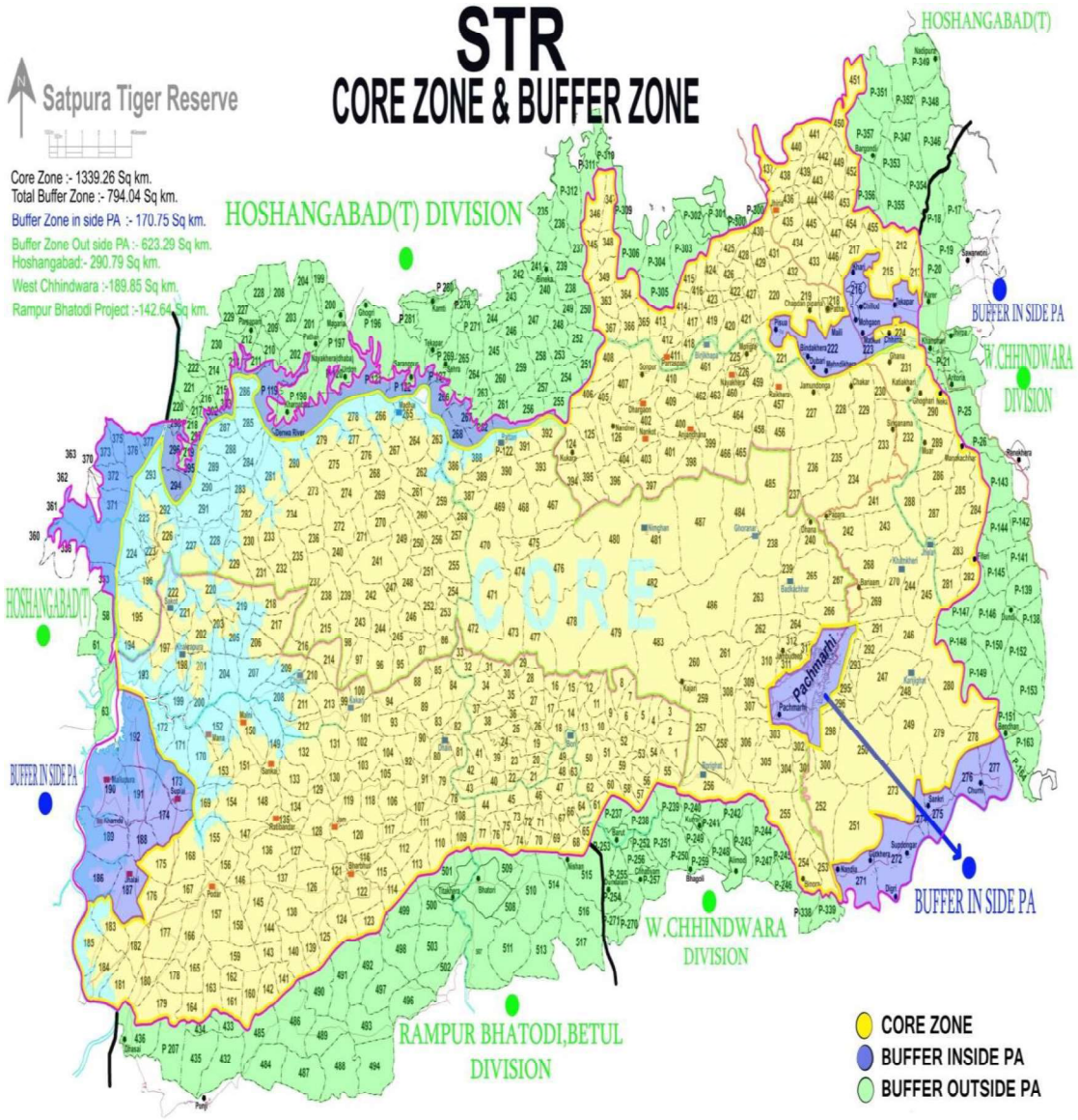
Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

16th April, 2024
O.A. No. 188/2023(CZ)
K

ANNEXURE-I

MAP OF ECO-SENSITIVE ZONE WITH LATITUDES AND LONGITUDES



ANNEXURE-05

(490)

क्र. एफ. 15-31-2007-दस-2.—चूंकि, राज्य शासन का यह मत है कि नीचे दिये गये परिशिष्ट में विनिर्दिष्ट क्षेत्र, बाघ, अन्य मांसाहारी वन्यप्राणियों तथा उनके रहवास एवं पर्यावरण के संरक्षण के प्रयोजन के लिए पर्याप्त महत्व का होने के कारण इसे अक्षुण्य बनाया जाना आवश्यक है.

राज्य शासन, एतद्द्वारा, इस क्षेत्र को वन्यप्राणी (संरक्षण) अधिनियम, 1972 (यथा-संशोधित 2006) की धारा 38V द्वारा प्रदत्त शक्तियों को उपयोग में लाते हुए निम्न परिशिष्ट में दर्शाये क्षेत्रों को (पचमढ़ी नगर, साडा एवं छावनी क्षेत्र को छोड़कर) **सतपुड़ा टाइगर रिजर्व** का कोर क्षेत्र घोषित करता है :—

परिशिष्ट

जिला— होशंगाबाद

संरक्षित क्षेत्र—सतपुड़ा राष्ट्रीय उद्यान, बोरी अभ्यारण्य एवं पचमढ़ी अभ्यारण्य

टाइगर रिजर्व का नाम—सतपुड़ा टाइगर रिजर्व

क्षेत्रफल—133926.402 हेक्टेयर.

सम्मिलित क्षेत्र का विवरण

क्र. (1)	संरक्षित क्षेत्र (2)	आरक्षित क्षेत्र (हेक्टेयर में) (3)	संरक्षित क्षेत्र (हेक्टेयर में) (4)	अन्य क्षेत्र (हेक्टेयर में) (5)	योग (हेक्टेयर में) (6)
1	सतपुड़ा राष्ट्रीय उद्यान	38169.214	9825.099	393.953	48388.266
2	बोरी अभ्यारण्य	43779.313	0.00	0.00	43779.313
3	सतपुड़ा अभ्यारण्य	16078.228	23057.182	2623.413	41758.823
	योग . .	98026.755	32882.281	3017.366	133926.402

सीमाएं

उत्तर—एक काल्पनिक एवं अस्थिर रेखा जो तवा-देनवा नदी के संगम से कक्ष क्र. 367 तक, देनवा नदी के दक्षिणी किनारे पर जलाशय के पानी की सीमा के समानांतर 200 मीटर की दूरी पर (पानी के अंदर) गुजरती है, पश्चात् पचमढ़ी अभ्यारण्य की सीमा, जो कि आरक्षित वन के कक्ष क्रमांक 367, 363, 349, 345 एवं 346 की पश्चिमी सीमा बनती है. पश्चात् RF /PF सीमा लाईन कक्ष क्रमांक 346 से 430 तक, पश्चात् कक्ष क्रमांक 430 में वन ग्राम झिरिया को कोर क्षेत्र के बाहर करते हुए पुनः RF /PF लाईन कक्ष क्रमांक 437 से 455 तक, पश्चात् कक्ष क्रमांक P-212 एवं P-213 की संरक्षित वन की उत्तरी सीमा.

पूर्व—कक्ष क्र. P-212 एवं P-213 की दक्षिणी सीमा, कक्ष क्र. P-215 की दक्षिणी तथा पश्चिमी सीमा, कक्ष क्र. P-217 की दक्षिणी सीमा, कक्ष क्र. P-218 की पूर्व एवं दक्षिणी सीमा, कक्ष क्र. P-219 की पूर्वी एवं दक्षिणी सीमा, कक्ष क्र. P-220 की दक्षिणी सीमा पश्चात् कक्ष क्र. P-221 की उत्तरी एवं पूर्वी सीमा देनवा नदी के मध्य तक, पश्चात् मध्य देनवा नदी ग्राम छिरई के दक्षिणी पूर्वी कोने तक, पश्चात् कक्ष क्र. P-224 एवं P-223 की सीमा के साथ-साथ ग्राम छिरई की सीमा, पश्चात् कक्ष क्र. P-223 की पश्चिमी सीमा हार्टीकल्चर विभाग के उद्यान को बाहर करते हुए, पश्चात् कक्ष क्र. P-223 एवं P-224 की उत्तरी सीमा पश्चात् होशंगाबाद-छिन्दवाड़ा जिला सीमा, पश्चात् कक्ष क्र.

P-290 से P-278 तक होशंगाबाद-छिन्दवाड़ा जिले की सीमा नेकसा टोला, मानाकछार टोला एवं फिफेरी टोला को बाहर करते हुए,

दक्षिण—होशंगाबाद-छिंदवाड़ा जिला सीमा पर कक्ष क्र. P-277 एवं P-278 के मिलान बिन्दु से कक्ष क्र. P-277, P-276, P-275 एवं P-274 की उत्तरी सीमा, कक्ष क्र. P-272 की उत्तरी पश्चिमी सीमा पश्चात् कक्ष क्र. P-271 की उत्तरी सीमा जो कक्ष क्र. P-253 की सीमा से मिलती है, पश्चात् कक्ष क्र. P-253 एवं कक्ष क्र. P-271 के मध्य की सतपुड़ा राष्ट्रीय उद्यान एवं पचमढ़ी अभ्यारण्य की सीमा के जिला होशंगाबाद-छिन्दवाड़ा जिला सीमा तक की सीमा, पश्चात् छिन्दवाड़ा-होशंगाबाद जिला सीमा एवं तवा नदी तक होशंगाबाद-बैतूल जिला सीमा.

पश्चिम—एक काल्पनिक एवं अस्थिर रेखा जो तवा नदी, जो कक्ष क्र. 181, 184, 185 एवं 183 की पश्चिमी सीमा बनाती है के पूर्वी किनारे के साथ जलाशय के पानी की सीमा के 200 मीटर अंदर एवं पानी के किनारे के समानांतर, कक्ष क्र. 183, 182 की उत्तरी सीमा, कक्ष क्र. 176 एवं 175 की पश्चिमी सीमा एवं कक्ष क्र. 168 की उत्तरी सीमा से गुजरने वाली कोती नदी तक की सीमा पश्चात् मध्य तवा नदी तक कोती नदी के मध्य की सीमा पश्चात् तवा नदी के पूर्वी किनारे से 200 मी. की दूरी तक डूब से गुजरने वाली काल्पनिक रेखा तवा-देनवा नदी के संगम तक.

टीप—टाइगर रिजर्व के कोर क्षेत्र का क्षेत्रफल देनवा एवं तवा नदियों की मध्य रेखाओं को क्रमशः उत्तरी एवं पश्चिमी सीमाएं मानकर आंकलित किया गया है.

No. F-15-31-2007-X-2.—WHEREAS, the Government of Madhya Pradesh considers that the area specified in the Schedule below is a critical tiger habitat and is of adequate ecological, faunal and floral significance, to be kept inviolate for the purposes of conservation of tiger, other predators, their prey base, and their habitat and environment.

THEREFORE, in exercise of the powers conferred under Section 38V of Wildlife (Protection) Act, 1972, the Government of Madhya Pradesh hereby declares the area specified in the Schedule below (except the Pachmarhi Township, including the Cantonment and SADA areas) as the Core area of **Satpura Tiger Reserve**:—

SCHEDULE

District—Hoshangabad

Protected Areas—Satpura National Park, Bori Wildlife Sanctuary and Pachmarhi Wildlife Sanctuary

Name of Tiger Reserve—Satpura Tiger Reserve

Total Area—133926.402 Hectares.

AREAS INCLUDED

S.No.	Protected Area	Reserved Forest (in Hectare)	Protected Forest (in Hectare)	Revenue Land including private land (in Hectare)	Total (in Hectare)
(1)	(2)	(3)	(4)	(5)	(6)
1	Satpura National Park	38169.214	9825.099	393.953	48388.266
2	Bori Wildlife Sanctuary	43779.313	0.00	0.00	43779.313
3	Pachmarhi Wildlife Sanctuary	16078.228	23057.182	2623.413	41758.823
	Total . .	98026.755	32882.281	3017.366	133926.402

BOUNDARIES

North—An imaginary floating/shifting line passing 200 m inside the water, parallel to the waterfront of the Tawa reservoir, along southern bank of the Denwa River, from Tawa-Denwa junction till Comptt. No. 367, thereafter boundary of Pachmarhi Sanctuary which passes through western boundary of Compartment No. 367, 363, 349, 345 & 346, thereafter Reserve Forest & Protected Forest line from Comptt. No. 346 to 430. In Comptt. 430, boundary line of RF-PF line, excluding area of FV Jhiria & then again RF-PF line from comptt. 437 to comptt. No. 455, thereafter the Northern boundary of Protected forest Comptt. No. 212 & 213.

East—Southern boundary of Comptt. No. 213 & 212, Southern & Western boundary of Comptt. No. 215, Southern boundary of Comptt. No. 217, Eastern & Southern boundary of Comptt. No. 218 Eastern & Southern boundary of Comptt. No 219 & Southern boundary of Comptt No. 220, thereafter Northem & Eastern boundary of Comptt. No. 221 up to' mid Denwa River, thereafter mid Denwa River up to southern-eastern corner of Chhirrai village boundary, then Chhirrai village boundary along with Comptt. No. 224 and 223 and thereafter western boundary of Comptt. No. 223, excluding horticulture garden and then northern boundary of Comptt. No. 223 and 224, and thereafter Hoshangabad-Chhindwara district boundary, thereafter District boundary of Hoshangabad and Chhindwara districts from Comptt. No. 290 to 270, excluding hamlets (Tolas) Neksa, Manakachhar and Fiferi.

South—From junction of Comptt. No. 277 & 278 on Hoshangabad-Chhindwara district boundary, northern boundaries of Comptt. Nos. P-277, P-276, P-275 & P-274 and northern & western boundary Comptt. No. P-272 thereafter northern boundary of Comptt. No. 271 up to the point where it meets Comptt. No. 253 and then along the boundary of Satpura National Park & Pachmarhi Sanctuary between Compartment No. 253 and 271 till District boundary of Hoshangabad-Chhindwara, thereafter Chhindwara-Hoshangabad district boundary and Hoshangabad-Betul district boundary up to Tawa River.

West—An imaginary floating/shifting line passing 200 m inside the water, and running parallel to the eastern waterfront of the Tawa reservoir, along eastern bank of the Tawa River which makes western boundary of Comptt. No. 181, 184, 185 & 183 of Bori Sanctuary, thereafter the boundary passes through northern boundary of Comptt. No. 183, 182 & western boundary of Comptt. No. 176, 175 and northern boundary of 168 Comptt. up to Koti river, then mid of Koti river up to Tawa river & thereafter mid of Tawa river up to Denwa river junction.

Note—The area of the core of the tiger reserve has been computed using the mid river line of the Denwa and Tawa rivers as the northern and southern boundaries.

क्र. एफ. 15-31-2007-दस-2.—चूंकि, राज्य शासन का यह मत है कि नीचे दिये गये परिशिष्ट में विनिर्दिष्ट क्षेत्र, बाघ, अन्य मांसाहारी वन्यप्राणियों तथा उनके रहवास एवं पर्यावरण के संरक्षण के प्रयोजन के लिए पर्याप्त महत्व का होने के कारण इसे अक्षुण्य बनाया जाना आवश्यक है,

राज्य शासन, एतद्द्वारा, इस क्षेत्र को वन्यप्राणी (संरक्षण) अधिनियम, 1972 (यथा संशोधित 2006) की धारा 38V द्वारा प्रदत्त शक्तियों को उपयोग में लाते हुए, निम्न परिशिष्ट में दर्शाये क्षेत्रों को **पन्ना टाईगर रिजर्व** का कोर क्षेत्र घोषित करता है:—

परिशिष्ट

जिला—पन्ना एवं छतरपुर
संरक्षित क्षेत्र—पन्ना राष्ट्रीय उद्यान एवं पन्ना (गंगऊ) अभ्यारण्य.
टाइगर रिजर्व का नाम.—पन्ना टाईगर रिजर्व
क्षेत्रफल.—57613.11 हेक्टेयर

493

सम्मिलित क्षेत्र का विवरण

क्र.	संरक्षित क्षेत्र	आरक्षित क्षेत्र (हेक्टेयर में)	संरक्षित क्षेत्र (हेक्टेयर में)	अन्य क्षेत्र (हेक्टेयर में)	योग (हेक्टेयर में)
(1)	(2)	(3)	(4)	(5)	(6)
1.	पन्ना राष्ट्रीय उद्यान	26368.64	24586.99	3310.63	54266.26
2.	पन्ना (गंगऊ) अभ्यारण्य	1819.19	1527.66	0.00	3346.85
	योग . .	28187.83	26114.65	3310.63	57613.11

सीमाएं

उत्तर—पुरवाहा नाला केन नदी तक जो छतरपुर वन मण्डल के संरक्षित वन खण्ड सीलौन सलैया के कक्ष क्रमांक 552, 553, 550, 549, 545 की उत्तरी सीमा बनाती है. केन नदी के दोनों किनारे पन्ना उत्तर वन मण्डल के आरक्षित वन खण्ड पीपरटोला बड़ौर की सीमा स्तम्भ क्रमांक 1 से 67 तक छतरपुर वन मण्डल के संरक्षित वन खण्ड बरबसपुरा की पूर्वी सीमा लाइन, छतरपुर वन मण्डल के संरक्षित वन खण्ड क्रमांक पाटन "अ" एवं पाटन "ब" की मध्यस्थ सीमा रेखा, छतरपुर वन मण्डल के संरक्षित वन खण्ड पाटन "अ" की उत्तरी सीमा लाइन, संरक्षित वन खण्ड अर्जुनहाई की उत्तरी सीमा लाइन, केन नदी तक बहारगंज ग्राम की आंतरिक सीमा रेखाएं स्तम्भ क्रमांक 7 से 21 तक (विपरीत दिशा) केन नदी ग्राम मड़ला की आंतरिक सीमा रेखा केन नदी से पन्ना-छतरपुर राजमार्ग तक जिसमें उत्तर पन्ना वन मण्डल के आरक्षित वन खण्ड, पीपरटोला बड़ौर के स्तम्भ क्रमांक 146 से 178 तक आते हैं. कक्ष क्रमांक 242, 248, 247, 246, 264, 262, 263 की सीमा आरक्षित वन खण्ड हरसा स्तम्भ क्रमांक 120 से 205 तक तथा वन खण्ड छापर के स्तम्भ क्रमांक 1 से 54, पन्ना-छतरपुर राजमार्ग तक उत्तरी सीमा निर्धारित होती है.

पूर्व—पन्ना राष्ट्रीय उद्यान/पन्ना (गंगऊ) अभ्यारण्य के आरक्षित वन खण्ड हरसा की सीमा लाइन स्तम्भ क्रमांक 30 से 54 तक पन्ना-छतरपुर राजमार्ग जो आरक्षित वन खण्ड जो पीपरटोला बड़ौर की सीमा लाइन स्तम्भ क्रमांक 186 से 179 तक बनाती है, कट लाइन जो आरक्षित वन खण्ड पीपरटोला बड़ौर से गुजरते हुये कक्ष क्रमांक 252, 253, 254 की दक्षिणी सीमा बनाती है, ग्राम उमरावन की पूर्वी उत्तरी सीमा स्तम्भ क्रमांक 1 से 14 (एण्टीक्लाक वाईज) कक्ष क्रमांक 244, 245 की पूर्वी सीमा ग्राम बड़ौर की आंतरिक सीमा स्तम्भ क्रमांक 26 से 23 विपरीत दिशा में कक्ष क्रमांक 240 की दक्षिणी सीमा कक्ष क्रमांक 539, 532, 535, 537, 541 की सीमा बनाती है. कक्ष क्रमांक 540 में मझगवाँ नाला जो कैमासन नाला संगम तक सीमा बनाती है. कक्ष क्रमांक 544 की दक्षिणी-पूर्वी सीमा कच्चा नाला जो कक्ष क्रमांक 547 एवं 548 को उत्तरी सीमा बनाते हुये पीपरटोला बड़ौर के आरक्षित वन खण्ड के मुनारा क्रमांक 241 तक है. आरक्षित वन खण्ड पीपरटोला बड़ौर की सीमा लाइन स्तम्भ क्रमांक 241 से 243 तक ग्राम जरधोबा की दक्षिणी सीमा जो स्तम्भ क्रमांक 35 से 22 तक जाती है, जरधोबा नाला जो कक्ष क्रमांक 392 की दक्षिणी सीमा बनाते हुए, पन्ना-कटनी रोड रमपुरा-मझौली वन मार्ग के संगम तक.

दक्षिण—कक्ष क्रमांक 1365, 1364 का उत्तरी सीमा ग्राम रमपुरा कण्डवाहा का आंतरिक सीमांकित रेखा, रमपुरा गहदरा वन मार्ग कक्ष क्रमांक 1352, 1341, 1334 का उत्तरी सीमा बनाते हुए, ग्राम कुन्डन की आंतरिक सीमा रेखा, कक्ष क्रमांक 1335, 1337, 1327 ग्राम गहदरा के आंतरिक सीमांकित रेखा कक्ष क्रमांक 1305, 1304 ग्राम बिलाटा एवं कटेरी के आंतरिक सीमांकित रेखा वन खण्ड पीपरटोला-रमपुरा की मध्यान्तर रेखा ग्राम डोंडी तक पीपरटोला अमानगंज वन खण्ड के मध्यान्तर रेखा केन नदी तक जो हिनौता परिक्षेत्र की सीमा बनाती है.

पश्चिम—संरक्षित वन खण्ड किशनगढ़ के कक्ष क्रमांक 485, 486 की पूर्वी सीमा लाइन बुरना नदी कक्ष क्रमांक 493, 496 की पूर्वी सीमा, ककरा नदी, ग्राम ककरा की उत्तरी-पश्चिमी सीमा लाइन, संरक्षित वन खण्ड किशनगढ़ की सीमा लाइन, जो कक्ष क्रमांक 504, 507, 508 की दक्षिणी सीमा बनाती है. कट लाइन कक्ष क्रमांक 508 को काटते हुए सियामरी नदी में मिलती है. बृजपुरा से सुकवाहा जाने वाली सड़क का अनुरक्षण करती है. सियामरी नदी सुकवाहा छतरपुर वन मण्डल के संरक्षित वन खण्ड पलकोंहा सीमा लाइन बनाती है. सुकवाहा नाला कक्ष क्रमांक 535, 533 की पूर्वी सीमा बनाते हुए कक्ष क्रमांक 532 को काटते हुए कट लाइन जो सुकवाहा नाले से प्रारम्भ होकर पुरवराहा नदी में कक्ष क्रमांक 532 एवं 552 को काटते हुए गिरती है.

इसे वेबसाईट **www.govtpressmp.nic.in** से भी डाउन लोड किया जा सकता है.

मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 2] भोपाल, सोमवार, दिनांक 3 जनवरी 2011—पौष 13, शक 1932

वन विभाग

मंत्रालय, वल्लभ भवन, भोपाल

भोपाल, दिनांक 3 जनवरी, 2011

क्र. एफ 15-20-2010-दस-2.—राज्य शासन एतद्द्वारा वन्यप्राणी (संरक्षण) अधिनियम, 1972 (यथा संशोधित 2006) की धारा 38V (4) (ii) द्वारा प्रदत्त शक्तियों को उपयोग में लाते हुए अनुसूची 1 में विनिर्दिष्ट क्षेत्र को **''सतपुड़ा टाईगर रिजर्व का बफ़र क्षेत्र''** घोषित करता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
एस.पी. शर्मा, अपर सचिव.

अनुसूची—1

(बफर जोन की सीमाओं का विवरण)

जिला	क्षेत्रफल (हेक्टे.)	बफर जोन की सीमाओं का विवरण
(1)	(2)	(3)
होशंगाबाद, बैतूल, एवं छिंदवाड़ा	79404.397 (आरक्षित वन 32765.521 है, संरक्षित वन 26918.073 है, राजस्व क्षेत्र 19720.803 है.)	**उत्तर**.—होशंगाबाद (सामान्य) वनमंडल के परिक्षेत्र बागड़ा के आरक्षित वन कक्ष क्र.-220 की पश्चिमी सीमा जो कि मुख्य तवा बांध से प्रारंभ होती है. तत्पश्चात् कक्ष क्र.-221 की पश्चिमी सीमा, कक्ष क्र.-222 पश्चिमी एवं उत्तरी सीमा, कक्ष क्र. P-230 की पश्चिमी, कक्ष क्र.-223 की पश्चिमी एवं उत्तरी सीमा, कक्ष क्र.-229, कक्ष क्र.-227, एवं कक्ष क्र.-228 की उत्तरी सीमा, कक्ष क्र.-208 की उत्तरी एवं पूर्वी सीमा, कक्ष क्र.-204 की पश्चिमी एवं उत्तरी सीमा, कक्ष क्र.-199 एवं कक्ष क्र.-200 की उत्तरी एवं पूर्वी सीमा, पश्चात् नीमघान नाला जो कक्ष क्र.-P-196 की पश्चिमी सीमा तक जाता है, तत्पश्चात् परिक्षेत्र सोहागपुर (सामान्य) के कक्ष क्र.-P-196 की उत्तरी-पूर्वी सीमा, कक्ष क्र.-281, एवं कक्ष क्र.-290 की पश्चिमी-उत्तरी सीमा, कक्ष क्र.-P-280, एवं कक्ष

(1)	(2)	(3)

क्र.-270 की उत्तरी सीमा तक, तत्पश्चात् कामटी-नयागांव पी.डब्लू.डी. मार्ग, पश्चात् कक्ष क्र.-271 की उत्तरी सीमा, कक्ष क्र.-243, एवं कक्ष क्र.-242 की पश्चिमी सीमा, कक्ष क्र.-241, कक्ष क्र.-235, एवं कक्ष क्र.-236 की पश्चिमी-उत्तरी सीमा, पश्चात् पिपरिया परिक्षेत्र के कक्ष क्र. P-312 की पश्चिमी-उत्तरी-पूर्वी सीमा कक्ष क्र. P-311 की पश्चिमी-उत्तरी सीमा, कक्ष क्र. P-310 की उत्तरी-पूर्वी सीमा, कक्ष क्र. P-309 की उत्तरी एवं पूर्वी सीमा कक्ष क्र. P-306 की उत्तरी सीमा, कक्ष क्र. P-304, एवं P-303 की उत्तरी सीमा, कक्ष क्र. P-302 की उत्तरी सीमा, कक्ष क्र. P-301 पश्चिमी-उत्तरी सीमा, कक्ष क्र. P-300 की उत्तरी-पूर्वी सीमा तक तत्पश्चात् पचमढ़ी अभ्यारण्य के आरक्षित वन कक्ष क्र. 436 से कक्ष क्र.-451 तक पचमढ़ी अभ्यारण्य की वाह्य सीमा, तत्पश्चात् होशंगाबाद (सामान्य) के परिक्षेत्र बनखेड़ी के कक्ष क्र. P-351, कक्ष क्र. P-352, की उत्तरी सीमा पश्चात् कक्ष क्र. P-349, की पश्चिमी सीमा आंजन नदी तक.

पूर्व.—आंजन नदी जो कि होशंगाबाद (सामान्य) वनमंडल के बनखेड़ी परिक्षेत्र के संरक्षित वन कक्ष क्र. P-349 उत्तरी-पूर्वी सीमा, कक्ष क्र. P-348, एवं P-346, की पूर्वी सीमा बनाती है. तत्पश्चात् छिंदवाड़ा (सामान्य) वनमंडल के संरक्षित वन कक्ष क्र. P-17 की पूर्वी-दक्षिणी सीमा, कक्ष क्र. P-19, कक्ष क्र. P-20, की पूर्वी सीमा, पश्चात् मार्ग जो कि कक्ष क्र. P-20, की सीमा से मटकुली-झिरपा पी.डब्लू. डी. मार्ग,पश्चात् छिंदवाड़ा वनमंडल के कक्ष क्र. P-21, (A) की उत्तरी-पूर्वी सीमा के पश्चात् ग्राम आड़ीटोरिया की पूर्वी सीमा से कक्ष क्र. P-25, कक्ष क्र. P-26, कक्ष क्र. P-143, की पूर्वी सीमा, कक्ष क्र. P-142, की उत्तरी-पूर्वी सीमा, कक्ष क्र. P-141, कक्ष क्र. P-139, कक्ष क्र. P-138, एवं कक्ष क्र. P-152, की पूर्वी सीमा, कक्ष क्र. P-153, की पूर्वी-दक्षिणी सीमा, कक्ष क्र. P-163 की पूर्वी सीमा, कक्ष क्र. P-164 की पूर्वी-दक्षिणी सीमा तक.

दक्षिण.—पश्चिम छिंदवाड़ा वनमण्डल के कक्ष क्र. P-164 की दक्षिणी सीमा पश्चात् देनवा नदी जो कि सतपुड़ा टाइगर रिजर्व के कक्ष क्र. P-277, P-276, P-275, P-274, P-272,P-271 एवं P-253 की दक्षिणी सीमा बनाती है. पश्चात् पश्चिम-छिंदवाड़ा (सामान्य)वनमंडल के संरक्षित वन कक्ष क्र. P-339 की पूर्वी-दक्षिणी सीमा, कक्ष क्र. P-338 की दक्षिणी-पश्चिमी सीमा, कक्ष क्र. P-246, कक्ष क्र. P-247 की दक्षिणी सीमा, के पश्चात ग्राम आलमोद की पूर्वी-दक्षिणी सीमा, कक्ष क्र. P-259, एवं P-250, की दक्षिणी सीमा, कक्ष क्र. P-257 एवं, कक्ष क्र. P-270 की पूर्वी-दक्षिणी, कक्ष क्र. P-271 की दक्षिणी सीमा के पश्चात बैतूल जिले के रामपुर भतौड़ी परियोजना मण्डल के आरक्षित वन कक्ष क्र.-517, कक्ष क्र.-513, कक्ष क्र.-511 की पूर्वी-दक्षिणी सीमा, कक्ष क्र.-507 की दक्षिणी सीमा, कक्ष क्र.-502 एवं कक्ष क्र.-496 की पूर्वी-दक्षिणी सीमा, कक्ष क्र.-493 की पूर्वी सीमा, कक्ष क्र.-494 की पूर्वी-दक्षिणी सीमा कक्ष क्र.-488, 487, 484 की दक्षिणी सीमा, कक्ष क्र.-432 की पूर्वी-दक्षिणी सीमा, पश्चात् संरक्षित वन कक्ष क्र. P-207 की दक्षिणी सीमा, पश्चात् आरक्षित वन कक्ष क्र.-436 की दक्षिणी सीमा एवं राजस्व ग्राम धांसई की दक्षिणी-पश्चिमी सीमा तवा नदी तक.

पश्चिम.—तवा नदी के मध्य से पश्चिमी सीमा होशंगाबाद (सामान्य) वनमंडल के सुकतवा परिक्षेत्र के आरक्षित वन कक्ष क्र.-63 तक, तत्पश्चात् कक्ष क्र.-63, 61 एवं 58 की पश्चिमी सीमा पश्चात् तवा जलाशय डूब की बाह्य (पश्चिम) 1166 फुट कन्टूर, सतपुड़ा राष्ट्रीय उद्यान की बाह्य सीमा तवा बांध तक.

आंतरिक सीमा.—तवा मुख्य बांध के पूर्वी किनारे से लेकर होशंगाबाद (सामान्य) वनमण्डल के पिपरिया परिक्षेत्र के कक्ष क्र. P-300 की दक्षिणी सीमा तक सतपुड़ा टाइगर रिजर्व कोर

की बाहरी सीमा, तत्पश्चात् होशंगाबाद (सामान्य) वनमण्डल के बनखेड़ी परिक्षेत्र के कक्ष क्र. P-351 की पश्चिमी सीमा से लेकर पचमढ़ी अभ्यारण्य के कक्ष क्र. 271 की पश्चिमी सीमा से लगी सतपुड़ा टाइगर रिजर्व के कोर क्षेत्र की बाहरी सीमा तक, तत्पश्चात् छिंदवाड़ा (सामान्य) वनमण्डल के कक्ष क्र. P-339 की पूर्वी सीमा से लेकर रामपुर भतौड़ी प्रोजेक्ट के ग्राम धांसई की पश्चिमी सीमा तक सतपुड़ा टाइगर रिजर्व के कोर क्षेत्र की बाहरी सीमा, तत्पश्चात् बोरी अभ्यारण्य के कक्ष क्र. 186 की दक्षिणी सीमा से लेकर कक्ष क्र. 192 की उत्तरी सीमा तक सतपुड़ा टाइगर रिजर्व के कोर क्षेत्र की बाहरी सीमा, तत्पश्चात् तवा नदी के मध्य रेखा से मुख्य तवा बांध तक सतपुड़ा टाइगर रिजर्व के कोर क्षेत्र की बाहरी सीमा.

Bhopal the 3rd January 2011

No. F-15-20-2010-X-2.—In exercise of the powers conferred by Section 38 V (4) (ii) of the Wildlife (Protection) Act, 1972 (no. 53 of 1972) (as amended up to 2006), Government of Madhya Pradesh, hereby declares the area specified in the schedule 1 below as **"Buffer Zone of Satpura Tiger Reserve".**

By order and in the name of the Governor of Madhya Pradesh,
S.P.SHARMA, Addl. Secy.

SCHEDULE-1

(Details of the Buffer Zone under Bandhavgarh tiger reserve)

Districts (1)	Area (ha) (2)	Details of the boundries of the Buffer zone (3)
Hoshangabad, Betul and Chindwara	79404.397 (Reserve Forest 32765.521 ha, Protected Forest 26918.073 ha, Revenue area 19720.803 ha.)	**North.**—Western boundary of Compartment No. 220 of Bagra range of Hoshangabad (T) Forest Division from the main Tawa dam Passes through the Western boundary of Compartment No. 221, Western and Northern boundary of Compartment No. 222, there after Western boundary of Compartment No. 230, Western and Northern boundary of Compartment No. 223, Northern boundary of Compartment 229, 227 and 228, there after Northern and Eastern boundary of Compartment No. 208, Western and Northern boundary of Compartment No. 204, Northern and Estern boundary of Compartment 199, Northern and Eastern boundary of Compartment No. 200, there after Neem ghan Nala upto Compartment P-196, Western and Northern boundary of Compartment No. P-196, there after Western and Northern boundary of Compartment No. 281 of Sohagpur range of Hoshangabad (T) Forest Division, Western and Northern boundary of Compartment No. 290, Northern boundary of Compartment No. 280 and 270 there after Kamti-Nayagaon PWD road upto northern boundary of Compartment No. 271, there after Western boundary of Compartment No. 243 and 242, there after Western and Northern boundary of Compartment No. 241, Western and Northern boundary of Compartment No. 235, Western and Northern boundary of Compartment No. 236, Western and Northern boundary of Compartment No. P-312, Western and Northern boundary of Compartment P-311, Northern and Eastern boundary of Compartment No. 310, Northern and Eastern boundary of 309, Northern boundary of Compartment No. P-306, P-304, P-303 and P-302, there after Western and Northern boundary of Compartment No. 301, Northern

(1)	(2)	(3)

and Eastern boundary of Compartment No. 300, there after outer boundary of Pachmarhi wildlife Sanctuary from Compartment No. 436 up to Compartment No. 451, there after Northern boundary of Compartment No. 351 of Bankhedi Range of Hoshangabad (T) Forest Division, there ater Northern boundary of Compartment P-352, there after Western boundary of Compartment No. P-349 up to river Aanjan.

East.—Aanjan river which passes through the northern boundary of Compartment P-349, Northern and Eastern boundary of Compartment P-348, Eastern boundary of Compartment No. 346, there after Eastern and Southern boundary of Compartment No. P-17 of West Chindwara (T) Division, Eastern boundary of Compartment No. P-19, P-20, there after Matkuli-Jhirpa PWD road, there after Northern and Eastern boundary of Compartment No. 21(A) of West Chindwara Forest Division, there after Eastern boundary of Aaditoria revenue village upto Eastern boundary of Compartment No. P-25, Eastern boundary of Compartment P-26, 143, Northern and Eastern boundary of Compartment No. P-142, Eastern boundary of Compartment No. P-141, P-139, P-138 and 152, there after Eastern and Southern boundary of Compartment No. P-153, Eastern boundary of Compartment No. P-163 upto Eastern and Southern boundary of Compartment No. 164.

South.—Denwa river from the Compartment No. P-277 of Pachmarhi Wildlife Sanctuary upto Southern boundary of Compartment No. P-253, there after Eastern and Southern boundary of Compartment No. P-339 of West Chindwara 9T) Forest Division, Southern and Western boundary of Compartment P-338, Southern boundary of Compartment No. P-246, P-247, there after Eastern and Southern boundary of Almod village, there after Southern boundary of Compartment No. P-259, P-250 Eastern and Southern boundary of Compartment No. P-257, Eastern and Southern boundary of Compartment No. P-270, Southern boundary of Compartment No. P-271, there after Eastern and Southern boundary of Compartment No. 517 of Rampur Bhatori Project Division of Betul district, there after Eastern and Southern boundary of Compartment No. 513, Eastern and Southern boundary of Compartment No. 511, Southern boundary of Compartment NO. 507, Eastern Southern boundary of Compartment No. 502, Eastern and Southern boundary of Compartment No. 496, Eastern and Southern boundary of Compartment No. 493, Eastern and Southern boundary of Compartment No. 494, Southern boundary of Compartment 488, 487, 484, Eastern southern boundary of Compartment No. 432, Southern and Northern boundary of Compartment No. P-207, there after Southern boundary of Compartment No. 436 and Southern and Western boundary of Village Dhasia upto river Tawa.

West.—Imaginary line passes through the center of river Tawa upto Compartment No. 63 of Suktawa range of Hoshangabad (T) forest division, there after Western boundary of Compartment No. 63, 61 and 58, there after imaginary line passes through the contour 1166 feet level of Tawa reservoir, there after outer boundary of Satpura National Park up to main Tawa Dam.

Internal Boundary.—Outer boundary of core area of Satpura Tiger Reserve from the Eastern bank of main Tawa dam up to Southern boundary

(1)	(2)	(3)
		of Compartment No. P-300 of Piparia range of Hoshangabad (T) Forest Division, thereafter outer boundary of core area of Satpura Tiger Reserve from the Western boundary of Compartment No. P-351 of Bankhedi range of Hoshangabad (T) Forest Division up to Western boundary of Compartment No. P-271 of Pachmarhi Wildlife Sanctuary, thereafter outer boundary of core area of Satpura Tiger Reserve from the Eastern boundary of Compartment No. P-339 of Chhindwara (T) Forest Division up to Western boundary of village Dhansai of Rampur Bhatori Project. Thereafter outer boundary of core area of Satpura Tiger Reserve from the Southern boundary of Compartment No. 186 of Bori Wildlife Sanctuary up to Southern boundary of Compartment No. 192, thereafter outer boundary of core area of Satpura Tiger Reserve from the centre line of Tawa river upto main Tawa dam.

नियंत्रक, शासकीय मुद्रण तथा लेखन सामग्री, मध्यप्रदेश द्वारा शासकीय केन्द्रीय मुद्रणालय, भोपाल से मुद्रित तथा प्रकाशित—2011.

R.H. Khwaja
Joint Secretary
Telephone No.436 2551

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भारत सरकार
पर्यावरण एवं वन मंत्रालय
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
पर्यावरण भवन, सी. जी. ओ. कॉम्पलेक्स
PARYAVARAN BHAVAN, C.G.O. COMPLEX
लोदी रोड, नई दिल्ली–110003
LODHI ROAD, NEW DELHI-110003

No.J-22016/17/94 – BR

March 3, 1999

To
The Chief Secretary,
Government of Madhya Pradesh
Bhopal.

Subject: Establishment of Pachmarhi Biosphere Reserve (BR) in Madhya Pradesh.

Sir,

A project document for designating Pachmarhi area as a biosphere reserve (BR) was prepared by the EPCO, Bhopal, Madhya Pradesh. The project document has been considered in accordance with the guidelines issued by Government of India in this regard, and it has been decided to designate the proposed Pachmarhi area as a BR.

2. The BR will be deemed to have been designated with effect from the date of issue of this notification.

3. The total area of the BR is 4926.28 Sq. Km. Out of this, an area of 524.37 Sq. Km encompassing Satpura National Park will comprise the core zone. The remaining area of 4501.91 Sq. km surrounding the core zone will serve as buffer zone of the Biosphere Reserve. The details of area to be earmarked for manipulation activities such as forestry, agriculture, eco-restoration, agro forestry, etc., will be worked out by the project authorities. The details of the boundary and zonation are given in Annexure-I.

4. The following will be important aspects of the Pachmarhi BR.

(a) The core and buffer zone and manipulation activities which may be permitted in the buffer zone will be in conformity with general guidelines for management of biosphere reserves.

(b) The core zone of the BR will be kept absolutely undisturbed.

(c) The constitution of the BR by itself will not in any way change the status of legal ownership of land and forests. The rights of tribals and local people residing in the B.R. will not be adversely affected in any manner whatsover.

(d) State Government will constitute a Biosphere Co-ordination Authority (BCA) and a Biosphere Implementation Authority (BIA) at the state level in accordance with the guidelines for ensuring scientific management of the BR as indicated in Annexure II.

(e) Government of India will provide financial assistance for approved items of expenditure included in the Management Action Plan to be prepared by the Government of Madhya Pradesh.

(f) The Government of Madhya Pradesh will set up a local committee for coordination of the activities of the various departments in the BR area.

(g) The Government of Madhya Pradesh will nominate an officer as Director of the BR. He/She may be an existing functionary who may not necessarily be an exclusive functionary for this purpose.

Yours faithfully,

RRK Khwaja

(R.H. Khwaja)
Joint Secretary to the Govt. of India

New Delhi
Dated March 3, 1999

Encl: As stated

Copy to :

1. Secretary, Planning Commission
2. Chief (Science), Planning Commission
3. Secretary, Department of Forests, Govt. of Madhya Pradesh, Bhopal.
4. Secretary, Department of Environment, Govt. of Madhya Pradesh, Bhopal.
5. Chief Conservator of Forests, Govt. of Madhya Pradesh, Bhopal.
6. Chief Wildlife Warden, Govt. of M.P., Bhopal.
7. Shri Sewaram, Executive Director, EPCO, E/5, SECTOR, Paryavaran Parisar Arera colony, Bhopal-462016

(Dr.R.K. Rai)
Joint Director

IRO(RP)

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Annexure-I

Boundaries and Zonation of Pachmarhi Biosphere Reserve

1 General description of the boundary

The Pachmarhi Biosphere Reserve will cover an area of 4926.28 sq km and is located in three civil districts of Hoshangabad, Betul and Chhindwara of the State. The area lies between latitude 20^0 10' to 22^0 50' N and longitude 77^0 45' to 78^0 56' E. The boundaries of the area are as follows: (starting from the north west corner near Pathrota on Itarsi-Nagpur P W D road State Highway No.22 and moving clockwise).

North : The road along north side of the Tawa left bank canal north of Pathorota at the point where it meets the P W D road eastwards to Kandai-Kalan, then northwards along pucca road to Gurra Railway Station, again northwards along pucca road to Rampur to Marora, to Tawa river and across it, and along pucca road to Babai, then all along PWD road eastwards via Sohagpur, Pipariya, Bankhedi, upto Dudhi river. (Survey of India Toposheet 1:50,000 scale, Nos. 55F/14, 55 J/2, J/5, J/6, J/9).

East : Along the east bank (right bank) of Dudhi river, southwards (upstream) upto Mukunda village upto which the river is the inter- district boundary between Hoshangabad and Narsinghpur and Chhindwara and Narsinghpur districts, then southwards (upstream) into Chhindwara district via Pindrai, Kosmi, to Nagdaun, along the same river, then along the western boundary of Gaildubbha Reserve Forest of Chhindwara district upto Sidhauli on Tamia plateau, and from Sidhauli along pucca road upto Bijora, then to Tamia, from Tamia along Kachha road via Jhil Pipariya to Jamai. (Survey of India Sheets 1:50,000 scale, Nos. 55 J/9, J/10, J/11, J/12).

South : From Jamai in Chhindwara district westwards to Dongariya, Damua then northwards along Kanhan river and fair weather road to Bharuakhapa, Tarai then westwards along footpath to Matiya, on the boundary between Chhindwara and Betul, then along footpath to Imlikhera in Betul, then along Cart track to Nischintpur, to Chopra, and along pucca road westwards upto PWD road (SH-23) at Shahpur (Survey of India sheets 1:50,000 scale, Nos. 55 J/12, J/8, J/4, 55 F/16).

West : From Shahpur in Betul District, along SH-23 (Nagpur-Bhopal road) northwards via Bhaunra, Sukhtawa, Kesla upto Pathrota and crossing of Tawa left bank canal. (Survey of India sheets 1:50,000 scale, Nos. 55 F/16, F/15, F/14).

2 Zonation

Core Zone: The Pachmarhi Biosphere Reserve will have a core zone of 524.37 sq km i.e. Satpura National Park

Buffer Zone : The remaining area of 4501.91 sq km will serve as buffer zone of the Biosphere Reserve.

Annexure II

The Biosphere Co-ordination Authority (BCA)

1.	Director General, EPCO/ Secretary, Housing and Env. Deptt.	Chairman
2.	Executive Director, EPCO	Member Secretary
3.	PCCF, Forests	Member
4.	CCF, Wildlife	Member
5.	Director, Pachmarhi B.R.	Member
6.	Director, SFRI, Jabalpur	Member
7.	Director, Biosphere Prog., EPCO	Member
8.	Director of Veterinary Services	Member
9.	Director of Agriculture	Member
10.	Director of Tribal Welfare	Member
11.	Director of Social Welfare	Member
12.	Director, Town and Country Planning	Member
13.	MD, M P Tourism Dev. Corp.	Member
14.	Director, Health Services	Member
15.	Representative from MOEF Govt. of India	Member

Biosphere Implementation Authority (BIA)

1.	Commissioner, Hoshangabad Division	Chairman
2.	Collectors (Hoshangabad, Betul and Chhindwara)	Members
3.	Director, Pachmarhi BR	Member Secretary
4.	Director, Biosphere Programme, EPCO	Member
5.	Director, Satpura National Park	Member
6.	Dy. Director, Agriculture (Hoshangabad, Betul and Chhindwara)	Members
7.	Dy. Director, Tribal Welfare (Hoshangabad, Betul and Chhindwara)	Members
8.	Dy. Director, Social Welfare (Hoshangabad, Betul and Chhindwara)	Members
9.	Dy. Director, Vety. Services (Hoshangabad, Betul and Chhindwara)	Members

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 9th August, 2017

S.O. 2538(E).—WHEREAS, a draft notification was published in the Gazette of India, Extraordinary, vide notification of the Government of the India in the Ministry of Environment, Forest and Climate Change *vide* number S.O. 655(E), dated the 4th March, 2016, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette were made available to the public on the 4th March, 2016;

AND WHEREAS, objections and suggestions received from persons and stakeholders in response to the draft notification were duly considered by the central government;

AND WHEREAS, the Satpura Tiger Reserve is located in the Hoshangabad district of Madhya Pradesh. The total areas of Satpura National Park is 528.73 square kilometre which along with Pachmarhi Sanctuary 417.78 square kilometre and Bori Sanctuary of 485.71 square kilometre in the State of Madhya Pradesh constitute a total area of 1432.22 square kilometre;

AND WHEREAS, the Satpura Tiger Reserve is spread over an area of 2133.30 square kilometres of which 1339.26 square kilometres is Core Critical Tiger Habitat and 794.04 square kilometres is the buffer area;

AND WHEREAS, the Satpura Tiger Reserve is part of the largest Tiger Habitat in the world which includes Chhindwara, Hoshangabad, Betul, Harda, Khandwa and Melghat extending over 10,000 square kilometer;

AND WHEREAS, this landscape is most vital for survival of tiger and this area has historically been renowned for Tiger, Gaur and Sambhar. At least 14 endangered species of mammals, birds and reptiles inhabit these forests. The flying squirrel, Indian giant squirrel and Leaf nosed bats must be regarded among the most sensitive to habitat changes.

AND WHEREAS, the protected area is a paradise for people interested in avian fauna. More than 300 species of birds can be seen which include Malabar pied horn-bill, Malabar whistling thrush and the state bird of Madhya Pradesh paradise flycatcher. The Area also visited by many migratory birds like Brahmi duck, Bar-headed Gees, Pintail etc.

AND WHEREAS, Satpura Tiger Reserve is prime example of central Indian highlands ecosystem. It is a unique area of high natural and diverse land resource values and endowed with rich bio-diversity. It has a large number of rare and endemic plants especially bryophytes and pteridophytes like Psilotum, Cythea, Osmunda, Lycopodium, Lygodium etc. On Pachmarhi plateau sal forests exist on Gondwana sandstone where as on lower plains teak forests grow on basaltic traps.

AND WHEREAS, phytogeographically the Tiger Reserve is unique; some species, which are not common elsewhere in Madhya Pradesh are found in this area. These are *Malastoma malabaricum, Moraya paniculata, Holmskildia senguines, Blumea lancelaria, Sophora interrupta* etc. There are 26 species of Himalaya and 42 species of Nilgiri hills are found here.

AND WHEREAS, the area is very important from the archaeological and human evolution point of view as there are more than 50 rock shelters with paintings which are 1500 to 10000 years old;

AND WHEREAS, trees of Satpura Tiger Reserve are Babul*(Acacia Arabica),* Khair*(Acacia catechu),* Reunjha*(Acacia leucophloea),* Haldu*(Adina cordifolia),* Bel*(Aegle marmelos),* Maharukh*(Ailanthus excels),* Karung*(Albizzia chinensis),* Kala siris*(Albizzia lebbeck),* Chichwa*(Albizzia odoratissima),* Safed siris*(Albizzia procera),* Dhaora*(Anogeissus latifolia),* Neem*(Azadiracta indica),* Amta*(Bauhinia malabarica),* Keolar*(Bauhinia purpures),* Asta*(Bauhinia racemosa),* Sehra*(Bauhinia retusa),* Kachnar*(Bauhinia variegate),* Salai*(Boswellia serrata),* Kasai*(Bridelia retusa),* Achar*(Buchnania lanzan).*

AND WHEREAS, endangered plants of Satpura Tiger Reserve are Bach*(Acorus calamus)***,** Daru Haldi*(Berberis aristata)***,** Lilly, Agnishikha*(Glorisa superb)***,** Ginger Lilly*(Hedychium coronarium,)* Sandharlika (Spiked ginger lilly) *(Hedychium spicatum)***,** Sarpgandha*(Rauvolfia serpentine)***,** Chiraita*(Swertia Angustifolia)***,** Van Haldi*(Curcuma caesia)***,** Jadwar, Nirvisi*(Delphinium denudatmn)***,** Shingli-Mingli (Nepal Yam) *(Dioscorea deltoidea)***,** skeleton fork fern*(Psilotum nudum)***,** Kakhaii*(Abutilon indicum)***,**

Safedkumudni*(Nymphaea tetragona)*, Maida Chal*(Dillania pantagyna)*, Bhoot vriksha, Aralu*(Oroxylum indicum)*.

AND WHEREAS, endangered specis of Satpura Tiger Reserve are Indian Vulture*(Gyps Indicus),* Kala Giddha (Cinereous Vulture) *(Aegypius monachus),* Eurasian Otter*(Lutra lutra),* Smooth Coated Otter*(Lutrogale perspicillata),* Tiger*(Panthera tigris),* leopard*(Panther pardus),* Dhole*(Cuon alpines),* Sloth bear*(Melursus ursinus),* Swamp deer*(Cervus duvaucelii),* Indian Giant Squirrel*(Ratufa indica),* Gaur (Bison) *(Bos gaurus),* Indian Pagolin*(Manis crassicaudada),* Honey Badger (Ratel) *(Mellibora capensis),* Civet cat, Bijju*(Viverra zibetha),* Indian Moniter Lizard*(Varanus bengalensis).*

AND WHEREAS, birds of Satpura Tiger Reserve are Pied or White Wagtail*(Motacilla alba),* Indian ring dove*(Streptopelia decaocto),* Pied hornbill*(Anthracoceres- coronatus),* Large Pied wagtail*(Motacilla maderaspatensis),* Collared Bushchat*(Saxicola tarqnata),* Blue winged Teal*(Anas querquedula),* House swift*(Apus affinis),* Stone curlew*(Burhinus oedicnemus),* Weaver bird*(Ploceus- philippinus),* Alpine swift*(Apus melba),* Large Egret*(Egretta alba),* Blue cheeked bee eater*(Merops superciliosus),* Blue tailed bee eater*(Merops philipinus),* Redvented bulbul*(Pyenonotus cafer),* Small minivet*(Pericrocotus cinnamomaus),* Common or Gray quail*(Cotuenix coturnix),* Common crane*(Grus grus),* Black headed myna*(Sturnus pogodarum),* Chestnut Ballied Nuthatch*(Sitta castanea),* Velvet fronted Nuthatch*(Sitta frontalis).*

AND WHEREAS, it is necessary to conserve and protect the area the extent and boundaries of which is specified in paragraph 1 of this notification around the Core Critical Tiger Habitat of the Satpura Tiger Reserve, which includes Satpura National Park, Pachmarhi Wildlife Sanctuary and Bori Wildlife Sanctuary, as Eco-sensitive Zone from ecological and environmental point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

NOW THEREFORE, in exercise of the powers conferred by sub section(1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area up to an extent of 100 m on the notified urban and 'Abadi' area side from the boundary of Core Critical Tiger Habitat of the Satpura Tiger Reserve, which includes Satpura National Park, Pachmarhi Wildlife Sanctuary and Bori Wildlife Sanctuary and up to 2 kilometers on other sides from the boundary of Core Critical Tiger Habitat of the Satpura Tiger Reserve, as the Satpura National Park, Pachmarhi Wildlife Sanctuary and Bori Wildlife Sanctuary in the State of Madhya Pradesh Eco-sensitive Zone (herein after referred to as the Eco-sensitive Zone), details of which are as under, namely:-

1. Extent and boundaries of Eco-sensitive Zone.- (1)The extent of Eco-sensitive Zone is up to 100 m on the notified urban and 'Abadi' area side from the boundary of Core Critical Tiger Habitat of the Satpura Tiger Reserve in the State of Madhya Pradesh, which includes Satpura National Park, Pachmarhi Wildlife Sanctuary and Bori Wildlife Sanctuary and up to 2 kilometers on other sides from the boundary of Core Critical Tiger Habitat of the Satpura Tiger Reserve;

(2) The Eco-sensitive Zone is spread over an area of 1079.43 square kilometres which includes 794.04 square kilometre buffer area of Satpura Tiger Reserve and forest areas of other adjoining divisions (Within two km. periphery) of 285.39 square kilometres;

(3) The map of the Eco-sensitive Zone along with co-ordinates of prominent points is appended as **Annexure I;**

(4) The Eco-sensitive Zone includes 81 villages. The list of the villages falling within the Eco-sensitive Zone is appended as **Annexure II.**

(5) The legal status of area is appended as **Annexure-III**.

2. Zonal Master Plan for the Eco-sensitive Zone.- (1) The State Government shall, for the purpose of the Eco-sensitive Zone prepare, a Zonal Master Plan, within a period of two years from the date of publication of final notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of Competent Authority in the State Government.

(2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.

(3) The Zonal Master Plan shall be prepared in consultation with the following State Departments, for integrating the ecological and environmental considerations into the said plan:-

(i) Environment;

(ii) Forest and Wildlife;

(iii) Agriculture and Horticulture;

(iv) Revenue;

(v) Urban Development;

(vi) Tourism including eco-tourism;

(vii) Rural Development;

(viii) Irrigation and Flood Control;

(ix) Municipal and urban development;

(x) Panchayati Raj;

(xi) Public Works Department.

(4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.

(5) The Zonal Master Plan shall provide for restoration of denuded and degraded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.

(6) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies and also with supporting maps and the Plan shall be supported by Maps giving details of existing and proposed land use features.

(7) The Zonal Master Plan shall regulate development in the Eco-sensitive Zone and adhere to prohibited, regulated activities listed in Table and also ensure and promote eco-friendly development for livelihood security of local communities.

(8) The Zonal Master Plan shall be co-terminus with the Regional Development Plan.

(9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.

3. **Measures to be taken by State Government.-** The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

(1) Landuse.- (a) Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for major commercial or major residential complex or industrial activities:

Provided that the conversion of agricultural and other lands, for the purpose other within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under the relevant State laws and other rules and regulations of Central/State Government as applicable and vide provisions of this Notification, to meet the residential needs of the local residents such as.-

(i) widening and strengthening of existing roads and construction of new roads;

(ii) construction and renovation of infrastructure and civic amenities;

(iii) small scale industries not causing pollution;

(iv) cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stay; and

(v) promoted activities and given under para 4:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under the relevant State laws and other rules and regulations of State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

(b) Efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat and biodiversity restoration activities.

(2) Natural water bodies.- The catchment areas of all natural springs/rivers/ channels shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan.

(3) **Tourism or Eco-tourism.-** (a) All new Eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.

(b)The Eco-tourism Master Plan shall be prepared by Department of Tourism in consultation with State Departments of Environment and Forests.

(c) The Tourism Master Plan shall form a component of the Zonal Master Plan.

(d) The activities of Eco-tourism shall be regulated as under, namely:-

(i) No new construction of hotels and resorts shall be allowed within 1 km from the boundary of the Wildlife Sanctuary or upto the extent of the Eco-sensitive Zone whichever is nearer and beyond the distance of 1 km. from the boundary of the Wildlife Sanctuary till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for Eco-tourism facilities as per Tourism Master Plan.

(ii) All new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism.

(iii) Until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel /resort or commercial establishment construction is permitted within Eco-sensitive Zone area.

(4) Natural Heritage.- All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.

(5) Man-made heritage sites.- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be indentified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part Zonal Master Plan.

(6) Noise pollution.- Prevention and Control of noise pollution in the Eco-sensitive Zone shall be complied with in accordance with Noise Pollution (Regulation And Control) Rules, 2000 under the Environment (Protection) Act, 1986.

(7) Air pollution.- Prevention and control of air pollution in the Eco-sensitive Zone shall be complied with in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and rules made thereunder.

(8) Discharge of effluents.- Discharge of treated effluent in the Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environmental (Protection) Act, 1986 and rules made thereunder or standards stipulated by State Government.

(9) Solid wastes.- Disposal and Management of solid wastes shall be as under:-

(a) The solid waste disposal and management in the Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016 and published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number S.O. 1357 (E), dated the 8th April, 2016;

the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone.

(b) Safe and Environmentally Sound Management (ESM) of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-Sensitive Zone.

(10) Bio-medical waste.- Bio medical waste management shall be as under:

(a) The bio-medical waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide Notification number GSR 343 (E), dated the 28th March, 2016.

(b) Safe and Environmentally Sound Management (ESM) of Bio-medical wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-Sensitive Zone.

(11) Plastic Waste Management.- The Plastic Waste Management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 340(E), dated the 18th March, 2016,.

(12) Construction and Demolition Waste Management.- The Construction and Demolition Waste Management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 317(E), dated the 29th March, 2016,.

(13) E-waste.- The E- Waste Management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change.

(14) Vehicular traffic.- The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the Competent Authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(15) Vehicular Pollution.- Prevention and control of Vehicular Pollution shall be complied with in accordance with applicable laws and the efforts to be made for use of cleaner fuel for example CNG, LPG, etc.

(16) Industrial Units.- (i) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be allowed to be set up within the Eco-sensitive Zone.

(ii) Only non-polluting industries shall be allowed within Eco-sensitive Zone as per classification of Industries in the Guidelines issued by Central Pollution Control Board in February 2016, unless so specified in this notification and in addition, non-polluting cottage industries shall be promoted.

(17) Protection of Hill Slopes.- The protection of hill slopes shall be as under:-

(a) The Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted.

(b) No construction on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(18) The Central Government and the State Government shall specify other additional measures, if it considers necessary, in giving effect to the provisions of this notification.

4. List of activities prohibited or to be regulated within the Eco-sensitive Zone.- All activities in the Eco sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and the rules made there under including the Coastal Regulation Zone (CRZ), 2011 and the Environmental Impact Assessment (EIA) Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act 1972 (53 of 1972), and amendments made thereto and be regulated in the manner specified in the Table below, namely:-

TABLE

S No	Activity	Description
		A. Prohibited Activities
1.	Commercial Mining	(a) All new and existing (minor and major minerals), stone quarrying and crushing units are prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing and for other activities. (b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated the 04th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated the 21st April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	No new industries and expansion of existing polluting industries in the Eco-sensitive zone shall be permitted. Only non-polluting industries shall be allowed within ESZ as per classification of Industries in the Guidelines issued by Central Pollution Control Board in February 2016, unless so specified in this notification. In addition, non-polluting cottage industries shall be promoted.
3.	Establishment of major hydroelectric project.	Prohibited (except as otherwise provided) as per applicable laws.
4.	Use or production or processing of any hazardous substances.	Prohibited (except as otherwise provided) as per applicable laws.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited (except as otherwise provided) as per applicable laws
6.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate, companies.	Prohibited (except as otherwise provided) as per applicable laws except for meeting local needs.
7.	Setting of new saw mills.	No new or expansion of existing saw mills shall be permitted within the Eco-sensitive Zone.
8.	Setting up of brick kilns.	Prohibited (except as otherwise provided) as per applicable laws
9.	Use of polythene bags.	Prohibited (except as otherwise provided) as per applicable laws
10.	Commercial use of firewood	Prohibited (except as otherwise provided) as per applicable laws
11.	New wood based industry	Prohibited (except as otherwise provided) as per applicable laws
		B. Regulated Activities
12.	Commercial establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted within one kilometre of the boundary of the Protected Area or upto the extent of Eco-sensitive zone, whichever is nearer, except for small temporary structures for Eco-tourism activities. Provided that, beyond one kilometre from the boundary of the protected

		Area or upto the extent of Eco-sensitive zone whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.
13.	Construction activities	(a) No new commercial construction of any kind shall be permitted within one Kilometre from the boundary of the Protected Area or upto extent of the Eco-sensitive Zone whichever is nearer: (a) Provided that, local people shall be permitted to undertake construction in their land for their use including the activities listed in sub paragraph (1) of paragraph 3 as per building byelaws to meet the residential needs of the local residents such as: (i) Widening and strengthening of existing roads and construction of new roads; (ii) Construction and renovation of infrastructure and civic amenities; (iii) Small scale industries not causing pollution termed as per Classification done by Central Pollution Control Board of February 2016; (iv) Cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stays; and (v) Promoted activities listed in this Notification. (b) Provided that the construction activity related to small scale industries not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any. (c) Beyond one kilometre it shall be regulated as per the Zonal Master Plan.
14.	Small scale non polluting industries.	Non polluting industries as per classification of industries issued by the Central Pollution Control Board in February 2016 and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent Authority.
15.	Commercial Goat and sheep farming.	Regulated under applicable laws
16.	Felling of Trees	(a) There shall be no felling of trees on the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government. (b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.
17.	Goat Farming	Regulated under applicable laws.
18.	Collection of Forest produce or Non-Timber Forest Produce (NTFP).	Regulated under applicable laws.
19.	Migratory graziers	Regulated under applicable laws.
20.	Erection of electrical and communication towers and laying of cables and other infrastructures	Regulated under applicable law. Underground cabling may be promoted.
21.	Infrastructure including civic amenities	Shall be done with mitigation measures, as per applicable laws, rules and regulation and available guidelines.
22.	Widening and strengthening of existing roads and construction of new roads.	Shall be done with mitigation measures, as per applicable laws, rules and regulation and available guidelines.
23.	Under taking other activities related to tourism like over flying the ESZ	Regulated under applicable law

	area by hot air balloon, helicopter, drones, Microlites, etc.	
24.	Protection of Hill Slopes and river banks	Regulated under applicable laws
25.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
26.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted under applicable laws for use of locals.
27.	Discharge of treated waste water/effluents in natural water bodies or land area.	The discharge of treated waste water/effluents shall be avoided to enter into the water bodies. Efforts to be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water/effluent shall be regulated as per applicable laws.
28.	Commercial extraction of surface and ground water	Regulated under applicable law.
29.	Open Well, Bore Well etc. for agriculture or other usage	Regulated and the activity should be strictly monitored by the appropriate authority.
30.	Solid Waste Management/Bio-medical Waste Management	Regulated under applicable laws
31.	Introduction of Exotic species.	Regulated under applicable laws.
32.	Eco-tourism	Regulated under applicable laws
33.	Commercial Sign boards and hoardings.	Regulated under applicable laws.
	C. Promoted Activities	
34.	Rain water harvesting	Shall be actively promoted.
35.	Organic farming	Shall be actively promoted.
36.	Adoption of green technology for all activities	Shall be actively promoted.
37.	Cottage industries including village artisans, etc.	Shall be actively promoted.
38.	Use of renewable energy and fuels	Bio gas, solar light etc. to be actively promoted
39.	Agro-Forestry	Shall be actively promoted.
40.	Use of eco-friendly transport	Shall be actively promoted.
41.	Skill Development	Shall be actively promoted.
42.	Restoration of Degraded Land/ Forests/ Habitat	Shall be actively promoted.
43.	Environmental Awareness	Shall be actively promoted.

5. Monitoring Committee:- (1) In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby constitutes a Monitoring Committee for a period of three years, for effective monitoring of the Eco-sensitive Zone, which shall comprise of, namely:-

1. Divisional Commissioner, Hoshangabad — Chairman;
2. Divsional Commissioner, Jabalpur — Member;
3. District Collector, Hoshangabad — Member;
4. District Collector, Betul — Member;
5. District Collector, Chinndwara — Member;

6.	Superintending Engineer Public Works Department, Shahdol	Member;
7.	Superintending Engineer Public Health Department, Hoshangabad	Member;
8.	Superintending Engineer Public Health Department, Betul	Member;
9.	Superintending Engineer Public Health Department, Chinndwara	Member;
10.	Chief Executive Officer of District Panchayat, Hoshangabad	Member;
11.	Chief Executive Officer of District Panchayat, Betul	Member;
12.	Chief Executive Officer of District Panchayat, Chinndwara	Member;
13.	Representative of the Town and Country Planning Department	Member;
14.	Representative of the Pollution Control Board	Member;

15. One representative of Non Governmental Organisation working in the field of environment to be nominated by the Government of Madhya Pradesh for a term of three years in each case – Member;

16. One expert in the area of ecology and environment from a reputed institution of University in the State to be nominated by the Government of Madhya Pradesh for a term of three years in each case – Member;

17.	Member, State Biodiversity Board	Member;
18.	Field Director, Satpura Tiger Reserve,	Member Secretary.

6. Terms of Reference:- (1) The Monitoring Committee shall monitor the compliance of the provisions of this Notification.

(2) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinized by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forests and Climate Change for prior environmental clearances under the provisions of the said notification.

(3) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned Regulatory Authorities.

(4) The Member Secretary of the Monitoring Committee or the concerned Collector(s) or the concerned park Deputy Conservator of Forests shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 against any person who contravenes the provisions of this notification.

(5) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from Industry Associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.

(6) The Monitoring Committee shall submit the annual action taken report of its activities as on 31st March of every year by 30th June of that year to the Chief Wildlife Warden of the State as per pro forma appended at **Annexure IV**.

(7) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.

7. The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.

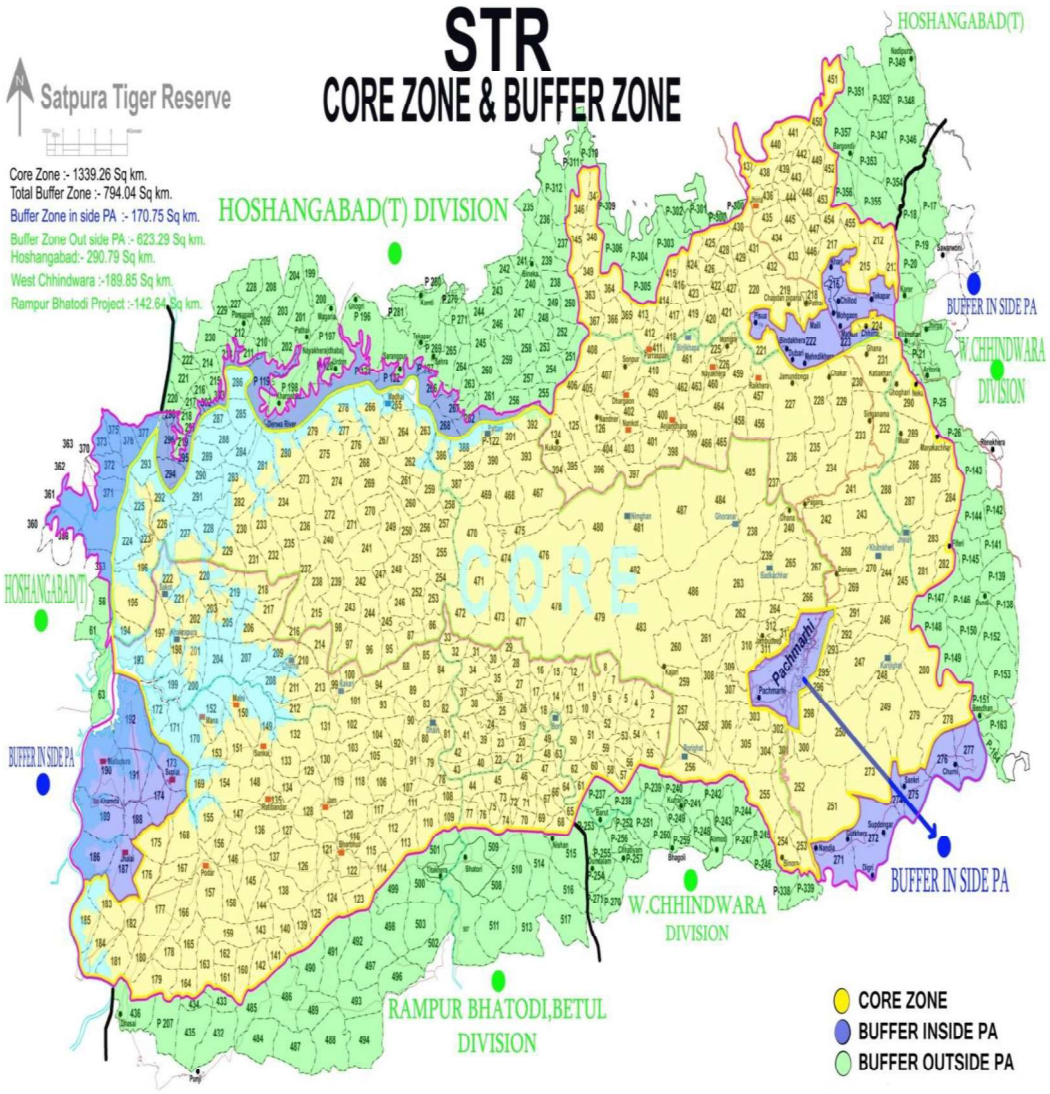
8. The provisions of this notification shall be subject to the orders, if any, passed, or to be passed, by the Hon'ble Supreme Court of India or the High Court or National Green Tribunal.

[F. No. 25/177/2015-ESZ]

LALIT KAPUR, Scientist 'G'

ANNEXURE-I

MAP OF ECO-SENSITIVE ZONE WITH LATITUDES AND LONGITUDES



Annexure-II

Villages with Geographical Coordinates within the Satpura Eco-sensitive Zone

Sl. No.	Name of Division	Name of Village	District	Longitude	Latitude
1	Buffer Zone	Maharajgang	Hoshangabad	78 27' 51.43" E	22 42' 39.72" N
2	Buffer Zone	Nayagaon	Hoshangabad	78 26' 19.46" E	22 42' 56.86" N
3	Buffer Zone	Ghogri matha	Hoshangabad	78 26' 32.99" E	22 42' 15.31" N
4	Buffer Zone	Amadeh	Hoshangabad	78 26' 10.88" E	22 40'38.36" N
5	Buffer Zone	Raitwadi	Hoshangabad	78 25' 18.74" E	22 40' 55.95" N
6	Buffer Zone	Madho	Hoshangabad	78 24' 16.70" E	22 40' 36.68" N
7	Buffer Zone	Bori	Hoshangabad	78 24' 7.65" E	22 41' 18.70" N
8	Buffer Zone	Devi	Hoshangabad	78 24' 15.43" E	22 39' 48.19" N
9	Buffer Zone	Dokrikheda	Hoshangabad	78 22' 34.78" E	22 39' 28.29" N
10	Buffer Zone	Jhiria	Hoshangabad	78 23' 36.87" E	22 38' 43.06" N
11	Buffer Zone	Choka	Hoshangabad	78 22' 18.02" E	22 38' 40.05" N
12	Buffer Zone	Aanhoani	Hoshangabad	78 21' 6.53" E	22 38' 5.77" N
13	Buffer Zone	Muharikhurd	Hoshangabad	78 20' 18.91" E	22 38' 42.45" N
14	Buffer Zone	Muharikala	Hoshangabad	78 18' 8.14" E	22 39' 48.36" N
15	Buffer Zone	Sanghii	Hoshangabad	78 17' 5.42" E	22 40' 11.76" N
16	Buffer Zone	Sehra	Hoshangabad	78 10' 10.65" E	22 34' 59.16" N
17	Buffer Zone	Kamti	Hoshangabad	78 09' 31.75" E	22 36' 26.80" N
18	Buffer Zone	Tekapar	Hoshangabad	78 09' 01.32" E	22 35' 0.88" N
19	Buffer Zone	Sarangpur	Hoshangabad	78 8' 43.99" E	22 34' 39.91" N
20	Buffer Zone	Ghogri	Hoshangabad	78 7' 13.66" E	22 35' 8.41" N
21	Buffer Zone	Mangaria	Hoshangabad	78 6'10 .05" E	22 35' 40.34" N
22	Buffer Zone	Urdaon	Hoshangabad	78 5' 46.46" E	22 34' 46.40" N
23	Buffer Zone	Kharpawad	Hoshangabad	78 4' 21.44" E	22 34' 31.02" N
24	Buffer Zone	Pathai	Hoshangabad	78 1' 59.12" E	22 36' 10.25" N
25	Buffer Zone	Tawanagar	Hoshangabad	77 58' 34.99" E	22 34' 00.89" N
26	Buffer Zone	Ranipur	Hoshangabad	77 57' 17.42" E	22 34'03.78" N
27	Buffer Zone	Chicha	Hoshangabad	77”54`50.28””E	22’’32`40.41’’N
28	Buffer Zone	Daudi	Hoshangabad	77 53' 28.44" E	22 31' 19.24" N
29	Buffer Zone	Chatua	Hoshangabad	77 54' 21.35" E	22 28' 09.74" N
30	Buffer Zone	Jhunkar	Hoshangabad	77:::54`24.20’’’E	22 25' 46.51" N
31	Buffer zone	Mallupura	Hoshangabad	77 56' 04.94" E	22 25' 29.32" N
32	Buffer zone	Suplai	Hoshangabad	77 58' 54.23" E	22 25' 04.84" N
33	Buffer zone	Khamda	Hoshangabad	77 55' 58.56" E	22 24' 30.49" N
34	Buffer zone	Jhalai	Hoshangabad	77 56' 54.36" E	22 23' 26.61" N
35	Buffer Zone	Kotmi	Hoshangabad	77 54' 16.44" E	22 24' 4.56" N
36	Buffer Zone	Maruapura	Hoshangabad	77’’53`36.53’’E	22’’22`46.25’’’N
37	Buffer Zone	Chichadhana	Hoshangabad	77 53' 59.08" E	22 22' 17.42" N
38	Buffer Zone	Ladema	Hoshangabad	77 53 39.13" E	22 22' 14.64" N
39	Buffer Zone	Bardha	Hoshangabad	77 54' 53.41" E	22 20' 7.92" N

40	Buffer Zone	Dhasaii	Betul	77 56' 53.89" E	22 19' 30.08" N
41	Buffer Zone	Kelipunji	Betul	77 59' 36.03" E	22 18' 25.80" N
42	Buffer Zone	Bhatodi	Betul	78 11' 32.57" E	22 23' 10.52" N
43	Buffer Zone	Baruth	Chindwara	78 17' 25.64" E	22 24' 12.47" N
44	Buffer Zone	Dundalum	Chindwara	78 16' 50.81" E	22 23' 04.47" N
45	Buffer Zone	Chhatiaam	Chindwara	78 18'48.43" E	22 23' 15.73" N
46	Buffer Zone	Kurrai	Chindwara	78 20' 47.18" E	22 24' 46.86" N
47	Buffer Zone	Alimod	Chindwara	78 22' 26.99" E	22 23' 40.98" N
48	Buffer Zone	Bijori	Chindwara	78 26' 54.96" E	22 22' 25.03" N
49	Buffer Zone	Sangakheda	Chindwara	78 27' 26.40" E	22 21' 50.14" N
50	Buffer Zone	Kundaidhana	Chindwara	78 28' 24.17" E	22 21' 43.14" N
51	Buffer Zone	Nishan	Chindwara	78 31' 53.93" E	22 24' 14.43" N
52	Buffer Zone	Umardole	Chindwara	78 32' 54.88" E	22 23' 49.93" N
53	Buffer Zone	Belkhedi	Chindwara	78 33' 44.75" E	22 24' 40.64" N
54	Buffer Zone	Lukkhadhana	Chindwara	78 34' 34.19" E	22 24' 38.90" N
55	Buffer Zone	Anjandhana	Chindwara	78 34' 40.12" E	22 25' 19.80" N
56	Buffer Zone	Bandhan	Chindwara	78 32' 47.41" E	22 30' 37.96" N
57	Buffer Zone	Dundi	Chindwara	78 32' 29.77" E	22 30' 29.95" N
58	Buffer Zone	Aaditoria	Chindwara	78 31' 6.69"E	22 34' 37.62" N
59	Buffer Zone	Jhirpa	Chindwara	78 30' 52.73"E	22 35' 47.72" N
60	Buffer Zone	Khanchari	Chindwara	78 30' 10.74" E	22 35' 41.01" N
61	Buffer Zone	Navatola	Chindwara	78 30' 22.99" E	22 35'51 .91" N
62	Buffer Zone	Karer	Chindwara	78 30' 28.26" E	22 36' 24.6" N
63	Buffer zone	Nandia	Hoshangabad	78 26' 35.60" E	22 23' 26.88" N
64	Buffer zone	Gutkheda	Hoshangabad	78 27'49.56" E	22 23' 36.96" N
65	Buffer zone	Supdongar	Hoshangabad	78 29' 01.50" E	22 23' 40.94" N
66	Buffer zone	Sakri	Hoshangabad	78 30' 04.45" E	22 24' 25.54" N
67	Buffer zone	Churni	Hoshangabad	78 32' 32.46" E	22 25' 27.01" N
68	Buffer zone	Neksa	Hoshangabad	78 30' 47.57" E	22 34' 21.95" N
69	Buffer zone	Matkuli	Hoshangabad	78 27' 17.49" E	22 35' 34.22" N
70	Buffer zone	Chhirrai	Hoshangabad	78 28' 41.30" E	22 35' 34.29" N
71	Buffer zone	Tekapar	Hoshangabad	78 28' 58.93" E	22 36' 22.28" N
72	Buffer zone	Chillod	Hoshangabad	78 27' 32.74" E	22 36' 27.86" N
73	Buffer zone	Khari	Hoshangabad	78 26' 59.33" E	22 36' 43.29" N
74	Buffer zone	Mohagaun	Hoshangabad	78 26' 56.03" E	22 36' 27.13" N
75	Buffer zone	Malli	Hoshangabad	78 26' 10.41" E	22 35' 51.52" N
76	Buffer zone	Pisua	Hoshangabad	78 24' 12.68" E	22 35' 46.56" N
77	Buffer zone	Bindakheda	Hoshangabad	78 25' 09.89" E	22 35' 18.03" N
78	Buffer zone	Mehandikheda	Hoshangabad	78 26' 20.12" E	22 34' 57.21" N
→ 79	Buffer zone	Pachmarhi	Hoshangabad	78 25' 15.10" E	22 27' 19.62" N
80	Buffer zone	Fiferi	Hoshangabad	78 32' 11.18" E	22 30' 37.18" N
81	Buffer zone	Manakachar	Hoshangabad	78 31' 46.19" E	22 33' 10.52" N

Annexure-III

Legal Status & Extent of Area (Revenue Area) within the

Satpura Eco-sensitive Zone

Division	Range	Beat	Name of Village	Legal Status	Area (Ha.)
Buffer Zone	Denwa Buffer	Jhirpa	Jhirpa, Aditoria	Revenue	932.624
Buffer Zone			Karer	Revenue	545.739
Buffer Zone			Khanchari	Revenue	302.28
Buffer Zone		Sitadongri	Bandhan	Revenue	49.75
Buffer Zone		Denwa	Dundi	Revenue	45.502
Buffer Zone		Kukrpani	Baruth	Revenue	181.87
Buffer Zone		Chati-aam	Chati-aam	Revenue	184.428
Buffer Zone		East-Alimond	Alimond, Kurrai, Dundalam	Revenue	3519.542
Buffer Zone		West-Alimond	Bhagoli	Revenue	264.89
	Total				**6026.625**
Buffer Zone	Tawa Buffer	Dhasai	Dhasai	Revenue	243.802
	Total				**243.802**
Buffer Zone	Bagra Buffer	Chedka	Sarangpur,	Revenue	314.617
Buffer Zone			Kamti,	Revenue	511.187
Buffer Zone			Takapar , Sehra	Revenue	594.141
Buffer Zone		Urdon	Urdon	Revenue	899.698
Buffer Zone		Ghogri	Ghogri	Revenue	870.271
Buffer Zone		North-Kharpawad	Kharpawad	Revenue	1117.705
Buffer Zone			Magariya	Revenue	160.688
Buffer Zone	**Total**				**4468.307**
Buffer Zone	Pipariya Buffer	Nadipura	Nadipura	Revenue	1411.611
Buffer Zone		North Bargondi	**Bargondi**	Revenue	2340.065
Buffer Zone		Chouka	Anhoni	Revenue	468.690
	Total				**4220.366**
Buffer Zone	**East Pachmarhi**		Tekapar		460.348
Buffer Zone			Bindakhera		129.660
Buffer Zone			Pachmarhi		1532.521
Buffer Zone			Mendikhera		102.561
Buffer Zone			Chirrai		230.436
Buffer Zone			Maili		66.830
Buffer Zone			Chillod		127.716
Buffer Zone			Matkuli		458.837
Buffer Zone			Moahgaon		144.190
Buffer Zone			Pisua		308.507
Buffer Zone			Khari		235.424
Buffer Zone			Nandia		183.477
Buffer Zone			Soupdonger		146.932
Buffer Zone			Sankri		0.743
Buffer Zone			Churni		486.885
Buffer Zone			Chandan piparia		97.021

Buffer Zone	Tawa Buffer	Dhasai	Dhasai	Revenue	243.802
	Total				**243.802**
Buffer Zone	Bagra Buffer	Chedka	Sarangpur,	Revenue	314.617
Buffer Zone			Kamti,	Revenue	511.187
Buffer Zone			Takapar , Sehra	Revenue	594.141
Buffer Zone		Urdon	Urdon	Revenue	899.698
Buffer Zone		Ghogri	Ghogri	Revenue	870.271
Buffer Zone		North-Kharpawad	Kharpawad	Revenue	1117.705
Buffer Zone			Magariya	Revenue	160.688
Buffer Zone	**Total**				**4468.307**
Buffer Zone	Pipariya Buffer	Nadipura	Nadipura	Revenue	1411.611
Buffer Zone		North Bargondi	**Bargondi**	Revenue	2340.065
Buffer Zone		Chouka	Anhoni	Revenue	468.690
	Total				**4220.366**
Buffer Zone	**East Pachmarhi**		Tekapar		460.348
Buffer Zone			Bindakhera		129.660
Buffer Zone			Pachmarhi		1532.521
Buffer Zone			Mendikhera		102.561
Buffer Zone			Chirrai		230.436
Buffer Zone			Maili		66.830
Buffer Zone			Chillod		127.716
Buffer Zone			Matkuli		458.837
Buffer Zone			Moahgaon		144.190
Buffer Zone			Pisua		308.507
Buffer Zone			Khari		235.424
Buffer Zone			Nandia		183.477
Buffer Zone			Soupdonger		146.932
Buffer Zone			Sankri		0.743
Buffer Zone			Churni		486.885
Buffer Zone			Chandan piparia		97.021
Buffer Zone			Neksa		25.181
Buffer Zone			Manakachar		16.292
Buffer Zone			Fiferi		08.142
	Total:				**4761.703**
	Grand Total:				**19720.803**

Forest areas of other divisions included in the Satpuda Eco-sensitive zone (within two km. periphery)

Hoshanganad Forest division	**Compartment no.**				**Name of Village**	**Legal Status**	**Area (Ha.)**
Range	PF		RF				
Sukhtawa	77	31.971	50	154.501	Bardha	RV	634.962
	84	157.743	51	294.994			
	85	7.002	52	192.628			
	88	508.811	53	44.581			
	89	3.788	54	181.424			
	0	0	55	334.143			
	0	0	56	252.448			

रजिस्ट्री सं. डी.एल.- 33004/99 REGD. No. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-13032021-225894
CG-DL-E-13032021-225894

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1104] नई दिल्ली, शुक्रवार, मार्च 12, 2021/फाल्गुन 21, 1942
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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 12 मार्च, 2021

का.आ. 1192(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) और (xiv), उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, का.आ.सं. 2538 (अ), तारीख 09 अगस्त, 2017 द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में प्रकाशित, भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में, पैरा 5 में,

(i) "तीन वर्ष की अवधि के लिए" शब्दों के स्थान पर, "अगला आदेश होने तक, परंतु राज्य सरकार द्वारा समय-समय पर समिति के गैर-सरकारी सदस्यों को नामनिर्दिष्ट किया जाएगा," शब्द रखे जाएंगे।

(ii) मद (6) में, "शहडोल" शब्द के स्थान पर, "होशंगाबाद" शब्द रखा जाएगा।

[फा. सं. 25/177/2015-ईएसजेड-आरई]

डॉ. सतीश चन्द्र गढ़कोटी, वैज्ञानिक 'जी'

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना संख्यांक का.आ. 2538 (अ), तारीख 9 अगस्त, 2017 द्वारा प्रकाशित की गई थी;

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 12th March, 2021

S.O. 1192(E).—In exercise of powers conferred by sub-section (1) and clause (v) and (xiv) of sub-section (2) sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Environment, Forest and Climate Change, published in the Gazette of India, Extraordinary, part II, Section 3, Sub-section (ii) vide number S.O 2538 (E), dated the 9th August, 2017 namely: -

In the said notification, in paragraph 5,

(i) for the words "for a period of three years", the words "till further orders, provided that the non-official members of the Committee shall be nominated by the State Government from time to time" shall be substituted;

(ii) in item (6), for the word "Shahdol", the word "Hoshangabad" shall be substituted;

[F. No. 25/177/2015-ESZ-RE]

Dr. SATISH C. GARKOTI, Scientist 'G'

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* notification number S.O. 2538 (E), dated the 9th August, 2017.

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ALOK KUMAR Digitally signed by ALOK KUMAR Date: 2021.03.13 14:20:03 +05'30'

EPCO
Environmental Planning & Coordination Organisation

ANNEXURE-09

Pachmarhi Bio Reserves

Home » Pachmarhi Bio Reserves

Print

Planning

Research

»Policy

»Conservation & Management Of Water Bodies

Conservation and Management of Biosphere Reserve

»Biosphere Reserves

»Management Aspects

»Panna Biosphere Reserves

»Pachmarhi Biosphere Reserves

»Achanakmar – Amarkantak Biosphere Reserves

»Gallery

Environmental Research Laboratory

Education

Climate Change

Consultancy

Wetland(SWA)

Panchmari Biosphere Reserve

Pachmarhi Biosphere Reserve has been designated for inclusion in the world network of Biosphere Reserves on 26th May 2009.
There are several potential areas in Madhya Pradesh which can be designated as Biosphere Reserves. Pachmarhi area due its unique Sal forests, diverse and rich flora and fauna, topography and geographic situation and inhibition of tribal population designated as Biosphere Reserve by Government of India (vide notification no J-22016/17/94-BR dtd. March, 3rd 1999) on the basis of project document prepared by Environmental Planning and Coordination Organization, (EPCO) Bhopal, an autonomous organisation under the Department of Housing and Environment, Government of Madhya Pradesh. The area has also been identified on the World Network of Biosphere Reserves by UNESCO on 26th May 2009.
The Pachmarhi Biosphere Reserve lies between latitude 22011' to 22050' N and 77047' to 78052' E longitude in central part of India covering parts of Hoshangabad, Chhindwara and Betul districts of Madhya Pradesh. The area falls almost in northern part of biogeographic zone (6) and biogeographic province (6A) viz., Deccan Peninsula Central Highlands. It is almost in the centre of 6A. The total area covered by Pachmarhi BR is 4981.72 km2. Out of which the core zone covers 1555.23 km2. It comprises three protected areas viz. Satpura National Park (524.37 km2), Bori (485.72 km2) and Pachmarhi (439.15 km2) Sanctuary and area of RF & PFs (105.99 km2). The buffer zone is extended in an area of 1785.58 km2 and transition zone comprises of 1640.91 km2 area.

The Satpura hill ranges run from east to west and the Pachmarhi Plateau is practically placed in the centre of area having an elevation of around 1050 m. The Pachmarhi hills have steep slopes in the north and in the south it is straight exposing the bare rocks. Some of the conspicuous hilly areas are Jambudweep, Dhoopgarh, Handikho, Mahadeo, Chauragarh and Bee Fall. Amongst these, the Dhoopgarh is highest point (1352 m above msl) in the State. Patalkot, which is also one of the major tourist spot, is located in Tamia block of Chhindwara district. The area lies 300-400 m below the escarpment. It is famous for its natural landforms on the northern edge of Satpura hills. It is an area of geographical isolation.
Pachmarhi Biosphere Reserve area, which constitutes the Central part of India, is one of the highly biodiversity rich areas with high floristic diversity and unique plant life forms. Pachmarhi BR is often recognized as “Genetic Express Highway” linking two biodiversity hot spots of the country, viz., Eastern Himalaya and Western Ghats, also as confluence of northern and southern type of vegetation. Total reported species of angiosperms belongs to 633 genera under 127

families. A total of 108 species distributed under 45 families were newly reported. No wonder if further study shows the inclusion of many more new species to the existing list.

The faunal composition represents the Deccan Peninsular zone of biogeographic classification of India. The great diversity of geomorphology and vegetation give rise to multitude of habitats and ecological niches that support rich wildlife. The Satpura National Park as well as Bori and Pachmarhi Sanctuaries have a much better population of wildlife than other reserved forest areas. The area has long history and tradition of wildlife conservation.

Most of the Pachmarhi BR is covered with dense forest vegetation and forms an ideal habitat for wild animals. Over 50 species of mammal, 254 species of birds, 30 species of reptiles, 56 species of butterflies and numerous other forms of animals are found in the area. The steep vertical scarps are home to numerous raptors like honey buzzard and black eagle and hawks. These forests have both grey as well as the red jungle fowl, which are usually found separately either in north or south India, respectively. Among the other birds represented are Malabar pied Hornbill, Malabar whistling Thrush and Paradise fly Catcher. The presence of numerous streams, dense foliage, wild flowers, woodland edges and damp patches attract numerous colorful butterf1ies including orange oak leaf, black Rajah, great egg fly, blue pansy etc.

The area is rich from cultural point of view. It was mainly inhabited by tribal in past. Among these, the most primitive tribe ‘Bhariya’ are found in Patalkot region. The economy of the people residing in Pachmarhi BR is mostly based on tourism, agriculture, cattle rearing, etc.In the vicinity of the Pachmarhi plateau there are a large number of cave shelters of great archaeological interests, contained in them are a number of rock paintings executed by the tribes. Some of these may be around 10000 years old while a majority of these paintings belong to historical age, being 2500 to 1500 years old.

The area comprises 581 human settlements (villages & urban agglomerations) which include 509 revenue villages, 65 forest villages and 7 semi urban settlements. In BR area, indiscriminate harvesting and overexploitation of natural resources, threat to gene pool, wild life and meadows\ open glades are the major critical issues.

Last Updated On:18 Sep, 2021

एम.पी. कोड म. प्र. शासन
MP Industrial Development Corporation Limited
MP TOURISM
लोक सेवा प्रबंधन मध्य प्रदेश शासन
MP DASHBOARD Government of Madhya Pradesh

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Source: https://whc.unesco.org/en/tentativelists/6532/

Satpura Tiger Reserve

Date of Submission: 13/04/2021
Criteria: (vii)(ix)(x)
Category: Natural
Submitted by: Permanent Delegation of India to UNESCO
State, Province or Region: Madhya Pradesh
Coordinates: N22 30 27.30 E78 14 24.17
Ref.: 6532

Disclaimer

The Tentative Lists of States Parties are published by the World Heritage Centre at its website and/or in working documents in order to ensure transparency, access to information and to facilitate harmonization of Tentative Lists at regional and thematic levels.

The sole responsibility for the content of each Tentative List lies with the State Party concerned. The publication of the Tentative Lists does not imply the expression of any opinion whatsoever of the World Heritage Committee or of the World Heritage Centre or of the Secretariat of UNESCO concerning the legal status of any country, territory, city or area or of its boundaries.

Property names are listed in the language in which they have been submitted by the State Party

Description

Satpura Tiger Reserve (STR) (2133.307 km^2), located in Satpura ranges of Central Indian Landscape, is one of the major geographical plateau of India lies in Hoshangabad district of Madhya Pradesh (India). It is part of the Deccan bio-geographic zone of India (Rodgers and Panwar, 1988). Satpura Tiger Reserve's environment stands out by its exquisite natural beauty and showcases the importance of tourism of this place. Satpura, basically meaning "Seven Folds", forms a watershed between Narmada and Tapti River is triangular in shape. It is one of the oldest forest reserves with a well-established tradition of scientific management of forests. Twenty-six species of the Himalayan region and 42 species of Nilgiri areas are found hence Satpura Tiger Reserve also known as the northern extremity of Western Ghats. Some of the species common to Satpura and Himalayas are *Asterella khasiana, Bambusa polymorpha, Rubus ellipticus, Berberis asiatica.* Examples of species common to Satpura and Western Ghats are, *Cochlospermum religiosum, Pterocarpus santilenus* (Red sandal). Archaeological significance of the place cannot be neglected considering more than 50 rock shelters with painting that are 1500 to 10,000 years old.

Justification of Outstanding Universal Value

Nominated property Satpura Tiger Reserve is a prime example of a central Indian highlands eco-system. It is a unique area of high natural and diverse land resource values. It has many rare and endemic plants, especially bryophytes and pteridophytes like *Psilotum, Cythea, Osmunda, Lycopodium, Lygodium*etc. At least 14 endangered species of mammals, birds and reptiles inhabit these forests. Satpura Tiger Reserve is also one of the globally significant landscape in terms of tiger conservation. It has the largest tiger-occupied forest, and it also has the largest tiger population (Jhala et al. 2010). Within the Central India landscape, there are several "units" with one or more breeding populations of tigers, known as source populations. The Satpura Tiger Reserve serves as one of the units of the major potential source populations for tigers. Satpura Tiger Reserve's unique feature is its connectivity with other tiger reserves makes this landscape suitable for a large population of tigers. Study reveals that tigers populated central India (Satpura-Maikal landscape) about 10000 year ago (Sandeep Sharma 2016). Satpura Tiger reserve is considered a relict site, representing some of the floral species common to Western Ghats and the Himalayas (Gopal, 2011). It, therefore, acts as a faunal bridge from the Himalayas to the Western Ghats, as stated in the "Satpura Hypothesis" (Hora, 1949).

Criterion (vii): Satpura National Park is unique than other National Parks in its beautiful silence where one can even hear the snoring of the beers and roaring of the tigers clearly with such stunning exceptional visual delights. Moreover, its location adds on to its aesthetic and incredible values. One can enjoy an adventurous time in Satpura National park, which is rich in its biodiversity and can feel the wildlife very closely.

Famous Hindi Poet Sh Bhawani Prasad Mishra in his one of the famous poetry draw a portrayal of the Satpura forest as below:

Satpura Ke Ghane Jungal (Satpura's Dense Jungle)
Neend Me Doobe Huye Se (Sleepy and Drowsy Jungle)
Unghte Anmane Junga (Lazy and Lethargic Jungle)
Satpura Ke GhaneJungal (Satpura's Dense Jungle)
Lataon ke Banne Jungal" (Creepers Making Them Jungle)
(Bhawani Prasad Mishra)

Because of the scenic beauty, greenery, natural and pleasant climate, Pachmarhi is one of the region's most famous tourist destinations. The park has a beautiful landscape with the highest peaks (Dhoopgarh) in central India. Its unique geographical formations, dense forests, waterfalls, fauna, distinguished flora, rock shelters depicting ancient cultural heritage, pilgrim sites, colonial buildings and tribal culture make it one of the unique wildlife destinations. Satpura Tiger Reserve is bestowed with ruminants of cultural heritage. There are 55 rock shelters and many more to explore, which are 1500 to 10000 years old.

Criterion (ix): The extent and rate of habitat loss and fragmentation indicate that population subdivision is an ongoing process in the tiger metapopulation of the central India (Satpura-Maikal) landscape. Globally accepted Satpura hypothesis explains how fishes migrated from the Assam (Garo) Hills via the Satpura (Rajmahal) Hills and descended into the Western Ghats through Gujarat. It, therefore, acts as a bridge from the Himalayas to the Western Ghats. Twenty-

six species of the Himalayan region and 42 species of Nilgiri areas are found, due to which Satpura Tiger Reserve also known as the northern extremity of Western Ghats.

Criterion (x): The nominated property is the best example of in situ conservation. It is the part of the largest contiguous forest and tiger habitat in India. It also supports 17 percent of India's tiger population and 12 percent of Its tiger habitat. One of the unique features of the landscape, which makes the area so important for tiger conservation, is the natural corridor connectivity between the tiger reserves. This connectivity makes this landscape suitable for supporting large tiger numbers with relatively low conflict with humans. The varied topography of the area and diverse edaphic and climatic conditions make it one of the most biodiversity-rich areas of the country. Some of the extremely rare and endangered species of flora are also found here. The Endemic and endangered species of plants found in Pachmarhi are *Ficus cupulata* Haines, *Jasminum brevipetiolatum* Duthie, *Alsophila balakrishnanii* Dixit, *Psilotum nudum* (L)P. Beauv, *Leptochilus lanceolatus* Fee, *Angiopteris helferiana* Presl, *Eriocaulon polyceohalatum* Hook, *Eriocaulon matrianum* Wall, *Platygyriella aurea* (Schwaegr)Buck, *Leucoloma amoene-virens* Mitt., *Meiothecium microcarpum* (Hook) Mitt., *Campylopus gracillis* (mitt) A.Jaegar, *Dicranella leptoneura* Dixon, *Fissidens asperisetus* var andamanensis, *Isoetespanchananii* Pant and Srivast., *Isoetes pantii* Goswami and Arya, *Leucas pachmarhiensis.*

Freshwater red Alga *Batrecospermummoniliforme* is also recorded at nominated property. Two species of tree ferns *Cythea gigantea* and *Cythea spinulosa* are also found in Pachmarhi part of Satpura Tiger Reserve. The landscape is also a prime habitat for birds like Malabar pied hornbill, Malabar whistling thrush and the state bird of Madhya Pradesh State paradise flycatcher.

Statements of authenticity and/or integrity

Satpura National Park has core area of 1339.27 km^2 out of a total 2133.307km^2, rest being in the buffer zone with a well-managed protection and management system to ensure its integrity. It is its own kind of protected area that is least commercialised to maintain its integrity and intactness. There is hardly any adverse effect of deterioration process seen over a significant period, and bio physical processes and landform features are relatively intact. The nominated property has 794 sq kms buffer zone, which is extremely important to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and aims at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people. The Buffer Zone almost surrounds the nominated property. A typical geo-physiographical representative of the Central Indian Highlands, the Buffer Zone occupies the Eastern and Southern slopes of Satpura ridge. It forms part of an eco-region once renowned for un-fragmented forest tracts and pristine wilderness areas in India. This area is outstanding in its bio-diversity since a long ago. Natural terrain is both rugged as well as difficult to access. Several scientific studies have been done primarily on the tigers. The nominated property has a well-established management plan to protect and conserve its outstanding universal values.

Comparison with other similar properties

Comparison of Satpura National Park with other such National Park or Tiger reserves reassures its magnificent existence to be considered in the tentative listing for nominations for UNESCO'S Natural World Heritage Site. Following specific features can be highlighted, which make Satpura stands out amongst all formidably. The presence of rich biodiversity with a significant number of endangered flora and fauna and flora of medicinal use are the features similar to Nanda Devi and Valley of Flowers National Park, India. A vast protected area and UNESCO enlisted Pachmarhi Biosphere Reserve exceptionally categorise Satpura National Park from other such destinations. In situ conservation of species can be efficiently managed and carried out along with good survival chances and remarkable population density of threatened species as in Manas Wildlife Sanctuary.

Sunderbans National Park, West Bangal (India) and The Sunderbans Bangladesh are similar sites having tiger populations but Satpura Tiger Reserve is an outstanding example of source population of tigers. Its connectivity with other tiger reserves through natural corridor makes the area unique and incomparable with other tiger populated area. Along with its unique features that support one of the viable population of Tigers and other faunal and floral species the nominate property also unique in terms of its cultural and human traditions. Evidence of the presence of more than 50 rock shelters aged between 1500 to 10000 years old having unique rock painting makes area outstanding from other similar sites.

Item No.1

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)

Original Application No.92/2023(CZ)
(O.A.No.452/2022- PB)

Captain Brajesh Bharadwaj Applicant(s)

Versus

State of Madhya Pradesh & Ors. Respondent(s)

Date of Hearing : 15.09.2023
Date of uploading : 21.09.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A SENTHIL VEL EXPERT MEMBER

For Applicant(s): Applicant in Person

For Respondent(s): Mr. Mehul Bhardwaj, Adv.
Dr. Sapna Agarwal, Adv.
Ms. Parul Bhadoria, Adv.
Regional Officer, Jabalpur

ORDER

1. Article 21, 48 (A) and 51(A) (g) of the Constitution of India provides a mandate to the State and citizen of India to protect and improvement of environment and to safeguard the Forest and Wildlife of the country and to have compassion for leaving creatures. Precautionary Principles have been accepted on the part of the Law of the Land. The Precautionary Principle makes it mandatory for the State Government to anticipate, prevent and attack the causes of environmental degradation.

in the protected areas are required to be settled in accordance with the provisions contained in 1972 Act and such villagers are rehabitated outside the protected area. However, no such settlement of rights is available to the villagers residing in the ESZ areas. As stated in the said guidelines the purpose of declaring ESZ is not to hamper the day to day activities of the citizens. If the directions are as issued in continued it would certainly hamper the day to day activities of the citizens residing in ESZs.

37. In view of the above discussion and in light of the order dated 26.04.2023 passed by the Hon'ble Supreme Court of India quoted above in *T.N. Godavarman's* case, we direct the respondent as follows :

1. The respondents are directed to strictly follow the guidelines and also the provisions contained in the ESZ notifications pertaining to the respective areas with regard to prohibited activities, regulated activities and permissible activities.

2. While granting environmental clearance or forest clearance the respondents are directed to strictly follow the provisions contained in the Office Memorandum dated 17.05.2022 issued by MoEF&CC with regard to project activities in ESZ and other areas outside the protected areas.

3. With regard to the trenches along the boundary it shall be ensured that this trenches are not deep and shall be provided with soil bunds along the boundaries of the trenches, so that the animals do not get trapped and fall into the trenches.

4. Instead of the metallic wired fencing, these fences should be replaced with bio-fence with the involvement of local Forest Officers. The bio-fence of appropriate height and plant species shall be identified by the Forest Department. The bio-fence would also act as a habitat for birds, animal and provide necessary protection and feed to the herbivorous animals as well.

ANNEXURE-12

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH AT BHOPAL (MADHYA PRADESH)

ORIGINAL APPLICATION NO. 82/2022(CZ)
(I.A. No. 68/2022)

IN THE MATTER OF:

DR. SUBHASH C. PANDEY
S/o Dr. S.K. Pandey
R/o- HIG 1/8 Shivani Complex,
6 no. Stop, Shivaji Nagar,
Bhopal-462016, Madhya Pradesh

...Applicant

Versus

1. **STATE OF MADHYA PRADESH**
   Through the Chief Secretary, Mantralaya,
   Vallabh Bhawan, Bhopal- 462004

2. **THE PRINCIPAL SECRETARY,**
   Tourism Department,
   Government of Madhya Pradesh
   Mantralaya, Vallabh Bhawan, Bhopal- 462004

3. **THE PRINCIPAL SECRETARY,**
   Environment Department,
   Government of Madhya Pradesh
   Mantralaya, Vallabh Bhawan, Bhopal- 462004

4. **THE COMMISSIONER,**
   Urban Administration and Development Department,
   MP Palika Bhawan, Shivaji Nagar
   Bhopal- 462016 (M.P.)

5. **THE COMMISSIONER,**
   Bhopal Municipal Corporation
   2nd Floor, A Wing, ISBT Campus,
   Dr. Ambedkar Marg, Bhopal- 462023 (M.P.)

6. **THE EXECUTIVE DIRECTOR**
   Bhopal Smart City Development Corporation Limited
   Kalibadi Road, Sector A, Barkheda
   Bhopal- 462023 (M.P.)

7. THE MEMBER SECRETARY,
M.P. State Wetland Authority,
EPCO Paryavaran Parisar, E-5,
Arera Colony,
Bhopal- 462016 (M.P.)

8. THE MEMBER SECRETARY,
M.P. Pollution Control Board
Paryavaran Parisar, E-5, Arera Colony,
Bhopal- 462016 (M.P.)

9. THE MEMBER SECRETARY,
M.P. State Biodiversity Board,
26, Kisan Bhavan, Arera Hills,
Bhopal, 462011(M.P.)

...Respondent(s)

Counsel for Applicant:
Dr. Subhash c. Pandey, applicant in person

Counsel for Respondent(s):
Mr. Sachin Kumar Verma, Advocate for State of M.P.
Ms. Parul Bhadoria, Advocate for MPPCB
Mr. Yadvendra Yadav, Advocate for CPCB
Mr. Qasim Ali, Advocate for R-2
Mr. Brajesh Sharma, RO, MPPCB

CORAM:

HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Reserved on: July 18, 2023
Pronounced on: September 12, 2023

JUDGMENT

BY HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER

1. This Original Application (hereinafter referred to as '**OA**') under Sections 14, 15, 17 and 18 of National Green Tribunal Act, 2010 has been instituted by Dr. Subhash C. Pandey, a resident of Bhopal city, State of Madhya Pradesh (hereinafter referred to as '**applicant**'). He claims to be an environmentalist having functioned earlier as Executive Vice

116. Various processes which a facility may carry out includes utilization and the term '**utilization**' as defined in Rule 3(37), reads as under:

> "*37. "utilisation" means use of hazardous or other waste as a resource;*"

117. The term '**used oil**' is defined in Rule 3(36) as under:

> *"36. "*used *oil" means any oil-*
>
> *(i) derived from crude oil or mixtures containing synthetic oil including spent oil, used engine oil, gear oil, hydraulic oil, turbine oil, compressor oil, industrial gear oil, heat transfer oil, transformer oil and their tank bottom sludges; and*
>
> *(ii) suitable for reprocessing, if it meets the specification laid down in Part A of Schedule V but does not include waste oil;"*

118. Looking to the entirety of the provisions of HOWMTM Rules, 2016 and the fact that the same are beneficial and for protection of environment, we are of the view that the same would apply to the Cruise Boats in question.

119. Thus, we are of the view that Cruise(s) run/operates in inland waters mechanically propelled, using motors and fuel/diesel oil/petrol are within the ambit of provisions of Water Act, 1974, Air Act, 1981 and EP Act, 1986 and rules framed thereunder. Since no consent/ NOC/ Clearance/ permission has been obtained from the Statutory Regulator or Competent Authority under the relevant environmental laws including Rules framed under the aforesaid Statutes, running of Cruise Ships/Boats in various water bodies of State of Madhya Pradesh which are detailed above including Bhoj Wetland is illegal and cannot be allowed to continue in violation of the above provisions.

→ 120. It is argued that plying of non-motorized boats is a regulated activity in para 4(B) and community based eco-tourism (with minimum

construction activity) is a permitted activity under para 4(C). Since motorized boats is not mentioned as such in the order dated 16.03.2022, it means that there is no restriction of plying of motorized boats in the wetland and therefore, running of Cruise Boat which is operated by motors is neither illegal nor contrary to the provisions of Wetland Rules, 2017 and statutory orders issued therein.

121. We find no merit in the submission.

122. When out of various modes, one mode is specifically mentioned in a statutory order, unless there is an inbuilt suggestion, the remaining modes will be treated to be deliberately omitted and cannot be treated to be permitted activities. Community based eco-tourism cannot be extended to the term plying of motorized boats which is a serious activity when plying of non-motorized boats has been kept in the category of regulated activities. In our view, the term 'conversion for non-wetland uses' in para 4(A)(a) of the order dated 16.03.2022 is very wide and cover all activities unless specifically mentioned in regulated or permitted categories. Further, there is a complete prohibition in respect of storage of hazardous substance covered by HOWMTM Rules, 2016.

123. In our view, plying of non-motorised boats in a regulated manner is permitted by the order dated 16.03.2022 read with Wetland Rules, 2017 though it is a non-wetland use but the plying of motor boats is totally prohibited and cannot be allowed in a wetland since it is non wetland use and is totally prohibited. Use of wetland for an activity which is prohibited is per-se illegal and is an offence under Section 15 of EP Act, 1986.

124. Now coming to the aspect of illegal construction in the area of Zone of Influence, it is no doubt true that temporary construction or temporary jetty for use of the boats is a permitted activity and by itself will be not

ANNEXURE-13

कार्यालय कलेक्टर जिला–नर्मदापुरम

कमांक /व.लि.2/न.कं.111/2023 नर्मदापुरम,दिनांक /07 /2023

प्रति,

प्रभारी अधिकारी,
सी.एम.हेल्पलाइन,
जिला कार्यालय नर्मदापुरम ।

विषयः– **पचमढ़ी स्थित हवाई पटिटयों के संबंध में ।**

संदर्भः– **1.आपका शिकायत कमांक 22602384 दिनांक 9.6.2023**
2.कार्यपालन यंत्री लोक निर्माण विभाग संभाग क.1 नर्मदापुरम का पत्र कमांक3069 नर्मदापुरम दिनांक 14.6.2023

–0–

विषयांतर्गत संदर्भित पत्र का अवलोकन करने का कष्ट करें । जिसके माध्यम से आवेदक श्री ब्रजेश भारद्वाज निवासी शुभालय कालोनी नरसिंहपुर रोड छिंदवाडा द्वारा पचमढ़ी स्थित हवाई पट्टियों के संबंध में चाही गई जानकारी का प्रतिवेदन प्राप्त हुआ है । जो निम्नानुसार है ।

संदर्भित पत्र के माध्यम से अनुविभागीय अधिकारी लोक निर्माण विभाग उपसंभाग पचमढ़ी द्वारा पचमढ़ी के पत्र कमांक 250 दिनांक 14.6.2023 के प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन में आने वाली शर्तो एवं नियमों के आधार पर ही कार्य कराया गया है किसी भी प्रकार से पेड़ों की कटाई एवं पहाड़ियों को क्षति नहीं पहुंचाई गई है । वर्तमान में अर्थवर्क का कार्य कराया गया है जो कि पूर्व निर्मित हवाई पट्टी के ऊपरी भाग को खोदकर लेवल किया जा रहा है ।

हवाई पट्टी के दोनों ओर अत्यधिक बारिश के कारण गडढे एवं नाले बन गए है जिसको भरा जाना आवश्यक है । यह कार्य विमानन विभाग म0प्र0 के पत्र क्र. 9–9/2021/45/भोपाल दिनांक 30.6.2021 द्वारा स्वीकृति उपरांत कराया जा रहा है । जिसकी प्रति संलग्न की है ।

अतः पचमढ़ी स्थित हवाई पट्टी के संबंध में प्राप्त जानकारी आपकी ओर लंबित शिकायत का निराकरण हेतु भेजी जा रही है ।

जायक लिपिक
कलेक्टर कार्यालय
नर्मदापुरम

भारत शासन सेवार्थ

संयुक्त कलेक्टर,
हेतु कलेक्टर नर्मदापुरम

पृ0क0 10280 /एस.सी.2/2023 नर्मदापुरम,दिनांक 11 /7/2023

प्रतिलिपिः–

1– कार्यपालन यंत्री,लोक निर्माण विभाग संभग क 1 नर्मदापुरम की ओर सूचनार्थ प्रेषित ।
2– श्री ब्रजेश भारद्वाज निवासी शुभालय कालोनी नरसिंहपुर रोड जिला– छिंदवाडा की ओर सूचनार्थ सूचनार्थ प्रेषित ।

11/7/23

संयुक्त कलेक्टर,
हेतु कलेक्टर नर्मदापुरम



ANNEXURE-14

services.mp.gov.in/main/citizen/services/ui#rti/view?id=C2EB766C-F875-4EC5-9254-EB610D6F441C

आवेदन विवरण | कार्यवाही सूची

आवेदक का विवरण

वांछित सूचना का विवरण

आवेदन क्रमांक : MPRTI/2307/343126

आवेदन की स्थिति : आवेदन प्रक्रियाधीन है

भुगतान विवरण देखें

आवेदन दिनांक
25/जुलाई/2023

सूचना प्रदाय करने की अंतिम तिथि
24/अगस्त/2023

विभाग
विमानन विभाग

कार्यालय स्तर
मंत्रालय

कार्यालय स्थान
मध्यप्रदेश

कार्यालय का नाम
विमानन

चाही गई जानकारी का प्रकार
प्रमाणित नमूना

चाही गई जानकारी का विवरण
Under the RTI Act 2005, please provide the following information.

1. Certified copy of the approval letter issued by Aviation department MP, letter reference No. 9-9/2021/45/Bhopal dated 30.06.2021 allowing the expansion work of Pachmarhi Airstrip in District Narmasdapuram MP.

मध्यप्रदेश शासन
विमानन विभाग
मंत्रालय, वल्लभ भवन, भोपाल

क्रमांक : 617 / 1479545 / 2023 / पैंतालीस भोपाल, दिनांक 4/8/2023

प्रति,

श्री ब्रजेश भारद्वाज,
पता : यलो बंगला, शुभालय कॉलोनी,
नरसिंहपुर रोड़, छिंदवाड़ा (म.प्र.)

विषय : सूचना का अधिकार अधिनियम 2005 के तहत जानकारी का प्रदाय करने के संबंध में।

———

सूचना का अधिकार अधिनियम, 2005 के तहत ऑनलाईन प्राप्त आपका आवेदन पत्र क्रमांक MPRTI/2307/343126, दिनांक 25.7.2023 द्वारा चाहा गया इस विभाग का कोई पत्र क्रमांक एफ 9–9 / 2021 / 45 दिनांक 30.06.2021 नहीं है।

2/ यदि आप उक्त जानकारी से संतुष्ट नहीं हैं तो सूचना का अधिकार अधिनियम, 2005 के तहत नियमानुसार अपीलीय अधिकारी, सचिव, मध्यप्रदेश शासन, विमानन विभाग के समक्ष अपील प्रस्तुत कर सकते हैं।

04/08/23
(कमल सोलंकी)
उप सचिव एवं लोक सूचना अधिकारी
मध्यप्रदेश शासन, विमानन विभाग

XV—OR—108

शाकेसुभो—78—उनिशाकेसुभो—15-6-22—3 लाख

भारत शासन सेवार्थ



छुआछूत अमानवीय
तथा असंवैधानिक है

क्रमांक 617/1472545/2023/45

प्रति

श्री ब्रजेश भारद्वाज

पता: पलो बंगला मुभालय कॉलोनी

नरसिंहपुर रोड छिंदवाड़ा

जिला - छिंदवाड़ा

(म0प्र0)

4/8/2023

जावक लिपिक
विज्ञानन विभाग, मंत्रालय, भोपाल

अधीक्षक
कार्यालय

ANNEXURE-15

W.P.No.2031/2014, W.P.No.7559/2013, W.P.No.11909/2013, W.P.No.2057/2014, 5937/2002,

16.04.2014

Shri Prashant Singh, Advocate for the petitioner in W.P.No.2031/2014.

Shri Uttam Maheshwari, Advocate for the petitioner in W.P.No.7559/2013.

Shri Naman Nagrath, Senior Advocate with Shri S.P.Singh, Advocate appears as Amicus Curiae in W.P.No.11909/2013.

Shri P.N.Dubey, Advocate for the petitioner in W.P.No.2057/2014.

Shri Sanjay Agarwal, Advocate for the petitioner in W.P.No.5937/2002.

Shri Vikram Singh, Advocate for the Union of India.

Shri P.K.Kaurav, Additional Advocate General for the State of Madhya Pradesh.

Shri J.P.Pandey, Advocate and Shri Anoop Nair, Advocate with Shri Rajas Pohankar, Advocate for the Cantonment Board.

I.A.No.4554/2014 and I.A.No.4861/2014.

In view of the recent Supreme Court decision dated 10.3.2014 in the case of ***Adarsh Co-optv. Housing Society Ltd. Vs. Union of India***, the order passed by this Court on 29.11.2013 is recalled.

I.A.No.4554/2014 and I.A.No.4861/2014 are disposed of.

We have heard counsel for the parties.

W.P.No.2031/2014 and W.P.No.2057/2014 have been filed by the occupants/owners of the structures in respect of which demolition action has been initiated.

W.P.No.7559/2013 has been filed as Public Interest Litigation for issuing direction to the appropriate Authority to

remove all the unauthorized structures in Pachmarhi area. For the same relief, suo motu proceedings have been initiated by this Court, which has been numbered as W.P.No.11909/2013. As a result, we do not wish to multiply the proceedings for the same cause which is already subject matter of suo motu petition, W.P.No.11909/2013. The petitioner in W.P.No.7559/2013 will be free to assist the Court and be represented by their Advocate. However, we do not want to continue the Public Interest Litigation filed by private party, hence **we dispose of W.P.No.7559/2013 and all interim applications pending therein**.

W.P.No.5937/2002 is yet another writ petition pending in this Court for issuing direction to the appropriate Authority to initiate action in respect of unauthorized structures in the Pachmarhi area. It is further prayed that the Authorities shall ensure that no further construction is allowed in the said area. It is not in dispute that the interim relief has already been granted directing the Authorities to ensure that no further construction is put up in Pachmarhi area. That interim relief will now operate in W.P.No.11909/2013 being *suo motu* proceedings initiated by this Court. The present order disposes of the other prayer in the said writ petition to remove unauthorized structures put up in Pachmarhi area being involved in W.P.No.11909/2013. As a result, even this petition (**W.P.No.5937/2002**) need not be continued further. No appearance has been made on behalf of the petitioner when this writ petition was called out. As a result, **we dispose of this petition** but direct continuance of the interim arrangement ordered in this petition as having been passed in the pending W.P.No.11909/2013 till the disposal thereof. In view of disposal of the above noted writ petitions, **all pending Interim**

Applications in the respective petitions are also disposed of.

Reverting to the question of removal of unauthorized structures, this issue can be redressed by directing the appropriate Authority - be it for the purposes of Sanctuary or the Cantonment Board or the Authority for the purposes of Wild Life Protection Act, 1972 or the Defence Estate Officer. The concerned Authorities are under bounden duty to ensure that no structure is put up in the area under their respective jurisdiction without prior permission and further that the structure in respect of which prior permission is granted is constructed strictly in conformity with the scope of permission. In other words, if the structure has been put up without prior permission or for that matter in excess of the permission granted by the appropriate Authority, such structure will have to be treated as unauthorized structure and proceeded with by the concerned Authority under the respective enactments by following due process. This enquiry will have to be completed by the concerned Authority not later than eight weeks from today and compliance report submitted in that behalf to the Court. The compliance report shall positively disclose that no other unauthorized structure is existing within the area under the jurisdiction of the concerned Authority.

Reverting to W.P.Nos.2031/2014 and W.P.No.2057/2014, the petitioner(s) through counsel submits that the Chief Executive Officer, Cantonment Board, will have the authority to examine the question whether the structure put up by the concerned petitioner is on the private land after taking prior permission. In other words, the same is authorized in all respects. In that case, we direct the Chief Executive Officer, Cantonment Board, Hoshangabad, to

enquire into all aspects and to record a clear finding whether the structures purportedly belonging to the petitioner is authorized as a whole or in part only and if it is found that the entire structure is unauthorized or unauthorized in part, he must proceed against such unauthorized structure with utmost dispatch and report compliance in that behalf before the next date.

We make it clear that since the petitioners in W.P.No.2031/2014 and W.P.No.2057/2014 have chosen to submit to the jurisdiction to the stated Authority, later on will not be permitted to contend that the action taken by the said Authority is without jurisdiction, as the said submission was made by the petitioners with full understanding and knowledge of that fact. Assuming that some other Authority under any other enactment may have jurisdiction over the structure, that would not detain the Chief Executive Officer, Cantonment Board, to proceed in the matter in terms of the order passed by us today. The other Authority claiming to have jurisdiction may extend full logistical support to the Chief Executive Officer for implementation of the direction of this Court. Inasmuch as, the primary consideration in the present Public Interest Litigation is to ensure that all unauthorized structures in Pachmarhi area are demolished/removed with utmost dispatch and that can be done by all the Authorities working in tandem without entering upon the technical issue of jurisdiction of the Authority and, more so, when the owner/occupant of the structure admits of the jurisdiction of the Chief Executive, Cantonment Board.

In view of this arrangement, **W.P.No.2031/2014 as well as W.P.No.2057/2014 will stand disposed of** leaving all contentions available to the respective petitioners open, to be

agitated before the competent Authority. The petitioners in respective petitions will remain present in the office of the Chief Executive Officer, Cantonment Board, on **24.4.2014 at 11.00 AM** and produce copy of this order passed today to facilitate the said Authority to proceed in the matter in accordance with the directions contained therein.

At this stage, counsel for the petitioner in W.P.No.2057/2014 submits that there is a serious dispute about the title of the land on which the structure is standing. As regards this argument, in our view, for the purpose of cause of action in the present PIL, the Authority is not concerned with that issue. The only concern of the Authority in terms of this order is to ascertain as to whether the structure(s) put up in the given area is after taking prior permission and if permission has been taken, is in conformity with the same. The Authority is not expected to examine any other issue for the time being.

Assuming that the petitioner is owner of the land, which makes it a private land, that would not permit him/her to construct building on the said land without taking prior permission of the competent Authority of the concerned area. It is this question which has to be addressed in the enquiry ordered to be conducted within eight weeks from today and in that enquiry if it is found that no prior permission has been obtained before construction of the structure(s), the Authority will be obliged to remove that structure(s).

It is brought to our notice by the learned Amicus Curiae that when the Authorities such as the Collector or for that matter the Chief Executive Officer, Cantonment Board and/or the Defence Estate Officer intends to take action of removal of the unauthorized

structure(s), no logistical support is provided by the local police administration.

Without going into the correctness of this factual position, we direct the Superintendent of Police, Hoshangabad, to ensure that as and when requisition is sent by any of these Authorities for removal of unauthorized structures in Pachmarhi area, full logistical support will be provided to them at the time and place notified two days in advance to the Superintendent of Police. He shall be "personally" responsible to comply with this direction to ensure that the removal of unauthorized structure(s) is completed before the next date of hearing.

Counsel for the petitioner in W.P.No.2031/2014 submits that there is existing Scheme under which the affected persons (because of removal of unauthorized structures) are to be rehabilitated by providing alternative accommodation. This contention is refutted by the counsel for the Cantonment Board. However, if such Scheme is in existence, we have no reason to doubt that that benefit will be extended to the eligible persons. Beyond this, nothing more is required to be said.

Order on the above terms in the respective matters.

List **W.P.No.11909/2013 on 18.6.2014** for reporting compliance under caption "Direction".

(A.M.Khanwilkar)
Chief Justice

(K.K.Trivedi)
Judge

HS

MINISTRY OF CIVIL AVIATION

NOTIFICATION

New Delhi, the 30th September, 2015

G.S.R.751 (E).—The Central Government, being of opinion that it is necessary and expedient to do so for the safety of aircraft operations, proposes to make the following certain rules, in exercise of the powers conferred by sub-section (1) and clause (o) and clause (r) of sub-section (2) of section 5 read with section 9A of the Aircraft Act, 1934 (XXII of 1934) (hereinafter referred to as the said Act), and in supersession of the Ministry of Civil Aviation notification number S.O.84(E), dated the 14th January, 2010 published in the Gazette of India, Part II, section 3, sub-section (ii), except as respect things done or omitted to be done before such supersession. The objections or suggestions on the draft S.O. were called from the stakeholders and are considered by the Government to the extent admissible. In the public interest the rules are notified by seeking exemption from putting the rules again in the public domain.

1. **Short title and commencement.— (1)** These rules may be called the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application .—** These rules shall apply to all civil and defence aerodromes listed in Schedule III to Schedule VII, as amended from time to time.

3. Definitions.— In these rules, unless the context otherwise requires, —

(i) "Act" means the Aircraft Act, 1934 (XXII of 1934);

(ii) "aerodrome" includes civil and defence airports, airstrips, communication, navigation and surveillance facilities used for the aeronautical purposes in India;

(iii) "aerodrome elevation" means the elevation of the highest point of the landing area as specified in Schedule III to Schedule VII;

(iv) "Authorised officer" means the officer authorised by the defence authorities for the purposes of these rules;

(v) "Airports Authority" means the Airports Authority of India constituted under section 3 of the Airports Authority of India Act, 1994 (55 of 1994);

(vi) "Colour Coded Zoning Map" of an airport means the map, prepared and certified by the Airports Authority indicating the areas around the airport in different colour coded grids with the permissible heights above mean sea level for the purpose of aerodrome safeguarding and a model Colour Coded Zoning Map of Navi Mumbai International Airport is given at Schedule IX;

(vii) "Designated officer" means the officer of Airports Authority of India responsible for processing and/or issuance of No Objection Certificate as specified in Appendix M of Schedule VIII;

(viii) "No Objection Certificate" means the certificate issued under rule 5;

(ix) "structure" includes building, mast, tower, chimney, poles, transmission lines, elevated roads or viaducts or bridges and elevated railway lines, wind farms and all other man-made structures;

(x) Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

4. Restrictions on constructions, erections, trees, etc.— (1) No structure shall be constructed or erected, or any tree planted or grown on any land within a radius not exceeding twenty kilometers from the Aerodrome Reference Point of the civil and defence aerodromes, as specified in Schedule III to Schedule VII, without obtaining a No Objection Certificate for the height clearance, except in cases specified in sub-rule (2) of rule 7.

(2) No structure shall be constructed or erected, or any tree planted or grown on any land within the areas specified in Schedule I of the civil and defence aerodromes, as listed in Schedule III to Schedule VII, except for essential navigational aids and other installations required for aeronautical purposes.

(3) No structure higher than the height specified in Schedule II, shall be constructed or erected and no tree, which is likely to grow or ordinarily grows higher than the height specified in the said Schedule shall be planted on any land within a radius of twenty kilometers from the Aerodrome Reference Point.

(4) The level roads and level railway lines within one kilometer of the airport boundary wall shall also be subject to issuance of the No Objection Certificate.

5. Issuance of No Objection Certificate.— (1) The No Objection Certificate in respect of civil aerodromes shall be issued by the designated officer on behalf of the Central Government in respect of civil aerodromes.

(2) The No Objection Certificate in respect of defence aerodromes shall be issued by the authorised officer in accordance with Schedule I and Schedule II, subject to such other conditions as the said authorised officer may deem fit.

(3) In case of State owned and private aerodromes, licensed by the Directorate General of Civil Aviation, the No Objection Certificate for the protection of obstacle limitation surfaces (OLS) at such airports shall be issued by the designated officer and the procedure in cases of State owned and private aerodromes, not licensed by the Directorate General of Civil Aviation, shall be regulated in the manner as specified in rule 13.

(4) The application for issuance of No Objection Certificate in respect of civil aerodromes, shall be made by the applicant to the designated officer through the No Objection Certificate Application System (NOCAS), accessible on the website of the Airports Authority at www.aai.aero.

6. Issuance of Colour Coded Zoning Map.— The Colour Coded Zoning Maps (CCZM) shall be issued by the Airports Authority based on the latitude & longitude of the area in respect of civil aerodromes which shall indicate through different colour coded grids, the permissible heights in the areas around the airport, falling within the radius not exceeding twenty kilometers from the Aerodrome Reference Point. The CCZM shall be available at AAI website www.aai.aero.

7. Approval for construction of buildings, structures, etc.— (1) After considering the No Objection Certificate issued by the designated officer or the authorised officer, the concerned Local, Municipal or Town Planning and Development Authorities shall approve the construction of buildings or structures not exceeding the Permissible Top Elevation. Local, Municipal or Town Planning and Development Authorities shall also consider the existing building regulations or bye-laws or any other law for the time being in force before approving the construction of buildings or structures.

(2) In cases of aerodromes where the Colour Coded Zoning Maps has been issued, the Local, Municipal or Town Planning and Development authorities shall, in accordance with the height specifications provided in such Colour Coded Zoning Maps, approve the construction of the structures, as per the existing building regulations or bye laws or any other law for the time being in force:

Provided that no such approval shall be given by the Local, Municipal or Town Planning and Development authorities for sites which lies in approach, take off and transitional areas of an airport or in any other area, marked in the Colour Coded Zoning Map for the compulsory obtaining of No Objection Certificate from the designated officer or authorised officer.

(3) The Local, Municipal or Town Planning and Development authorities shall certify on the sanction plan that the Floor Space Index or Floor Area Ratio and the related height of the building or structure is within the permissible elevation as indicated in the Colour Coded Zoning Map for the given site.

(4) The Local, Municipal or Town Planning and Development Authorities shall submit the details of structures approved under sub-rule (1) and sub-rule (2) to the concerned designated officer or the authorised officer within a period of thirty days from the date of such approval.

8. Clearances for siting towers of fixed wireless stations.— (1) The clearances in respect of siting towers of fixed wireless stations shall be issued by the Standing Advisory Committee on Radio Frequency Allocation (SACFA) of the Ministry of Communication & Information Technology, Government of India, taking into consideration the heights above mean sea level specified in the Colour Coded Zoning Map.

(2) The Standing Advisory Committee on Radio Frequency Allocation (SACFA) of the Ministry of Communication, Government of India, shall submit the details of siting towers of fixed wireless stations approved under sub-rule (1) to the concerned designated officer or the authorised officer within a period of thirty days from the date of such approval.

9. Processing of No Objection Certificate cases.— (1) Processing of NOC cases in respect of civil aerodromes shall be carried out at nine Airports Authority offices one each at Delhi, Kolkata, Mumbai, Chennai, Guwahati Hyderabad, Bengaluru, Ahmedabad and Nagpur airports.

(2) The designated officer available at the offices specified in sub-rule (1) shall be responsible for the processing of applications and issue of No Objection Certificate and/or issue authorization for issuance of NOC for height clearance by concerned designated officer with respect to the civil aerodromes.

(3) A Panel of Chartered Engineers and Surveyors may be assigned by the Airports Authority to carry out physical verification of details of Site Elevation and Coordinates as submitted by the applicant. The expenses of the same shall be borne by the applicant.

(4) The officer in-charge of the corporate office at the headquarters of the Airports Authority in New Delhi shall supervise the functioning of the regional and station level offices.

10. Duties of designated officer.— (1) The designated officers, specified in Appendix M of Schedule VIII, shall be responsible for issuance of No Objection Certificate in respect of civil aerodromes and shall co-ordinate with the respective Local, Municipal or Town Planning and Development authorities in granting approval for construction of buildings or structures.

(2) The designated officer shall forward the copy of NOCs issued by him under sub-rule (1) above to the concerned airport operator and respective Local, Municipal or Town Planning & Development authorities.

11. Appellate Committee.— (1) There shall be an Appellate Committee consisting of the following, namely:-

(a) Joint Secretary (Airports), Ministry of Civil Aviation, Government of India – Chairperson;

(b) Joint Director General of Civil Aviation (Aerodrome), Directorate General of Civil Aviation – Member;

(c) Member (Air Navigation Services), Airports Authority of India – Member; and

(d) One technical expert having knowledge in the field of communication or air traffic management – Member.

(2) If any person or Local, Municipal or Town Planning and Development authorities or any airport operator is aggrieved with the decision of the Designated officer, such person or entity may appeal to the Appellate Committee for redressal of his/their grievances with respect to the height permissible under these rules.

(3) The cases for reference to the Appellate Committee specified in sub-rule (2) shall be received and processed by the corporate office at the headquarters of the Airports Authority in New Delhi.

12. Responsibilities of local authorities and airport operators.— (1) For the effective verification, monitoring and controlling the obstructions around the airports, it shall be the responsibility of the Local, Municipal or Town Planning and Development authorities and the airport operator to ensure that the height of the structures and their locations are in accordance with the approved building plans and the No Objection Certificate issued by the concerned designated officer or the authorised officer.

(2) For the purposes of sub-rule (1), the Local, Municipal or Town Planning and Development authorities and the airport operator shall develop appropriate mechanism with necessary trained manpower and equipment so as to verify the height of the structures, site elevations and site location or coordinates in World Geodetic System 1984 (WGS84).

13. Procedure to be followed in case of State owned and private airports not licensed by Directorate General of Civil Aviation.— (1) In case of State owned or private aerodromes not licensed by the Directorate General of Civil Aviation, the concerned State Government shall be responsible for the protection of obstacle limitation surfaces at such airports:

Provided that the designated officer shall give guidance to the State Government on the protection of obstacle limitation surfaces, whenever such guidance is sought by the concerned State Government.

14. Development and up gradation of aerodromes.— (1) The approved master plan of the aerodromes shall be considered for drawing and protecting the various obstacle limitation surfaces to ensure its development and future expansion or up-gradation.

(2) The designated officer or the authorised officer, before issuing the No Objection Certificate in respect of development or upgradation of any aerodrome (including its runway dimension), shall take into consideration the proposed communication, navigation and surveillance (CNS) facilities and the procedure for Air Navigation Service Operations (PANS-OPS) for height clearance at a given airport.

(3) Necessary consultation with the concerned stakeholders shall be carried out by the airport developer, airport operator or by the Air Navigation Service provider, as the case may be, at the time of development of master plan of a Greenfield airport or planning of major airport expansion or the installation of new communication, navigation and surveillance facilities at the existing airports.

(4) The aerodrome developer or operator and ANS provider, as the case may be, shall submit the approved master plan of the aerodrome and the proposed development or up gradation of any aerodrome (including

its runway dimensions, communication, navigation and surveillance (CNS) facilities and the procedure for Air Navigation Service Operations (PANS-OPS) to the concerned designated officer).

15. Procedure in case of violations.— The cases of violations where the height of any existing building, structure or tree on any land within the limits specified in rule 4 exceeds the height specified in Schedule I and Schedule II, or any other violation arising out of non-compliance of the provisions of these rules, shall be dealt in accordance with the provisions of the Aircraft (Demolition of Obstructions caused by Buildings and Trees etc.) Rules, 1994.

16. Savings.—Nothing in these rules shall affect the height clearances assessed and duly issued under the notifications issued by the Government of India in the Ministry of Civil Aviation *vide* notification numbers S.O. 84(E) dated the 14th January, 2010, and S.O 1589(E) dated the 30th June, 2008, during their assessment validity period of eight years for the buildings and twelve years for the structures such as masts, chimney and towers etc., within which the applicants have to complete the structures and obtain the completion certificate from the concerned authorities:

Provided that in cases where the construction work has not started during the initial validity period of five years for the buildings or within seven years for the structures such as mast, chimney, etc., revalidation shall not be considered and the height of such buildings or structures shall be reassessed in accordance with the provisions of these rules.

SCHEDULE - I

Purpose: Schedule- 1 indicates the No Construction Zones (NCZ) i.e. the areas around the Aeronautical Ground Aids (AGA) and Communication Navigation & Surveillance (CNS) facilities which need to be kept free from all obstructions for the safety and regularity of aircraft operations.

1. **Runway**

1.1. **Runway Strip:** The Land area specified below shall be completely free from all obstacles as provided hereunder (Refer Appendix-1 of Schedule - I):-

1.1.1. The land comprising within the Runway strip of uniform width of 150 meters on either side of centerline which extends to 60 meters beyond each extremity of Runway, along the extended centerline of a Runway of code 3 or code 4, equipped with Instrument Approach Procedure.

1.1.2. The land comprising within the Runway strip of uniform width of 75 meters on either side of centerline which extends to 60 meters beyond each extremity of Runway, along extended centerline of the Runway of code 1or 2, equipped with Instrument Approach Procedure and for non-Instrument runway of code 3 or 4.

1.1.3. The land comprising within the Runway strip of uniform width of 40 meters on either side of centerline which extends to 60 meters beyond each extremity of Runway ,along extended centerline of the non-Instrument Runway of code 2.

1.1.4. The land comprising within the Runway strip of uniform width of 30 meters on either side of centerline which extends to 30 meters beyond each extremity of Runway, along extended centerline of the non-instrument runway of code 1.

1.2. Installation of Extra High Tension, High Tension lines shall not be permitted within 1500 metres of the Inner edge of the approach and take-off climb surface.

2. **Frangibility Requirement**:

2.1. Any equipment or installation required for air navigation purposes which must be located:

(a) On that portion of the runway strip within:

i) 75 meters of the Runway centerline where the Runway code is 3 or 4 or

ii) 45 meters of the Runway centerline where Runway code is 1 or 2; or

(b) on a runway end safety area, a taxiway strip or within the distances specified in CIVIL AVIATION REQUIREMENTS SECTION-4, SERIES 'B', PART I Aerodrome Design and Operations or

(c) on a clearway and which would endanger an aircraft in the air,

S. No.	Airport	State	Coordinates	Aerodrome Elevation in Meters	Runway	Dimension in Meters	Owner/ Operator
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
4	PUTTAPARTHY	ANDHRA PRADESH	140853N 0774726E	478.23	09/27	2224x45	PVT
5	VIJAYNAGAR	KARNATAKA	151019N 0763837E	502	13/31	1600 x 30	PVT
6	MUNDRA	GUJARAT	225003N 0694552E	5.18	05/23	1700X30	PVT
7	JAMSHEDPUR	JHARKHAND	22 48 46.71N 86 10 10.76E	141.7	08/26	1220X45	PVT
8	BARAMATI	MAHARASHTRA	181335.84N 743522.91E	605	11/29	1172X30	PVT
9	BEAS	PUNJAB	313332N 0752000E	233	16/34	2552X45	PVT
10	LATUR	MAHARASHTRA	182437.9N 0762752.9E	651	05/23	1700X30	PVT
11	NANDED	MAHARASHTRA	191051.73N 0771921.17E	379	10/28	2300X45	PVT
12	OSMANABAD	MAHARASHTRA	181643.55N 0760317.16E	689	04/22	1190X30	PVT
13	YAVATMAL	MAHARASHTRA	202344.27N 0781226.32E	429	08/26	1218X30	PVT

SCHEDULE IV, PART-2
AERODROMES OPERATED BY THE STATE GOVERNMENTS & PRIVATE OWNERS
(UNCONTROLLED OR PRIVATE USE AERODROMES)

S. No.	Airport	State	Coordinates	Aerodrome Elevation In Meters	Runway	Dimension In Meters	Owner/ Operator
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	ABU ROAD	RAJASTHAN	242940N 0724652E	255	09/27	1219 X 23	S.G.
2	AKBARPUR	U.P.	2627N 08234E	101	11/29	1829 X 45	S.G.
3	ALIGARH	U.P.	275140N 0780847E	NA	11/29	1097 X 23	S.G.
4	AMBARI	WEST BENGAL	26 34 30N 88 32 30E	107	18/36	1219 X 24	PVT.
5	AMBIKAPUR (DARIMA)	CHATTISGARH	2259N 08312E	579	16/34	1372 X 15	S.G.
6	AMLA	M.P.	2156N 78078E	746	08/26	1067 X 30	S.G.
7	AMRAVATI	MAHARASHTRA	20 48 48N 0774303E	341	08/26	1372 X 30	S.G.
8	AMRELI	GUJARAT	2137N 07113E	137	13/31	914 X 45	S.G.
9	BALDOTA KOPPAL	KARNATAKA	152137N 0761253E	522	10/28	1600x45	PVT.
10	BANASTHALI	RAJASTHAN	26 24 26N 0755209E	308	09/27	1357 X 60	PVT.
11	BANGALORE (IIS)	KARNATAKA	13 01 25N 77 34 13E	933	09/27	655 X 30	PVT.
12	BANSWARA (TILWARA)	RAJASTHAN	23 35 22N 0741841E	180	10/28	1250 X 15	S.G.
13	BASANT NAGAR	ANDHRA PRADESH	1842N 07924E	204	09/27	1529 X 45	PVT.
14	BETUL	M.P.	2152N 7758E	549	08/26	914 X 45	S.G.
15	BHAGALPUR	BIHAR	2515N 08701E	45	09/27	1067 X 30	S.G

76	MACKEBPUR	ASSAM	2651N 09446E	67	14/32	1005 X 91	PVT.
77	MEERUT	U.P.	2854N 07741E	NA	11/29	1829 X 23	S.G.
78	MITHAPUR (DWARKA)	GUJARAT	222440N 685934E	3.6	07/25	1372 X 45 914 X 45	PVT.
79	MUIRPUR (KORBA)	U.P.	240729N 830217E	405	09/27	823 X 60	PVT.
80	MADHUBANI	BIHAR	261945N 860338E	47	18/36	914 X 45	S.G.
81	MANTALAI	J & K	33 00 13N 75 21 21E	3389	15/33	488 X 30	PVT.
82	MATHANIA	RAJASTHAN	26 26N 073 06E	251	05/23	1737 X 45	S.G.
83	MEHSANA	GUJARAT	233612N 0722230E	85	05/23	914 X 45	S.G.
84	MUNGER	BIHAR	25 20 47N 86 28 59E	41	L/A	732 X 91	S.G.
85	NAGAUR	RAJASTHAN	2712N 07343E	281	05/23	1170 X 30	S.G.
86	NAGDA (BIRLAGRAM)	M.P.	2327N 7524E	366	13/31	1463 X 30	PVT.
87	NAINI/SAINI PITHORAGARH	UTTARAKHAND	293539N 801425E	1463	14/32	1330 X 20	S.G.
88	NARNAUL	HARYANA	2805N 07612E	295	09/27	914 X 23	S.G.
89	NEEMUCH	M.P.	2425N 07452E	497	14/32	1700 X 30	CRPF
90	NEW LANDS	WEST BENGAL	2639N 08948E	122	11/29	1076 X 90	PVT.
91	NEYVELI	TAMIL NADU	1137N 07932E	53	05/23	914 X 30	PVT.
92	NAGARJUNA SAGAR	ANDHRA PRADESH	1632N 07919E	259	NA	1654 X 30	S.G.
93	NARIA SEE SAHARSA	BIHAR	25 53 32N 86 35 00E	40	L/A	457 X 91	S.G.
94	NAWAPARA	ORISSA	2052N 08230E	322	05/23	1002 X 18	S.G.
95	ONDAL AIRPORT	WEST BENGAL	23 37 19N 83 14 35E	82	14/32 04/22	1829 X 45 1463 X 45	S.G.
96	PACHMARHI	M.P.	2227N 07824E	1085	04/22	1200 X 61	S.G.
97	PANNERI	ASSAM	2643N 09154E	91	18/36	1060 X 90	PVT.
98	PATIALA	PUNJAB	3019N 07622E	250	15/33	1097 X 45	S.G.
99	PILANI	RAJASTHAN	282100N 753500E	335	05/23	914 X 45	PVT.
100	PINJORE	HARYANA	304926N 765258E	500	16/34	914 X 45	S.G.
101	PIRTHIGANJ	U.P.	2552N 08201E	94	12/30	1829 X 45	S.G.
102	PITHORAGARH	UTTARAKHAND	2940N 08013E	1463	14/32	1300 X 23	S.G.
103	PADAMPUR	ORISSA	2102N 08303E	198	18/36	914 X 54	S.G.
104	RAIGARH (JINDAL AIRSTRIP)	CHATTISGARH	215613N 832044E	242	10/28	2000X30	PVT.
105	RAIPUR (BAIKUNTH)	CHATTISGARH	21 29 54N 81 47 37E	307	06/24	1353 X 24	PVT.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 11.05.2023

Pronounced on: 17.05.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**
and
THE HONOURABLE **MR. JUSTICE M.NIRMAL KUMAR**

W.P.No.15200 of 2023
andWMP.No.14710 of 2023

Dr.T.Murugavel ... Petitioner

Vs

1. The Addl. Chief Secretary,
   Government of Tamil Nadu,
   Secretariat, Fort St.George,
   Chennai – 600 009.

2. The Principal Secretary to Government & Chairman of
   Tamil Nadu Tourism Development Corporation,
   Tourism, Culture & Religious Endowment Department,
   Secretariat, Fort St.George,
   Chennai – 600 009.

3. Additional Chief Secretary,
   Environment, Forest & Climate Change Department,
   Secretariat, Fort St.George,
   Chennai – 600 009.

4. The District Collector,
   Nilgiris District, Collectorate, Ooty.

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5. The District Forest Officer,
Nilgiris District,
Collectorate, Ooty. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from conducting 'heli tourism' as part of the May 2023 Summer Festival in Nilgiris as advertised by the District administration.

For Petitioner : Mr.R.Srinivas, Senior Counsel
For Genicon and Associates

For Respondents : Mr.J.Ravindran,
Additional Advocate General
assisted by Mrs.S.Mythraye Chandru
Special Government Pleader

ORDER

(Order of the Court was made by Dr.ANITA SUMANTH,J.)

This Public Interest Litigation (PIL) has been filed by a resident of Chennai seeking a mandamus forbearing the respondents being the Additional Chief Secretaries of the State of Tamil Nadu, Department of Environment, Forest and Climate change/R1 and R3, the Principal Secretary to the Government and Chairman of the Tamil Nadu Tourism Development Corporation/R2, the District Collector/R4 and Forest Officer, Nilgiris District/R5 from conducting 'heli tourism'

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as part of the May, 2023 summer festival in Nilgiris as advertised by the District administration.

2. At this juncture, we may as well deal with the preliminary objection raised on behalf of the respondents, for whom Mr.J.Ravindran, learned Additional Advocate General appears on behalf of and assisted by Mrs.S.Mythraye Chandru, learned Special Government Pleader. They would argue, albeit tentatively, that the petitioner, being based in the City of Chennai has no locus to move the present Writ Petition and that he has established no public interest. According to them, this petition is thus to be dismissed in limine.

3. We do not agree. The petitioner has established his connection to Nilgiris by way of owning properties as well as engaging in local activities. That apart, there is no dispute on the position that he espouses public causes frequently and has approached this Court on several occasions raising issues in public interest. There is nothing to indicate that the petitioner has a vested right in the matter.

4. That apart, the issue raised by the petitioner concerns the use of helicopters commercially for the purpose of tourism in the ecologically sensitive region of the Nilgiris. The questions raised go to the root of the matter, as to whether the respondents have carried out necessary due diligence, prior to embarking on the aforesaid activity. It is to be seen as to whether the interests of

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Tethered at Govt Arts College Ground from 20 - 30 May 2023 6 am - 9 am Morning & 4pm - 6pm evening (Depending on weather conditions)
We request you to initiate the permission for the location to the following departments
1.Collector Ooty
2.Superintendent of Police, Ooty
3.Fire Station, Ooty
We request your office to initiate the above permissions and the requested local support through the respective Tourist office for a smooth and successful even.
With regards,
Sd/-
. . . .
Founder & Director
Global Media Box Innovations Pvt Ltd.
Mbl : . . . .

14. Herein lies a twist in the tale. While the draft circulated bears reference number *GMB - 2023 - COT – 004-1*, the executed letter bears reference number *GMB - 2023 - COT – 004.* Secondly, and more importantly, the draft contains reference to *'Forest Department'*, whereas these words have been omitted from the executed letter. A strong inference that commends itself is that all is not well in the procedure followed.

15. While whoever has drafted letter draft 12.04.2023 is well aware of the necessity for clearance from the Forest Department, in the final executed version the reference to Forest department has been deleted, perhaps for the reason that such clearance might not have been forthcoming. Clearly, the attempt seems to

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have been to go plough ahead with heli tourism irrespective of environmental concerns and despite all evidence pointing to the same. It is thanks to the above slip-up by the respondents that the conscious sidelining of the Forest Department has come to light.

16. The proposed heli tourism project is one of the activities planned to attract tourists for the 200th year Summer Festival in Ootacamund. Ooty is the District headquarters of Nilgiris District, that comprises substantially hilly terrain, forest land and wildlife sanctuaries. The specific route for the joy ride is unknown and it is on this premise that learned Additional Advocate General would say that a decision on the project can be taken once the route is finalized.

17. The petitioner, in his anxiety, has circulated a probable map of the joy ride, which is vehemently agitated to by the respondents who point out that it is only a hypothesis. As to the hypothetical route map that has been circulated, we put it down to the anxiety of the petitioner, and find the effort well taken. A report in the Times of India dated 06.05.2023 states thus:

> *Udhagamandalam: In a first, the tourism department is planning to introduce heli tourism in the hills for 18 days from May 13 as part of Nilgiris Summer Festival-2023.*
>
> *The department has roped in Coimbatore-based Overdrives Aviation for chopper operations, Nilgiris tourist officer D Uma Shankar said. "The event, at Theetukal helipad near Ooty, will be an added attraction for tourists."The 10-minute helicopter ride*

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will cover 30km, said Sundar Rajan of Overdrives Aviation. "We plan to use two choppers, each having six passenger seats. The tourism department will decide the fee," he said.

Overdrives Aviation is in the process of obtaining permissions and clearances from authorities such as the Nilgiris collector, Nilgiris SP, PWD and fire and rescue department, Sundar said. "After obtaining permissions, we will approach the director general of civil aviation for clearance."The firm will follow the guidelines prescribed by the Supreme Court for helicopter ride in the hills, Sundar added.

As per SC guidelines, flight is prohibited in zones such as national parks, core and buffer zones of tiger reserves and bird sanctuaries.

18. Normally, one hardly pays heed to media reports in judicial proceedings but we have referred to the above instance, since an officer of the Tourism Department is quoted and it is hence taken to be authentic. The officer is quoted as referring to an engagement with a third party who is, in turn quoted to state that the probable flight path will cover 30 kms. Thus the joy ride would evidently require the flight path to be routed over the forest land. We also agree that there is little value otherwise in a helicopter ride over Ooty.

19. World over, it is the visual impact of verdant forests, possible sighting of wildlife and the rolling topography that would serve as attractions for heli tourism. Be that as it may, the question of such detail including the proposed route would be relevant only if the project had itself been conceived having regard to all essential and mandatory parameters.

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20. Nilgiris district which comprises about 2500 sq. kms is hilly, and at an elevation of between 1000 to 2500 level mean sea level. It straddles the junction of the Western and Eastern Ghats and the rolling topography is home to several species of wildlife as well as birds, some of them endangered. Three National Parks, viz., Mudumalai National Park, Mukurthi National Park and the Silent Valley National Park fall within the region. This area has been formed into the Nilgiri Biosphere Reserve, India's first Biosphere Reserve, in 1986.

21. In the Case of *T.N.Godavarman Thirumalpad Vs. Union of India & Others*[1], the Hon'ble Supreme Court held as follows:

> *15. Adherence to the principle of sustainable development is a constitutional requirement. While applying the principle of sustainable development one must bear in mind that development which meets the needs of the present without compromising the ability of the future generations to meet their own needs. Therefore, Courts are required to balance development needs with the protection of the environment and ecology1. It is the duty of the State under our Constitution to devise and implement a coherent and coordinated programme to meet its obligation of sustainable development based on inter-generational equity. While economic development should not be allowed to take place at the cost of ecology or by causing widespread environment destruction and violation; at the same time, the necessity topreserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of environment and vice versa, but there should be development while taking due care and ensuring the protection of environment.*

[1] CDJ 2022 SC 562

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16. In Vellore Citizens' Welfare Forum v. Union of India, this Court held that the 'Precautionary Principle' is an essential feature of the principle of 'Sustainable Development'. It went on to explain the precautionary principle in the following terms:

(i) Environmental measures--by the State Government and the statutory authorities--must anticipate, prevent and attack the causes of environmental degradation.

(ii) Where there are threats of serious and irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

(iii) The "onus of proof" is on the actor or the developer/industrialist to show that his action is environmentally benign.

17. The principle of precaution involves the anticipation of environmental harm and taking measures to avoid it or to choose the least environmentally harmful activity. It is based on scientific uncertainty. Environmental protection should not only aim at protecting health, property and economic interest but also protect the environment for its own sake. Precautionary duties must not only be triggered by the suspicion of concrete danger but also by justified concern or risk potential.

22. The feasibility of commercial helicopter operations over such an ecologically sensitive region must be very cautiously approached and carefully assessed. The policy in regard to tourism must balance with public concerns, specifically, environmental and wildlife.

23. Though public interest must prevail to some measure, it must be seen to be in harmony with projects that might have an adverse impact on the environment. However, it is nobody's case that heli tourism would have any public

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use whatsoever, except as a revenue earner to the State. While considering the balance to be achieved between private/state commercial interests and larger public concerns, the Hon'ble Supreme Court refers to the judgment in *M.C.Mehta V. Union of India*[2] in the following terms:-

> *18. A situation may arise where there may be irreparable damage to the environment after an activity is allowed to go ahead and if it is stopped, there may be irreparable damage to economic interest. (M.C.Mehta v. Union of India (2004) 12 SCC 118). This Court held that in case of a doubt, protection of environment would have precedence over the economic interest. It was further held that precautionary principle requires anticipatory action to be taken to prevent harm and that harm can be prevented even on a reasonable suspicion. Further, this Court emphasises in the said judgment that it is not always necessary that there should be direct evidence of harm to the environment.*

24. The request of the private operator dated 12.04.2023 was transmitted by the Director, (Tourism), TTDC to the District Collector and Superintendent of Police on 17.04.2023, for necessary action and extension of full support. Conspicuous therein is any mention of the Forest Department. The District Collector, under communication dated 24.04.2023 seeks input from three departments, the Police, Public Works and Fire Departments and calls for a feasibility study from them. This ought to have been done with respect to the Forest Department as well. Letter dated 24.04.2023 reads as follows:

[2] (2004) 12 SCC 118

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by Ministry of Civil Aviation DO. No.AV.22011/1/2016-Ga-MoCA regarding intimation of Helicopter movement from temporary helicopter landing areas.

HELIPADS COORDINATES:
Theetukal Helipad Coordinates
(11 24 10.25 N 76 40 25.62E)
Details of the Helicopter are given below for your information.
PIC : Capt. KK Raja
Registration : VT - DVG.
Type : AS 350 B3 Single engine helicopter.
MTOW : 2250 kgs.

26. As a consequence, there is not a single document produced before us to indicate seeking of, or grant of clearance of the heli tourism project, by the Forest officials after consultation with Wildlife wardens of the National Parks/Sanctuaries. This is not just curious but indicates abject non-application to the relevant considerations on hand. The authorities/administration cannot, but be aware of and sensitive to the special features and demands of the area in which they are posted and serve and the apparent and blatant disregard in this case, leaves us baffled.

27. That apart, a specific submission made relates to the necessity for an Alternate heliport which is defined in the Guidelines issued by the Director General of Civil Aviation in regard to 'Commercial Helicopter Operations'(File No. AV.22024 / 26 / 2016-FSD) dated 14.11.2019, as follows:

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2.3.4.2 Destination Alternate Heliport

2.3.4.2.1 For a flight to be conducted in accordance with IFR, at least one destination alternate heliport shall be specified in the operational flight plan and the flight plan, unless:

(a) the duration of the flight and meteorological conditions prevailing are such that, there is reasonable certainty that, at the estimated time of arrival at the heliport of intended landing, and for a reasonable period before and after such time, the approach and landing can be made under visual meteorological conditions, as prescribed by the DGCA; or

(b) the heliport of intended landing is isolated and no alternate is available. In such cases, a point of no return (PNR) shall be determined.

29. It is however, an admitted position that there is only one heliport in Ooty and hence,and prima facie there appears to be some lacunae in this regard, even generally. The authorities must look into this aspect of the matter forthwith.

30. The scientific literature that has been placed on record by the petitioner reiterates the importance of preservation of this vulnerable area and of the biodiversity to which it is home. Some species of birds fly here for the nesting season and of concern is the disturbance that the helicopter noise will cause. An Article published in The Hindu – Uthagamandalam dated 18.08.2022,[3]has this to say in this context:

[3]The Hindu _Uthagamandalam dated August 18, 2022

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areas for grazing); hunting (mainly hunting of wildboars, stags, roe deer and mouflon, by groups of 10–40 people, approaching by car and/or by foot); mountain climbing; fire (criminal, as opposed to burning); intervention (by ornithologists to monitor bearded vulture reproduction); military activities (manoeuvres and military planes); farming/shepherding; photographers (people approaching nests to take pictures or to film); ''walkers'' (people by foot, including hikers, fishermen or bird watchers), infrastructure works (road or path construction, hydroelectric work or other infrastructures)

……..

Very noisy activities (such as infrastructure works, motorbikes, forestry or military activities and helicopters) seemed to be those most strongly affecting bearded vulture behaviour and breeding success. Noise is particularly transmitted in alpine habitats, as relief provokes echoes and increases resonance. These activities thus provoked a reaction in bearded vultures even if far away from the nest (2 km). Breeding success was significantly negatively associated with the frequency of very noisy activities in a territory during a breeding event, as the probability that nests were left unattended was higher in those territories. These activities should, therefore, be largely avoided around the nests in order to maximise bearded vulture productivity..'

32. The petitioner also submits that the breeding season of some of the birds living in that area is around now, and the disturbance caused by the helicopters would adversely impact the cycle. The behaviour of wildlife including the Elephants for whom this region constitutes a critical corridor connecting the two ranges, would also be greatly impacted by this unplanned proposal.

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33. We have also noticed media reports to the effect that the State administration, in 2018, had banned the use of Unmanned Aerial Vehicle (UAV) or Drones, being sensitive to requirements of such bio-diverse and vulnerable areas. All the aforesaid material has not really been controverted by the respondents.

34. While we are not possessed of the technical expertise to pass judgment upon the finer and detailed aspects of the biodiversity in the Nilgiris or of the deleterious effects of helicopters in that region, and neither is that the requirement in this case, we are of the categoric view that the respondents have been remiss in rushing to endorse and advertise the heli tourism project even prior to assessing all relevant material, and holding consultations with the Sanctuary wardens and officials of the Forest Department.

35. In arriving at the above conclusion we find no necessity for a counter as the records speak for themselves establishing the abject sidelining of the Forest Department, the wildlife wardens and other relevant persons who should have been involved in the decision making process for a project of this nature.

36. The injunction granted on 11.05.2023 with regard to the conduct of heli tourism for the period 13.05.2023 to 30.05.2023 is made absolute and effective for the entirety of the period. The need for a counter arises only had there been any

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material at all on the record to indicate involvement of the Forest Department. One expects that a proper assessment and feasibility study after consultation with domain experts would consume at least a few weeks for examination of all relevant and possible angles. This must be a pre-condition to consideration of proposals itself and not a post-facto event.

37. On the day we reserved orders in this matter, a copy of the coffee table book brought out by the Tourism, Culture and Religious Endowments Department of the State was given to us. This book showcases the myriad aspects of Tamil Nadu and refers specifically to Ooty. Under the head 'Stories of Alluring Wilderness', the curators have referred to the Bison, Nilgiri Tahr, Elephants, Leopard, the Lion Tailed Macaque, Tigers, Black Panther, Hornbills, as being resident to Nilgiris.

38. The fragile eco-system and vulnerability of this bio-diverse region cannot be the victim of crass commercialism, that too in such an unplanned and careless fashion. It was on 1st June 1823 that Stone house, now the Government Art College, was opened as the official residence and office of the then Ruler, John Sullivan, of 'Ottakamundu'. Ooty, as we know it, became the first hill station of the English Empire. This, then, is the 200th year of Ooty.

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39. Prophetically, the Coffee Table book is entitled 'Tamil Nadu – Where Stories Never End'. This Writ Petition is, in light of the discussion as above, allowed with the fond and fervent hope that such projects be implemented cautiously and with sensitivity to all stake holders, particularly the environment and wildlife, such that the ethereal and timeless beauty of the Nilgiris, does continue endlessly. No costs. Connected Miscellaneous Petition is closed.

(A.S.M.,J) (M.N.K.,J)
17.05.2023

Index:Yes/No
Speaking/non-speaking order
Neutral Citaion:Yes/No

sl

To
1. The Addl. Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Principal Secretary to Government & Chairman of
Tamil Nadu Tourism Development Corporation,
Tourism, Culture & Religious Endowment Department,
Secretariat, Fort St.George,
Chennai – 600 009.

3. Additional Chief Secretary,
Environment, Forest & Climate Change Department,
Secretariat, Fort St.George,
Chennai – 600 009.

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4. The District Collector,
   Nilgiris District,
   Collectorate, Ooty.

5. The District Forest Officer,
   Nilgiris District,
   Collectorate, Ooty.

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ANNEXURE-18

Item No. 04 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 114/2024

News Item titled "**Forest Dept. objects to operating flights over protected areas**" appearing in the Times of India dated 31.12.2023

Date of hearing: 07.02.2024

CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Respondent: Ms. Purnima Krishna, Adv. for R - 1 & 2 (Through VC)

ORDER

1. This original application has been registered on the basis of the news item titled "**Forest Dept. objects to operating flights over protected areas**" appearing in the 'Times of India' dated 31.12.2023. The news item discloses that a chartered helicopter flew over Mudhumalai Tiger Reserve (MTR) and the protected area of Mukurthi National Park in the Nilgiris. It also contains the stand of the Forest Department to avoid forest and protected areas in Tamil Nadu while designating paths for choppers and flights.

2. The news item raises substantial issue relating to compliance of environmental norms.

3. Power of the Tribunal to take up the matter in *suo-motu* exercise of power has been recognized by the Hon'ble Supreme Court in the matter of *"Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors." reported in 2021 SCC Online SC 897.*

4. Hence, we implead the following as respondents in this OA:

i. Principal Chief Conservator of Forests, Tamil Nadu Forest Department.

ii. Chief Wildlife Warden, Tamil Nadu.

iii. Directorate General of Civil Aviation through its Director General.

5. The status report on behalf of Respondents No. 1 and 2 has been filed stating that the helicopter took off from outside the boundaries of reserve forest area. Along with status report a communication of Tamil Nadu Forest Department has been placed on record at page 16 which quotes the order of the High Court in W.P. No. 15200 of 2023 which in turn quotes the Hon'ble Supreme Court's guidelines "prohibiting flights in zones such as National Parks, core and buffer zones of tiger reserves and bird sanctuaries".

6. Learned Counsel appearing for Respondents No. 1 and 2 on advance notice seeks time to file further comprehensive report.

7. Let Notice be issued to Respondent No. 3 for filing the response atleast one week before the next date of hearing before the appropriate bench of the Tribunal.

8. Since the matter relates to the Southern Zonal Bench, Chennai, therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Southern Zonal Bench, Chennai.

9. List before Southern Zonal Bench at Chennai on 01.04.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 07, 2024
Original Application No. 114/2024
DV.

से पूर्व जमा किया जाएगा और उसे मंत्रालय के प्रादेशिक कार्यालय, विशेषज्ञ मूल्यांकन समिति तथा विनियामक प्राधिकरण के अनुमोदन के पश्चात् सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के सफलतापूर्वक कार्यान्वयन के पश्चात् निर्मुक्त किया जाएगा ।

14. ऐसी परियोजनाएं और क्रियाकलाप, जो इस अधिसूचना की तारीख को उल्लंघनकारी हैं, इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए आवेदन करने के पात्र होंगे और परियोजना प्रस्तावक इस अधिसूचना के अधीन पर्यावरणीय अनापत्ति के लिए केवल इस अधिसूचना की तारीख से छह मास के भीतर ही आवेदन कर सकते हैं ।

[फा. सं. 22-116/2015-आईए-III]

मनोज कुमार सिंह, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 14th March, 2017

S.O. 804(E).—Whereas, a draft notification under sub-section (1), and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), *vide* number S.O. 1705(E), dated the 10th May, 2016, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for finalising the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

2. And whereas, copies of the said notification were made available to the public on the 10th May, 2016;

3. And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government.

4. Whereas, subject to the provisions of the Environment (Protection) Act, 1986, under sub-section (1) of section 3 of the Act, the Central Government has the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling, and abating environment pollution;

5. Whereas, section 5 of the Environment (Protection) Act, 1986 empowers the Central Government to give directions which reads as "Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;

6. Whereas the Ministry of Environment, Forest and Climate Change issued Office Memoranda dated 12.12.2012 and 27.06.2013 to establish a process for grant of environmental clearance to cases of violation.

7. Whereas, the Hon'ble High Court of Jharkhand had passed an order dated the 28th November, 2014 in W.P. (C) No. 2364 of 2014 in the matter of Hindustan Copper Limited *Versus* Union of India in which the High Court held that the conditions laid down under Office Memorandum dated 12th December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon'ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws;

8. And whereas, Hon'ble National Green Tribunal, Principal Bench *vide* its order dated 7th July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had also held that the Office Memoranda dated 12th December, 2012 and 24th June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same;

9. And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for projects which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance;

10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;

12. And whereas, Hon'ble Supreme Court in *Indian Council for Enviro-Legal Action Vs. Union of India* (the Bichhri village industrial pollution case), while delivering its judgment on 13th. February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 (1996 [3] SCC 212). The Hon'ble Court observed that …… section 3 of the Environment (Protection) Act, 1986 expressly empowers the Central Government [or its delegate, as the case may be] to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment.....". Section 5 clothes the Central Government [or its delegate] with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2 (a), Sections 3 and 5 clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. In the present case, the said powers will include giving directions for the removal of sludge, for undertaking remedial measures and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures…….. Hon'ble Court has further observed that levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the `environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The question of liability of the respondents to defray the costs of remedial measures can also be

looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

13 (1). Now, therefore, in exercise of the powers conferred by sub-section (1) and sub clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986; the Central Government hereby directs that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under sub-section (3) of Section 3 of the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the following manner:-

(2) In case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product- mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) Section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level.

(3) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.

(4) The cases of violation will be appraised by respective sector Expert Appraisal Committees constituted under sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can be run sustainably under compliance of environmental norms with adequate environmental safeguards; and in case, where the finding of the Expert Appraisal Committee is negative, closure of the project will be recommended along with other actions under the law.

(5) In case, where the findings of the Expert Appraisal Committee on point at sub-para (4) above are affirmative, the projects under this category will be prescribed the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan. Further, the Expert Appraisal Committee will prescribe a specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants. The collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under Environment (Protection) Act, 1986, or a environmental laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of a Council of Scientific and Industrial Research institution working in the field of environment.

(6) The Expert Appraisal Committee shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.

(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by Expert Appraisal Committee and finalized by Regulatory Authority and the bank guarantee shall be deposited prior to the grant of environmental clearance and will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

14. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental clearance under this notification and the project proponents can apply for environmental clearance under this notification only within six months from the date of this notification.

[F. No. 22-116/2015-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

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भारत का राजपत्र
The Gazette of India

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 8 मार्च, 2018

का.आ.1030(अ).—पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने अधिसूचना सं. का.आ. 804(अ), तारीख 14 मार्च, 2017 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा पर्यावरणीय अनापत्ति और निदेश निबंधनों को अनुदत्त करने के लिए परियोजनाओं के मूल्यांकन के लिए प्रक्रिया अधिसूचित की है, जिसमें स्थल पर पर्यावरण समाघात अधिसूचना 2006 [का.आ. 1533(अ), तारीख 14 दिसंबर, 2006] के अधीन यथा आज्ञापक पूर्व पर्यावरण अनापत्ति अभिप्राप्त किए बिना पर्यावरणीय अनापत्ति के परे उत्पादन का विस्तार या उत्पादन मिश्रण में परिवर्तन का कार्य आरंभ कर दिया है ।

और पर्यावरण, वन और जलवायु परिवर्तन (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) उक्त अधिसूचना में, अन्य बातों के साथ, पैरा 13 के उपपैरा (2) द्वारा निदेश दिया है कि उस दशा में, जब पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति की अपेक्षा वाली परियोजनाएं या क्रियाकलाप संनिर्माण कार्य आरंभ करने के पश्चात् पर्यावरणीय अनापत्ति के लिए लायी जाती हैं या जिन्होंने पूर्व पर्यावरणीय अनापत्ति के बिना विस्तार, आधुनिकीकरण और उत्पाद मिश्रण में परिवर्तन किया है, उन परियोजनाओं को अतिक्रमण के मामले के रूप में समझा जाएगा और ऐसे मामलों में यहां तक कि प्रवर्ग ख की परियोजनाएं, जिन्हें पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित राज्य पर्यावरण संघात निर्धारण प्राधिकरण द्वारा पर्यावरणीय अनापत्ति अनुदत्त की गई है, का पर्यावरणीय अनापत्ति अनुदत्त करने के लिए विशेषज्ञ मूल्यांकन समिति द्वारा ही मूल्यांकन किया जाएगा और पर्यावरणीय अनापत्ति केंद्रीय स्तर पर अनुदत्त की जाएगी ;

और मंत्रालय को उक्त अधिसूचा के अनुसरण में प्रवर्ग 'क' और प्रवर्ग 'ख' के अंतर्गत आने वाले सभी सेक्टरों से विचार करने के लिए अनेक प्रस्ताव प्राप्त हुए हैं ।

और मंत्रालय को लोक प्रतिनिधित्वों तथा औद्योगिक संगमों से अभ्यावेदन प्राप्त हुए हैं जिनमें कार्यचालन संबंधी कारणों तथा प्रस्तावों को आगे बढ़ाने के लिए उल्लंघन संबंधी मामलों का निपटारा करने के लिए संबंधित राज्यों को शक्तियों का प्रत्यायोजन करने का अनुरोध किया गया है;

और नई दिल्ली स्थित राष्ट्रीय हरित अधिकरण ने अपने तारीख 27 नवंबर, 2017 के आदेश द्वारा मैसर्स अंजली इन्फ्रा हाउसिंग एल एल पी बनाम भारत संघ और अन्य नामक मूल आवेदन सं. 570/2016 के वैसे ही मामले में, मैसर्स अंकुल खुशाल कंस्ट्रक्शन एल एल पी बनाम भारत संघ और अन्य नामक मूल आवेदन सं. 576/2016 के मामले में और अंजली इन्फ्रा हाउसिंह एल एल पी बनाम भारत संघ और अन्य मामले में मूल आवेदन सं. 579/2016 के मामले में राज्य स्तर पर परियोजनाओं पर विचार किए जाने के लिए निदेश पारित किए हैं और विधि के अनुसार पर्यावरण अनापत्ति प्रदान करने/का इन्कार करने के संबंध में उचित आदेश पारित किया है ।

और उपरोक्त को ध्यान में रखते हुए, केंद्रीय सरकार को यह आवश्यक प्रतीत होता है कि वह लोकहित में, उन व्यक्तियों से, जिनकी इससे प्रभावित होने की संभावना है, आक्षेप तथा सुझाव आमंत्रित करने के बारे में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (क) में निर्दिष्ट सूचना की अपेक्षा का त्याग करके उक्त अधिसूचना सं. का.आ. 804(अ), तारीख 14 मार्च, 2017 का संशोधन करे ।

इसलिए अब, केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (i) के उपखंड (क) और खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकहित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) में निदेश की सूचना की अपेक्षा के साथ वितरण द्वारा उक्त अधिसूचना में निम्नलिखित संशोधन करती है ।

उक्त अधिसूचना में, पैरा 13 में,-

(क) उपपैरा (2) के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात्:-

"(2) उस दशा में, जब पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन संबंधित विनियामक प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति की अपेक्षा वाली परियोजनाएं या क्रियाकलाप संनिर्माण कार्य आरंभ करने के पश्चात् पर्यावरणीय अनापत्ति के लिए लायी जाती हैं या जिन्होंने पूर्व पर्यावरणीय अनापत्ति के बिना विस्तार, आधुनिकीकरण और उत्पाद मिश्रण में परिवर्तन किया है, उन परियोजनाओं को अतिक्रमण के मामले के रूप में समझा जाएगा और पर्यावरण समाघात निर्धारण अधिसूचना, 2006 की अनुसूची के प्रवर्ग 'क' के अंतर्गत आने वाली परियोजनाओं या क्रियाकलापों का, जिनमें विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार और आधुनिकीकरण भी है, मंत्रालय में विशेषज्ञ मूल्यांकन समिति द्वारा पर्यावरणीय अनापत्ति प्रदान करने के लिए मूल्यांकन किया जाएगा और पर्यावरणीय अनापत्ति केंद्रीय स्तर पर प्रदान की जाएगी और प्रवर्ग 'ख' परियोजनाओं के लिए, उनका मूल्यांकन और अनुमोदन पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित विभिन्न राज्यों और संघ राज्यक्षेत्रों में राज्य या संघ राज्यक्षेत्रीय स्तरीय विशेषज्ञ मूल्यांकन समितियों और राज्य या संघ राज्य क्षेत्रीय पर्यावरण समाघात निर्धारण प्राधिकरणों में निहित होगा ।";

(ख) उपपैरा (4) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(4) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन गठित केंद्रीय स्तर की विशेषज्ञ समिति या राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति द्वारा उल्लंघन के मामलों का यह मूल्यांकन करने के लिए निर्धारण किया जाएगा कि परियोजना का ऐसे स्थल पर संनिर्माण किया गया है जो लागू विधियों के अधीन अनुज्ञेय है और विस्तार किया गया है, जिसको पर्याप्त पर्यावरणीय सुरक्षोपायों के साथ पर्यावरणीय मानकों की अनुपालना के अधीन भरणीय रूप से चलाया जा सकता है ; और उस दशा में जहां प्रवर्ग 'क' के अधीन विशेषज्ञ मूल्यांकन समिति या प्रवर्ग 'ख' के अधीन परियोजना के लिए राज्य या संघ राज्यक्षेत्र स्तर की विशेषज्ञ मूल्यांकन समिति का निष्कर्ष नकारात्मक है, विधि के अधीन अन्य कार्रवाईयों के साथ परियोजना को बंद करने की सिफारिश की जाएगी ।";

(ग) उपपैरा (5) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(5) उस दशा में जहां पूर्वोक्त उप पैरा (4) के बिन्दु पर विशेषज्ञ मूल्यांकन समिति राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति के निष्कर्ष सकारात्मक हैं, इस प्रवर्ग के अधीन परियोजनाओं को पर्यावरण संघात निर्धारण करने और पर्यावरणीय प्रबंधन योजना और विशेषज्ञ मूल्यांकन समिति या राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति तैयार करने के लिए समुचित निदेश निबंधनों के साथ विहित किया जाएगा । इसके अतिरिक्त विशेषज्ञ मूल्यांकन समिति पारिस्थितिकीय नुकसान, सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के निर्धारण पर परियोजना के विशिष्ट निदेश निबंधनों को विहित करेगी और उनको प्रत्यायित परामर्शदाताओं द्वारा पर्यावरण संघात निर्धारण रिपोर्ट में एक स्वतंत्र अध्याय के रूप में तैयार किया जाएगा । पारिस्थितिकीय नुकसान, सुधारकारी योजना तैयार करने और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के निर्धारण के लिए डाटा का संग्रहण और विश्लेषण, पर्यावरण (संरक्षण) अधिनियम, 1986 के अधीन सम्यकता

अधिसूचित प्रयोगशाला या राष्ट्रीय जांच और अशांकन प्रत्यायन बोर्ड द्वारा प्रत्यायित प्रयोगशाला या वैज्ञानिक और औद्योगिक अनुसंधान परिषद् की पर्यावरण के क्षेत्र में कार्य कर रही प्रयोगशाला द्वारा किया जाएगा ।";

(घ) उपपैरा (6) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(6) विशेषज्ञ मूल्यांकन समिति, यथास्थिति, राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति पर्यावरणीय प्रबंधन योजना, सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना से मिलकर बनने वाली पर्यावरणीय प्रबंधन योजना को उपदर्शित करेगी, जो कि मूल्यांकन किए गए पर्यावरणीय नुकसान और पर्यावरणीय अनापत्ति की शर्त के उल्लंघन के कारण उदभूत आर्थिक फायदे की तत्स्थानी होगी ।";

(ङ) उपपैरा (7) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात्:-

"(7) परियोजना प्रस्तावक से सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना की रकम के समतुल्य बैंक प्रत्याभूति को राज्य प्रदूषण नियंत्रण बोर्ड के पास प्रस्तुत करने की अपेक्षा होगी और राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति द्वारा या प्रवर्ग 'क' परियोजना के लिए मात्रा की सिफारिश विशेषज्ञ मूल्यांकन समिति द्वारा की जाएगी और इसको विनियामक प्राधिकरण द्वारा अंतिम रूप दिया जाएगा तथा बैंक प्रत्याभूति को पर्यावरणीय अनापत्ति अनुदत्त करने से पूर्व जमा किया जाएगा और उसे मंत्रालय के प्रादेशिक कार्यालय, विशेषज्ञ मूल्यांकन समिति, यथास्थिति, राज्य या संघ राज्यक्षेत्र विशेषज्ञ मूल्यांकन समिति तथा विनियामक प्राधिकरण के अनुमोदन के पश्चात् सुधारकारी योजना और प्राकृतिक तथा सामुदायिक संसाधन आवर्धन योजना के सफलतापूर्वक कार्यान्वयन के पश्चात् निर्मुक्त किया जाएगा ।"।

[फा. सं. जेड-11013/22/2017-आईए-II(एम)]

ज्ञानेश भारती, संयुक्त सचिव

टिप्पण: मूल अधिसूचना का.आ. 804(अ), तारीख 14 मार्च, 2017 द्वारा प्रकाशित की गई थी ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th March, 2018

S.O. 1030(E). —Whereas, the Ministry of Environment, Forest and Climate Change *vide* notification number S.O.804(E), dated the 14th March, 2017 (hereinafter referred to as the said notification) has notified the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance as mandated under the Environment Impact Assessment Notification, 2006 [S.O.1533 (E), dated the 14th September, 2006];

And whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) in the said notification *inter alia*, directed *vide* sub-paragraph (2) of paragraph 13, that in case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority, are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product- mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level;

And whereas, the Ministry has received a number of proposals relating to all sectors covered under category A and category B, for consideration in pursuance of the said notification;

And whereas, the Ministry is in receipt of representations from the public representatives and Industrial Associations, requesting delegation of powers to the respective States to deal with the violation cases for operational reasons and expediting the proposals;

And whereas, the National Green Tribunal, Principal Bench at New Delhi *vide* their order dated the 27th November, 2017 in similar matters in OA No.570/2016 titled M/s Anjli Infra Housing LLP Vs Union of India & othrs, OA No.576/2016 in the matter of M/s Ankur Khusal Construction LLP Vs Union of India & others and OA No.579/2016 in the matter of Anjli Infra Housing LLP Vs Union of India & others, has passed directions for consideration of the projects at the State level and pass appropriate orders in regard to grant/refusal of the environmental clearance in accordance with law;

And whereas, in view of the above, the Central Government finds it necessary to amend the said notification number S.O.804(E), dated the 14th March, 2017 by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 regarding inviting objections and suggestions from persons likely to be affected thereby, in public interest;

Now, therefore, in exercise of the powers conferred by sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, namely:-

In the said notification, in paragraph 13, -

(a) for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:-

"(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.";

(b) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely:-

"(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.";

(c) for sub-paragraph (5), the following sub-paragraph shall be substituted, namely:-

"(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board

for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.";

(d) for sub-paragraph (6), the following sub-paragraph shall be substituted, namely:-

"(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.";

(e) for sub-paragraph (7), the following sub-paragraph shall be substituted, namely:-

"(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee and approval of the Regulatory Authority.".

[F.No.Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note: The principal notification was published vide number S.O.804(E), dated the 14th March, 2017.

आदेश

नई दिल्ली, 8 मार्च, 2018

का.आ. 1031(अ).—केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1), उपधारा (2) के खंड (i) के उपखंड (क) और खंड (v) के अधीन जारी भारत सरकार की, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में अधिसूचना संख्या का.आ.804(अ) तारीख 14 मार्च, 2017 (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) द्वारा उन परियोजनाओं का जिन्होंने पूर्व पर्यावरण अनापत्ति प्राप्त किए बिना कार्य आरंभ कर दिया है और ऐसे मामलों को उल्लघंन माना गया है, का मूल्यांकन करने के लिए प्रबंध किया है ।

और उपर्युक्त अधिसूचना के पैरा 13 के उपपैरा (1) द्वारा निर्देश दिया गया है कि यथास्थिति केन्द्रीय सरकार से अथवा उपर्युक्त अधिनियम के अधीन केन्द्रीय सरकार द्वारा विधिवत रूप से गठित राज्य पर्यावरण समाघात निर्धारण प्राधिकरण से, पूर्व पर्यावरणीय स्वीकृति प्राप्त किए बिना भारत के किसी भी भाग में प्रक्रिया या प्रौद्योगिकी अथवा दोनों में परिवर्तन सहित अतिरिक्त क्षमता के लिए शुरू की गई पर्यावरण समाघात निर्धारण अधिसूचना, 2006 [का.आ.1533(अ) तारीख 14 सितंबर, 2006] के अधीन पूर्व पर्यावरणीय स्वीकृति की अपेक्षा वाली परियोजनाओं अथवा क्रियाकलापों या मौजूदा परियोजनाओं अथवा क्रियाकलापों के विस्तार या आधुनिकीकरण को पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उल्लंघन का मामला माना जाएगा;

और उपर्युक्त अधिसूचना में यह और उपबंध है कि ऊपर उल्लिखित परियोजनओं और क्रियाकलापों से उपर्युक्त अधिसूचना के पैरा 13 के उपपैरा (2) से (7) में विनिर्दिष्ट प्रक्रिया के अनुसार सख्ती से निपटा जाएगा;

और पर्यावरण (सरंक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उपर्युक्त अधिसूचना के पैरा 13 के उप पैरा (4) के अनुसरण में सभी क्षेत्रों में उल्लंघन के मामलों का मूल्यांकन करने और केन्द्रीय सरकार को सिफोरिशें करने के लिए विभिन्न क्षेत्रों के विशेषज्ञों से मिलकर बनने वाली भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, संख्यांक का.आ.1805(अ), तारीख 6 जून, 2017 की अधिसूचना द्वारा एक विशेषज्ञ मूल्यांकन समिति (ईएसी) का गठन किया गया था ;

और इस प्रकार गठित की गई विशेषज्ञ मूल्यांकन समिति में, श्री एस.के.श्रीवास्तव, वैज्ञानिक ई को उक्त समिति के सदस्य सचिव के रूप में पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के प्रतिनिधि रूप में नामनिर्देशित किया गया था ।

और प्रशासनिक तथा प्रचालन संबंधी कारणों से, अतिक्रमण मामलों में कार्यवाई करने के लिए गठित की गई विशेषज्ञ मूल्यांकन समिति के सदस्य सचिव के रूप में यथास्थिति श्री एस.के.श्रीवास्तव, वैज्ञानिक ई के साथ वैज्ञानिक ई या वैज्ञानिक एफ या वैज्ञानिक जी का नामांकन प्रतिस्थापित करना समीचीन हुआ है;

और अत: अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और उक्त अधिसूचना सं0 का.आ.804(अ) तारीख 14 मार्च, 2017 के पैरा 13 के उपपैरा (4) के अनुसरण में भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii), तारीख 6 जून, 2017 में प्रकाशित भारत सरकार की पर्यावरण वन और जलवायु परिवर्तन मंत्रालय संख्या का.आ.1805(अ), तारीख 6 जून, 2017 के आदेश में निम्नलिखित संशोधन करती है, अर्थात्:--

उक्त आदेश की सारणी में, क्रम सं0 11 के सामने, स्तंभ (2) में प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:--

"वैज्ञानिक ई या वैज्ञानिक एफ या वैज्ञानिक जी, यथास्थिति, पर्यावरण, वन और जलवायु परिवर्तन, मंत्रालय, जोरबाग रोड, नई दिल्ली-3 ।

[फा.सं.जेड-11013/22/2017-आईए-।।(एम)]

ज्ञानेश भारती, संयुक्त सचिव

टिप्पण: मूल आदेश सं. का.आ.1805(अ) तारीख 6 जून, 2017 द्वारा प्रकाशित किया गया था ।

ORDER

New Delhi, the 8th March, 2018

S.O. 1031(E).—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14th March, 2017, issued under sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without obtaining prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 [S.O.1533(E), dated the 14th September, 2006] entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in exercise of the power conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, an Expert Appraisal Committee (EAC) was constituted by notification of the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number S.O.1805(E), dated the 6th June, 2017 comprising members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And whereas, in this Expert Appraisal Committee so constituted, Shri S K Srivastava, Scientist E was nominated as representative of the Ministry of Environment, Forest and Climate Change as Member Secretary of the said Committee;

And whereas, due to administrative and operating reasons, it has become expedient to replace the nomination of Shri S. K. Srivastava, Scientist E with the Scientist E or Scientist F or Scientist G, as the case may be, as Member Secretary of the Expert Appraisal Committee constituted to deal with violation cases;

And now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification number S.O.804(E), dated the 14th March, 2017, the Central Government hereby makes the following amendments in the order of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O.1805(E), dated the 6th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 6th June, 2017, namely:-

In the said order, in the Table, against serial number 11, for the entries in column (2), the following entries shall be substituted, namely:-

"Scientist E or Scientist F or Scientist G, as the case may be, Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi-3".

[F. No. Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

Note: The principal order was published vide number S.O.1805(E), dated the 6th June, 2017.

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ANNEXURE-21

2024 INSC 399

Reportable

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal Nos 4603-4604 of 2024

Tapas Guha & Ors … **Appellants**

Versus

Union of India & Ors … **Respondents**

J U D G M E N T

Dr Dhananjaya Y Chandrachud, CJI

1. Application for intervention is allowed.

2. These Appeals arise from an order dated 25 January 2024 of the Eastern Zone Bench of the National Green Tribunal.

3. The Ministry of Civil Aviation of the Union Government decided to build a commercial Airport at Silchar in Assam since the existing defence airport is not suitable for domestic civilian operations.

4. Three tea estates, namely, (i) Doloo; (ii) Khoreel; and (iii) Silcoorie were identified by the Government of Assam for the sites of the airport. The Airport Authority of India[1] conducted a feasibility study and chose Doloo as the site for a new Greenfield Airport on

[1] "AAI"

land admeasuring approximately 335 hectares. AAI made a request for additional land, following which an adjacent area in the same tea estate admeasuring 69 hectares was identified. About 173 dwelling units are situated on the additional area of 69 hectares. The total land area thus admeasures 404 hectares.

5. The appellants moved the National Green Tribunal with the grievance that though in terms of the Notification dated 14 September 2006 of the Ministry of Environment and Forests, an Environmental Clearance is required for the construction of an airport, the site has been cleared of shade trees and tea bushes despite the absence of such a clearance. The Appellant raised concerns regarding:

   (i) extensive eviction leading to uprooting of 41,95,909 tea bushes, over 10,000 shade trees, and land acquisition in two divisions of the Tea Estate;

   (ii) ongoing site clearance of 325 hectares with massive uprooting and felling;

   (iii) imposition of Section 144 CrPC during eviction, utilizing 1050 bulldozers and excavators to clear 2500 bighas for the airport;

   (iv) the airport project being Category-A, with site clearance already underway without prior Environmental Clearance, violating EIA Notification, 2006. Additionally, the proposed Airport falls under Category 'A', necessitating scoping, public consultation as per EIA Notification, 2006; however, post-eviction, no "public" remains for consultation in affected areas.

6. The National Green Tribunal[2], by its order dated 25 January 2024, dismissed the OA. The NGT held that an Environmental Impact Assessment Report was awaited and the Environmental Clearance for the airport has not been granted. Yet it held that the

[2] NGT

plea of the appellants for an order of restraint on the grant of site clearances and in principle approvals was without merit at that stage. The NGT also observed that the mere inclusion of a clause under the head 'Environment Clearances' in the form of said Notification does not deem the same to be mandatory for purposes of the EIA assessment study.

7. The Appeals were taken up by this Court on 22 April 2024. The Petitioners have been represented by Mr Prashant Bhushan. Mr Tushar Mehta, Solicitor General appears for the respondents. Mr Gopal Sankaranarayan, senior counsel has appeared for the intervenors. It is an admitted position that an Environmental Clearance is required for the project of setting up the airport and no such clearance has been issued. Paragraph 2 of the Notification dated 14 September 2006 is in the following terms:

> "**2.** **Requirements of prior Environmental Clearance (EC)**: The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:
>
> (i) All new projects or activities listed in the Schedule to this notification;
>
> (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

> (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range."

The construction of airports in item 7(a) of the Schedule.

8. By the order of this Court dated 22 April 2024, the Secretary of the District Legal Services Authority, Cachar was directed to visit the site and submit a report to this Court on:

   (i) Whether any felling of shade trees had taken place;

   (ii) Whether any eviction at the site had taken place; and

   (iii) The nature of the activities which have been carried out at the site.

9. At this stage, it would be material to note that contrary to the assertions of the appellants, on 22 April 2024, an affidavit was filed by the Joint Secretary to the Government of Assam in the General Administration Department stating that:

   (i) there has been no felling of shade trees at the site in question;

   (ii) no eviction of individuals or households had taken place from the land under consideration since the tract was not inhabited; and

   (iii) removal of tea bushes "occurs routinely even as part of regular tea cultivation" for which no environmental clearance is required.

Annexed to the affidavit is a letter dated 22 April 2024 (issued on the same date as the affidavit) by the Member Secretary of the State Environment Impact Assessment Authority, Assam to the Member Secretary, SEIAA, Assam in the following terms :

> "Inviting reference to the subject cited above, this is to inform you that the matter has been referred by the Special Chief

> Secretary (Environment & Forest), Govt. of Assam, inviting comments / opinion as to the requirement of prior Environmental Clearance (EC) for clearance of Tea bushes, uprooting /removal of shade / cover crops in respect of Doloo Tea Estate. On careful perusal of the averments made in the instant petition, it is to be stated herein that cultivation of Tea in Assam is falling within the category of ***Special Cultivation*** for which the Govt. of Assam / District Commissioner allot land within the ambit of Rules under the Assam Land and Revenue Regulation, 1886.
>
> It is pertinent to point out here that in a tea garden, tea bushes and shade trees are removed and uprooted in regular intervals once the trees grow old and there is loss of production of tea. Generally, ***Siris*** tree species (***Albizia lebbeck/albizzia procera***) which are fast growing indigenous species of trees in Assam, are planted as shade trees/cover crops and primarily used to meet the requirement of fuel wood for workers in the tea gardens.
>
> As per the Assam Tea Garden Act / Policy, clearing of tea bushes and shade trees are permissible. Moreover, tea bushes are considered as agricultural crops (***Special Cultivation***) and uprooting activity of such tea bushes and shade trees do not fall under any of the project / activity to the Schedule of the **EIA Notification S.O. 1533(E) Dated 14.09.2006**.
>
> This is submitted for favour of your kind perusal and needful action."

10. In pursuance of the directions of this Court, Ms Salma Sultana, a judge in the district judiciary in the State of Assam, posted as Secretary to the District Legal Services Authority Kachar submitted a report dated 27 April 2024. The report, *inter alia*, indicates that 89 shade trees were found to be cut. Ms Sultana has also stated that "the entire area is mostly a dense forest, therefore, other possible cut down shade trees were not visible due to dense forest and thick bushes". The report also indicates that according to the statement of the Circle Officer, Shri Arunjyoti Das, 41,95,909 tea bushes have been uprooted.

11. The Secretary of the District Legal Services Authority recorded statements on oath of witnesses who were tea garden workers, the Garden Manager, Circle Officer and

Patwari among other persons. Several witnesses who were examined by the officer appointed by this Court have stated that:

(i) tea bushes were uprooted from Doloo Tea Estate Airport site with the help of JCBs in the month of May 2022;

(ii) the entire operation took place over three days and involved the use of about 200 to 250 JCBs 'day and night';

(iii) shade trees were cut and uprooted; and

(iv) during the operation the inhabitants were prevented from moving out of their homes.

12. The Court must take cognizance of the fact that the statements of these witnesses have not been tested on the anvil of cross-examination. At the same time, at this stage, it would *prima facie* appear that these statements would match with the statement of the Circle Officer to the effect that 41,95,909 tea bushes have been uprooted.

13. The contention of the State Government in the affidavit, which was tendered before this Court on 22 April 2024, was that tea bushes are removed routinely "even as a part of regular tea cultivation" for which no prior Environmental Clearance is required. To support this submission, reliance was placed on the communication of the Member Secretary of the SEAC in Assam which also records that in a tea garden tea bushes and shade trees are removed and uprooted at regular intervals once the trees grow old and there is a loss of production of tea. The letter dated 22 April 2024 is a self-serving document prepared on the same date as the affidavit.

14. What warrants attention, however, is that in the present case, the clearance of the site cannot be unequivocally attributed to the cultivation activities of the tea estate. The clearance was evidently not a part of the regular maintenance of the tea estate but to facilitate the proposed new airport. The Solicitor General sought to urge that the possession of the site was handed over in June 2022 and hence the destruction of the vegetation in May 2022 was not by the respondents but likely by the inhabitants. It is inconceivable that an organized operation involving over 200-250 JCBs was done at the behest of the tea garden workers. Moreover, it has emerged that on 11 May 2022 orders were issued by the District Magistrate under Section 144 CrPC. This was a prelude to the organized activities which took place in the month of May 2022, as recorded in the statements appended to the report of the DLSA. The affidavit of the Joint Secretary to the State government has been rather liberal with the truth by suppressing the actual state of facts.

15. Paragraph 2 of the notification dated 14 September 2006 requires prior Environmental Clearance "before any construction work or preparation of land by the project management is carried out except for the securing of land". The nature of the activities which were carried out at the site was evidently of an extensive nature and is in breach of paragraph 2 of the notification.

16. There was a complete abdication of adjudicatory duties by the NGT to verify the authenticity of the grievance of the appellants. As an expert body which has been formed under a statute enacted by the Parliament, in the interest of the preservation of the environment, it was first and foremost the duty of the Tribunal to verify the authenticity of the grievance of the appellants.

17. The Tribunal, however, simply dismissed the OA having come to the conclusion that no Environmental Clearance had been issued. If the Tribunal were to enquire into the matter even on a *prima facie* assessment, the facts which have emerged before this Court would have come on the record. The perfunctory dismissal of the case by the NGT not only reflects a lack of due diligence but also demonstrates a disregard for the gravity of the environmental concerns raised by the appellants. This casual, if not callous, approach to adjudication not only undermines the integrity of the judicial process but also compromises the very purpose for which the NGT was established – to safeguard the environment, ensure sustainable development and facilitate the effective and expeditious disposal of cases related to the protection and conservation of the environment, forests, and other natural resources. Such negligence on the part of the Tribunal sets a concerning precedent, eroding public trust in the efficacy of environmental governance mechanisms.

18. The State Government has filed an application for directions before this Court seeking the initiation of proceedings against the appellants allegedly for having misled this Court into passing of the order dated 22 April 2024. During the course of the hearing, the Solicitor General has stated that the application is not being pressed.

19. From the material which has been placed on the record, we are clearly of the view that the authorities, in the present case, have acted in violation of the provisions contained in Para 2 of the notification dated 14 September 2006 by carrying out an extensive clearance at the site even in the absence of an Environmental Clearance.

20. The State Government has emphasised the need for establishing a civilian airport at Silchar which has led to the proposal to set up a Greenfield Airport on land

admeasuring 335 hectares to which an additional component of 69 hectares has been added. The decision on whether an airport is situated at a particular place is a matter of policy. However, when the law prescribes specific norms for carrying out activities requiring an Environmental Clearance, those provisions have to be strictly complied with.

21. Environmental regulations are in place precisely to ensure that developmental projects, such as the establishment of airports, are undertaken in a manner that minimizes adverse ecological impacts and safeguards the well-being of both the environment and local communities. While acknowledging the importance of infrastructure development, it is paramount that such projects proceed in harmony with environmental laws to prevent irreparable damage to ecosystems and biodiversity. The requirement for Environmental Clearance serves as a crucial safeguard against unchecked exploitation of natural resources and helps uphold the principles of sustainable development- which safeguards the interests of both present and future generations. Therefore, while the decision to establish an airport may serve broader policy objectives, it must be executed within the confines of legal frameworks designed to protect the environment and ensure responsible resource management. Failure to adhere to these norms not only undermines the integrity of environmental governance but also risks long-term environmental degradation and societal discord.

22. Setting up an airport is specifically within the ambit of Entry 7 of the Schedule to the notification dated 14 September 2006. Admittedly, no Environmental clearance has been issued till date. Development has to be in conformity with environmental

standards prescribed by the law.

23. In consequence, there shall be a direction that absolutely no activity shall be carried out in breach of the provisions of the Notification dated 14 September 2006 at the site of the proposed greenfield airport at Silchar.

24. In the event that any application for the grant of Environmental Clearance has been filed or is filed hereafter, the processing of the application shall take place on the basis of the condition of the site as it existed prior to the date on which the illegal clearance of the tea bushes and shade trees took place in the proposed site of the greenfield airport.

25. In the above view of the matter, we allow the Appeals and set aside the impugned order of the National Green Tribunal dated 25 January 2024.

26. Pending applications, if any, stand disposed of.

…….CJI.
[Dr Dhananjaya Y Chandrachud]

…….J.
[J B Pardiwala]

…….J.
[Manoj Misra]

New Delhi;
May 06, 2024
GKA

ANNEXURE-22

2024 INSC 178

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO.20650 OF 2023
IN
WRIT PETITION (CIVIL) NO.202 OF 1995

IN RE:
T.N. GODAVARMAN THIRUMULPAD ...PETITIONER(S)

VERSUS

UNION OF INDIA & ORS. ...RESPONDENT(S)

IN RE:
GAURAV KUMAR BANSAL .... APPLICANT(S)

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ABBREVIATIONS

	CBD	:	Convention on Biological Diversity, 1992
	CBI	:	Central Bureau of Investigation
	CEC	:	Central Empowered Committee
	CZA	:	Central Zoo Authority
	DFO	:	Divisional Forest Officer
	ERC	:	Elephant Rehabilitation/Rescue Centres
	ESZ	:	Eco Sensitive Zone
	FAC	:	Forest Advisory Committee
	FC	:	Forest Clearance
	FC Act	:	Forest (Conservation) Act,1980
	FSI	:	Forest Survey of India
	HoFF	:	Head of Forest Forces
	IFS	:	Indian Forest Service
	IFSR	:	India State of Forest Report
	MDF	:	Moderate Dense Forest
	MoEF&CC	:	Ministry of Environment, Forest and Climate Change
	NPV	:	Net Present Value
	NTCA	:	National Tiger Conservation Authority
	OF	:	Open Forest
	PCCF	:	Principal Chief Conservator of Forests
	SC, NBWL	:	Standing Committee of National Board for Wild Life
	SOP	:	Standard Operating Procedure
	sq.km.	:	square kilometer
	TCP	:	Tiger Conservation Plan (“TCP
	VDF	:	Very Dense Forest
	WII	:	Wildlife Institute of India
	WLP Act	:	Wild Life (Protection) Act, 1972

J U D G M E N T

B.R. GAVAI, J.

"The tiger perishes without the forest and the forest perishes without its tigers. Therefore, the tiger should stand guard over the forest and the forest should protect all its tigers."

This is how the importance of the tigers in the ecosystem has been succinctly described in 'Mahabharta'. The existence of the forest is necessary for the protection of tigers. In turn, if the tiger is protected, the ecosystem which revolves around him is also protected. The tiger represents the apex of the animal pyramid and the protection of their habitat must be a priority. "A healthy tiger population is an indicator of sustainable development in the 13 tiger range countries"[1].

In spite of such an importance given to the tiger and many statutory provisions enacted for the conservation and protection of the tiger, the present case depicts a sorry state of affairs as to how

[1] Midori Paxton

human greed has led to devastating one of the most celebrated abodes of tigers i.e. the Corbett Tiger Reserve.

When we consider this issue, it will also be apposite to refer to the restoration experiment at the Yellowstone National Park of the United States of America.

The impact of the absence of carnivores in a forest and the regenerative effect on their re-introduction was witnessed in the recent past in the famous Yellowstone National Park.

Wolves were hunted down by the mankind and the last recorded wolf in the park was shot down by a park ranger in the year 1926. Resultantly, owing to lack of apex predators in the park, the population of deer and other herbivores rose significantly. Efforts made by humans to control the herbivore population proved unsuccessful and resultantly these animals grazed away the vegetation which had the cascading effect of soil erosion and depletion of forest. As an ambitious restoration experiment, the scientists re-introduced a pack of wolves in the Yellowstone National Park in the year 1995.

Once the wolves arrived, even though few in number, the same had remarkable effects. The obvious outcome of such

was reduction in soil erosion due to recovery of the valley and the vegetation. So, a small number of wolves left an indelible mark in the transformation of the first national park of the world, the Yellowstone National Park and its physical geography within a short period of around 20 years. This kind of regenerative effect cannot even be thought of by human efforts whatever the magnitude be thereof.

Looking at the empirical evidence of the impact of carnivores in maintaining the ecosystem of forests, the efforts of tiger conservation in the Jim Corbett National Park, an iconic National Park of this country is imperative and of utmost importance.

I. BACKGROUND

1. The background leading to the present proceedings, in brief, is thus:

1.1 Mr. Gaurav Kumar Bansal, who has intervened in the present proceedings, had approached the Delhi High Court by filing W.P. (C) No. 8729 of 2021 and CM Application No. 27181 of 2021, alleging therein that illegal construction of bridges and walls within the Tiger Breeding Habitat of Corbett Tiger Reserve and that too, without the approval from the Competent Authority

were being carried out. He had sought intervention of the Court to protect and conserve the Biological Diversity, flora and fauna as well as the ecology of the Corbett National Park.

1.2 The Delhi High Court vide its judgment dated 23rd August 2021, disposed of the said petition observing thus:

> "We have heard the Petitioner. Looking to the averments in the writ petition and the provisions of the Wildlife Protection Act, 1972, more particularly, Section 38(O)(b) thereof, we deem it appropriate, at this stage, to direct the Respondent to treat this writ petition as a Representation and look into the issues flagged and highlighted by the Petitioner. Needless to state that in case the Respondent finds merit in the issues raised, necessary action shall be taken by the Respondent, in accordance with law, keeping in mind the provisions of the Wildlife Protection Act, 1972 and the necessity of conserving the flora and fauna as well as the ecology of the National Park. For the purpose of taking a decision and consequential action, if any, it is open to the Respondent to call for an inspection report, in order to verify the factual status with respect to the allegations made in the writ petition. The exercise shall be carried out by the Respondent as expeditiously as possible and practicable."

1.3 The Division Bench of the High Court of Uttarakhand at Nainital, noticing a news published in "Times of India", vide its order dated 27th October 2021, in Writ Petition (PIL) No. 178 of

area of Lansdowne Forest Division. Ms. Bhati submitted that there are about 20 Safaris situated in the National Parks. Some of them have been operating since the 1970s.

7. Mr. Gaurav Kumar Bansal reiterated that various illegal constructions were made in the Corbett National Park in total violation of the statutory provisions. He further submitted that illegal felling of trees was also done to facilitate the illegal construction.

III. STATUTORY PROVISIONS

8. Before we consider the submissions of the learned counsel for the parties, it will be relevant to refer to certain provisions of the WLP Act.

9. The statement of objects and reasons for the WLP Act would reveal that the enactment of the WLP Act was necessitated since it was noticed that there was rapid decline of India's wild animals and birds, which was one of the richest and most varied in the world. Some wild animals and birds had already become extinct in the country and others were in danger of being so. Areas that were once teeming with wildlife had become devoid of it and even in Sanctuaries and National Parks, the protection afforded to

> "(20A) "National Board" means the National Board for Wild Life constituted under Section 5A;"

16. Sub-section (21) of Section 2 of the WLP Act defines "National Park", which reads thus:

> "(21) "National Park" means an area declared, whether under Section 35 or Section 38, or deemed, under sub-section (3) of Section 66, to be declared, as a National Park;"

17. Sub-section (24A) of Section 2 of the WLP Act defines "protected area", which reads thus:

> "(24A) "protected area" means a National Park, a sanctuary, a conservation reserve or a community reserve notified under Sections 18, 35, 36-A and 36-C of the Act;"

18. Sub-section (26) of Section 2 of the WLP Act defines "sanctuary", which reads thus:

> "(26) "sanctuary" means an area declared as a sanctuary by notification under the provisions of Chapter IV of this Act and shall also include a deemed sanctuary under sub-section (4) of Section 66;"

19. Sub-Section (36) of Section 2 of the WLP Act defines "wild animal", which reads thus:

> "(36) "wild animal" means any animal specified in Schedule I or Schedule II and found wild in nature;"

20. Sub-section (39) of Section 2 of the WLP Act defines "zoo", which reads thus:

> "(39) "zoo" means an establishment, whether stationary or mobile, where captive animals are kept for exhibiting to the public or *ex-situ* conservation and includes a circus and off-exhibit facilities such as rescue centres and conservation breeding centres, but does not include an establishment of a licensed dealer in captive animals."

21. Chapter IV of the WLP Act deals with "protected areas". Section 18 provides for "Declaration of sanctuary", which reads thus:

> "**18. Declaration of sanctuary**.—(1) The State Government may, by notification, declare its intention to constitute any area other than an area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance, for the purpose of protecting, propagating or developing wild life or its environment.
>
> (2) The notification referred to in sub-section (1) shall specify, as nearly as possible, the situation and limits of such area.
>
> *Explanation.*—For the purposes of this section, it shall be sufficient to describe the area by

(*c*) may take such measures, in the interests of wild life, as he may consider necessary for the improvement of any habitat;

(*d*) may regulate, control or prohibit, in keeping with the interests of wild life, the grazing or movement of livestock."

[emphasis supplied]

23. Section 35 of the WLP Act deals with "Declaration of National Parks", which reads thus:

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

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

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

(3) Where any area is intended to be declared as a National Park, the provisions of Sections 19 to 26-A [both inclusive except clause (*c*) of sub-section (2) of Section 24)] shall, as far as may

animal or captive animal specified in Schedules I except with the previous permission of the Authority.

(2) No zoo shall acquire, sell or transfer any wild or captive animal except from or to a recognized zoo:

Provided that nothing in this sub-section shall apply to a conservation breeding centre."

27. Chapter IVB of the WLP Act deals with "National Tiger Conservation Authority". Section 38-O deals with "Powers and Functions of Tiger Conservation Authority", which reads thus:

"**38-O. Powers and functions of Tiger Conservation Authority**.—(1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—

(*a*) to approve the Tiger Conservation Plan prepared by the State Government under sub-section (3) of Section 38V of this Act;

(*b*) evaluate and assess various aspect of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves;

(*c*) lay down normative standards for tourism activities and guidelines for project tiger from time to time for tiger conservation in the buffer and core area of tiger reserves and ensure their due compliance;

legal support for better implementation of the tiger conservation plan;

(*j*) facilitate ongoing capacity building programme for skill development of officers and staff of tiger reserves; and

(*k*) perform such other functions as may be necessary to carry out the purposes of this Act with regard to conservation of tigers and their habitat.

(2) The Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority shall be bound to comply with the directions:

Provided that no such direction shall interfere with or affect the rights of local people particularly the Scheduled Tribes."

28. Section 38V of the WLP Act deals with "Tiger Conservation Plan", which reads thus:

"**38V. Tiger Conservation Plan**.—(1) The State Government shall, on the recommendations of the Tiger Conservation Authority, notify an area as a tiger reserve.

(2) The provisions of sub-section (2) of Section 18, sub-sections (2), (3) and (4) of Section 27, Sections 30, 32 and clauses (*b*) and (*c*) of Section 33 of this Act shall, as far as may be, apply in relation to a tiger reserve as they apply in relation to a sanctuary.

(3) The State Government shall prepare a Tiger Conservation Plan including staff development and deployment plan for the proper

management of each area referred to in sub-section (1), so as to ensure—

(*a*) protection of tiger reserve and providing site specific habitat inputs for a viable population of tigers, co-predators and prey animals without distorting the natural prey-predator ecological cycle in the habitat;

(*b*) ecologically compatible land uses in the tiger reserves and areas linking one protected area or tiger reserve with another for addressing the livelihood concerns of local people, so as to provide dispersal habitats and corridor for spill over population of wild animals from the designated core areas of tiger reserves or from tiger breeding habitats within other protected areas;

(*c*) the forestry operations of regular forest divisions and those adjoining tiger reserves are not incompatible with the needs of tiger conservation.

(4) Subject to the provisions contained in this Act, the State Government shall, while preparing a Tiger Conservation Plan, ensure the agricultural, livelihood, developmental and other interests of the people living in tiger bearing forests or a tiger reserve.

Explanation.—For the purposes of this section, the expression "tiger reserve" includes,—

(*i*) core or critical tiger habitat areas of National Parks and sanctuaries, where it has been established, on the basis of scientific and objective criteria, that such areas are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest

dwellers, and notified as such by the State Government in consultation with an Expert Committee constituted for the purpose;

(*ii*) buffer or peripheral area consisting of the area peripheral to critical tiger habitat or core area, identified and established in accordance with the provisions contained in Explanation (*i*) above, where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species, and which aim at promoting co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined on the basis of scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purpose.

(5) Save as for voluntary relocation on mutually agreed terms and conditions, provided that such terms and conditions satisfy the requirements laid down in this sub-section, no Scheduled Tribes or other forest dwellers shall be resettled or have their rights adversely affected for the purpose of creating inviolate areas for tiger conservation unless—

(*i*) the process of recognition and determination of rights and acquisition of land or forest rights of the Scheduled Tribes and such other forest dwelling persons is complete;

(*ii*) the concerned agencies of the State Government, in exercise of their powers under this Act, establishes with the

emphasizes on ensuring the ecological and environmental security of the country.

32. A perusal of the aforementioned provisions of the WLP Act would reveal that various measures have been provided under the said Act for the protection of protected areas. No doubt that the definition of "protected area" as defined under sub-section (24A) of Section 2 of the WLP Act only includes a National Park, a sanctuary, a conservation reserve, or a community reserve, which are notified under Sections 18, 35, 36A and 36C of the WLP Act. However, the harmonious construction of the various provisions of the WLP Act would reveal that the legislature intended the "Tiger Reserves" to be kept at a higher pedestal than a sanctuary, a National Park, a conservation reserve, or a community reserve.

33. As discussed hereinabove, the declaration of sanctuary is as provided under Section 18 of the WLP Act. We have already reproduced Section 18 hereinabove.

34. The Chief Wild Life Warden has been entrusted with the functions and duties to control, manage, and protect all sanctuaries in accordance with such management plans for the sanctuary as approved by him as per the guidelines issued by the

reserve management in the State for biodiversity conservation initiatives through eco-development and people's participation as per approved management plans and to support similar initiatives in adjoining areas consistent with the Central and State laws. Under clause (i), it is required to ensure critical support including scientific, information technology, and legal support for better implementation of the TCP. Under clause (j), it is required to facilitate an ongoing capacity building programme for the skill development of officers and staff of tiger reserves. Under clause (k), it is required to perform such other functions as may be necessary to carry out the purposes of the WLP Act with regard to the conservation of tigers and their habitat.

39. The importance given to the Tiger Conservation Authority can be seen in sub-section (2) of Section 38-O of the WLP Act, which empowers it to issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority are bound to comply with the directions. No doubt that the proviso thereto provides that no such direction shall interfere with or affect the rights of local people, particularly the Scheduled Tribes.

45. Section 38XA of the WLP Act which was inserted by the Wild Life (Protection) Amendment Act, 2022 (No. 18 of 2022) makes the legislative intent amply clear. It provides that, the provisions contained in the said Chapter shall be in addition to, and not in derogation of the provisions relating to sanctuaries and National Parks (whether included and declared, or are in the process of being so declared) included in a tiger reserve under this Act.

46. It could thus be seen that, the entire emphasis of the WLP Act is on the conservation, protection, and management of wildlife. Various provisions contained in the WLP Act, discussed hereinabove, emphasize on providing measures for the conservation, protection and management of wildlife. The provisions contained in Chapter IVA lay a specific emphasis on the protection of tigers and other habitats in the tiger reserve. The provisions contained therein are in addition to the provisions contained for sanctuaries and National Parks.

IV. GUIDELINES ISSUED BY VARIOUS AUTHORITIES

47. In light of the aforesaid statutory provisions, it will also be necessary to refer to certain guidelines issued by various authorities.

1. Co-existence agenda in buffer/fringe areas (landscape approach/sectoral integration) with ecologically sustainable development programme for providing livelihood options to local people, with a view to reduce their resource dependency on the core. The strategy would involve reciprocal commitments with the local community on a quid-pro-quo basis to protect forests and wildlife, based on village level, participatory planning and implementation through ecodevelopment committees (EDC).

2. Addressing man-animal conflict issues (ensuring uniform, timely compensation for human injuries and deaths due to wild animals, livestock depredation by carnivores, crop depredation by wild ungulates).

3. Mainstreaming wildlife concerns in the buffer landscape by targeting the various production sectors in the area, which directly or incidentally affect wildlife conservation, through 'Tiger Conservation Foundation', as provided in the Wildlife (Protection) Amendment Act, 2006.

4. Addressing tiger bearing forests and fostering corridor conservation through restorative strategy in respective working plans of forest divisions, involving local communities, to arrest fragmentation of habitats.

5. Ensuring safeguards/retrofitting measures in the area in the interest of wildlife conservation."

50. The guidelines also deal with various production sectors in the buffer zone which require mainstreaming of wildlife concerns in these sectors like:

"(a) Forestry (D)

(b) Agriculture (D)

(c) Integrated Development (ecodevelopment, development through District Administration) (D)

(d) Tourism (D)

(e) Fisheries (D)

(f) Tea/Coffee Estates (I)

(g) Road / Rail transport (D)

(h) Industry (D)

(i) Mining (I)

(j) Thermal power plants (I)

(k) Irrigation projects (D)

(l) Temple tourism (I)

(m) Communication projects (D)"

51. Clause 6 of the said guidelines deals with importance of a buffer zone vis-à-vis the tiger land tenure dynamics, which reads thus:

"**6. Importance of a buffer zone vis-à-vis the tiger land tenure dynamics**

6.1 Tiger is a territorial animal, which advertises its presence in an area and maintains a territory. It is a well known fact that partial overlaps of resident male territories in an area do occur. However, the degree of overlap increases lethal internecine combats. Several female territories do occur in an overlapping manner within the territory of a male tiger. The tiger land tenure dynamics ensures presence of prime adults in a habitat which act as source

populations, periodically replacing old males by young adults from nearby forest areas (Plate 2).

6.2 The ongoing study and analysis of available research data on tiger ecology indicate, that the minimum population of tigresses in breeding age, which are needed to maintain a viable population of 80-100 tigers (in and around core areas) require an inviolate space of 800 -1000 sq km (see Annexure I). Tiger being an "umbrella species", this will also ensure viable populations of other wild animals (co-predators, prey) and forest, thereby ensuring the ecological viability of the entire area / habitat. Therefore, buffer areas with forest connectivity are imperative for tiger dynamics, since such areas foster sub adults, young adults, transients and old members of the population. The young adults periodically replace the resident ageing males and females from the source population area.

6.3 The buffer area, absorbs the "shock" of poaching pressure on populations of tiger and other wild animals. In case of severe habitat depletion in buffer areas, the source population would get targeted and eventually decimate.

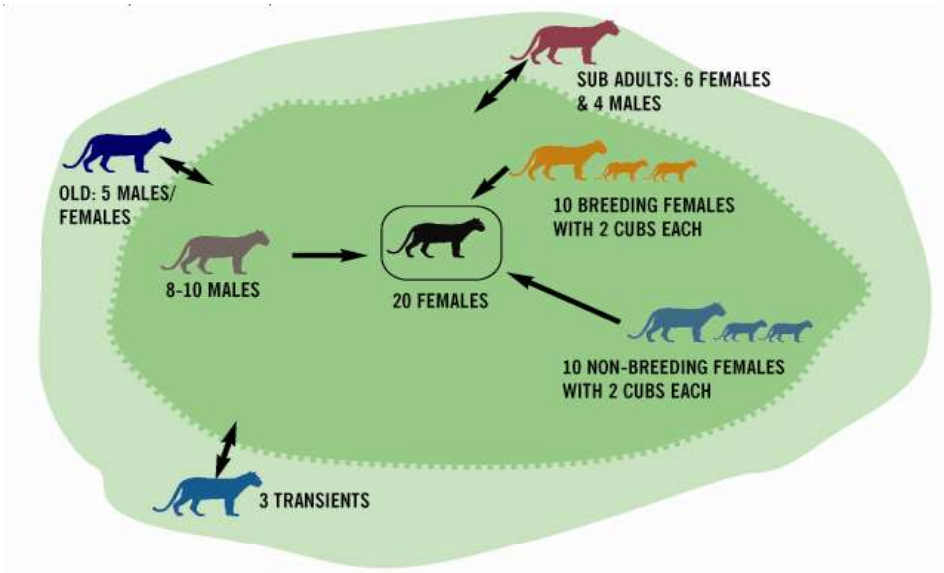


Plate 2: Tiger Land Tenure Dynamics. Minimum population of tigers in breeding age needed for maintaining a viable population (80-100 tigers), which require an inviolate space of 800-1000 square kilometers."

52. Clause 8 of the said guidelines deals with the importance of the corridors, which reads thus:

"**8. Value of Corridors**

8.1 Isolated populations of wild animals face the risk of extinction owing to insularization. Habitat fragmentation adversely affects wildlife due to decreased opportunity available for wild animal movement from different habitats. This in turn prevents gene flow in the landscape. The equilibrium theory of island biogeography predicts greater species richness in large wildlife areas or in smaller areas connected by habitat corridors owing to increased movements of wild animals. Such connecting habitats, apart from facilitating animal movements also act as refuge for spill over populations from the core areas. They may also act as smaller "source" by facilitating breeding and movement of native wildlife populations to colonize adjoining habitats. Natural linear features like rivers or mountain ranges may act as boundaries for wildlife populations. However, disturbance of corridors on account of human interventions (highways, canals, industries, roads, railway tracks, transmission lines) is deleterious to wildlife."

safeguards for the field staff.

65. It is further relevant to note that, the Ministry of Environment and Forests, Department of Environment, Forests & Wildlife, Union of India has issued a Resolution dated 7th December 1988, thereby providing for the National Forest Policy, 1988. Para 4.5 of the said Policy deals with 'Wildlife Conservation', which reads thus:

> "**4.5 Wildlife Conservation**
>
> Forest Management should take special care of the needs of wildlife conservation, and forest management plans should include prescriptions for this purpose. It is specially essential to provide for "corridors" linking the protected area in order to maintain genetic continuity between artificially separated sub-sections of migrant wildlife."

66. It is further relevant to note that the National Wildlife Action Plan, 2017-2031 also emphasizes on the concept of protection of the wildlife as a whole, beyond protected areas to protect the integrity of the Tiger Reserve. The relevant portion of the Plan is reproduced herein below:

> ***"Landscape Level Approach for Wildlife Conservation***
> *Overview and Objectives-*
> *1.* It is increasingly recognized that ***wildlife conservation has to go beyond***

Protected Areas (PAs) to the larger landscapes in which these are embedded. A landscape is defined as 'a large tract of land constituted by a mosaic of interacting land uses with people and the impacts of their activities as the cornerstone of its management.' ***Landscape allows ecosystem level conservation actions at the existing internal smaller nested spatial scales of management/ administration such as PAs and territorial forest divisions as well as larger units to achieve conservation goals at the largest spatial scale possible in practical terms.***

2. Landscape level conservation of species must be seen as maintaining or enhancing genetic exchanges between metapopulations and significantly improving the prospects of their long term persistence. Therefore, the plans must address species loss in the short-term and the reasons for such depletions in the long run.

xxx xxx xxx

6. ***Further, conservation of wildlife can not be seen isolated from the whole development of the region or landscape. Local governance systems, local land use patterns and land use systems, ecosystem-interfaces and socio-economic circumstances are mutually intertwined at the landscape level. Therefore, a mosaic approach to landscape planning needs to be developed in partnership with other agencies and stakeholders."***

[emphasis supplied]

67. It is thus amply clear that the National Wild Life Action Plan also recognizes the necessity of wildlife conservation beyond the protected areas. It states that the landscape allows ecosystem level conservation actions at the existing internal smaller nested spatial scales of management/administration such as protected areas and territorial forest divisions as well as larger units to achieve conservation goals at the largest spatial scale possible in practical terms. It further states that the conservation of wildlife cannot be seen to be isolated from the whole development of the region or landscape. It states that the local governance systems, local land use patterns and land use systems, ecosystem-interfaces and socio-economic circumstances are mutually intertwined at the landscape level. It emphasizes that a mosaic approach to landscape planning needs to be developed in partnership with other agencies and stakeholders.

V. CONSIDERATION

68. This Court had an occasion to consider an issue with regard to environmental justice in the case of ***T.N. Godavarman***

Thirumulpad v. Union of India and others[2], wherein this Court held thus:

> "**17.** ***Environmental justice could be achieved only if we drift away from the principle of anthropocentric to ecocentric***. Many of our principles like sustainable development, polluter-pays principle, intergenerational equity have their roots in anthropocentric principles. Anthropocentrism is always human interest focussed and that non-human has only instrumental value to humans. In other words, humans take precedence and human responsibilities to non-human based benefits to humans. Ecocentrism is nature-centred where humans are part of nature and non-humans have intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. ***Ecocentrism is therefore life-centred, nature-centred where nature includes both humans and non-humans.*** The National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ecocentrism."
>
> [emphasis supplied]

69. It could thus be seen that this Court has held that, to achieve environmental justice, the approach of anthropocentrism i.e. human interest focused and that non-human has only instrumental value to humans will have to be avoided. It has been

[2] (2012) 3 SCC 277=2012 INSC 81

held that ecocentrism i.e. nature centered where humans are a part of nature and non-humans have intrinsic value will have to be adopted. It has been held that human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. It has been held that the National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ecocentrism.

70. This Court again in the case of ***Centre for Environmental Law, World Wide Fund-India v. Union of India and others***[3], following the earlier judgments, observed thus:

> "**44.** The scope of the Centrally-sponsored scheme was examined in T.N. Godavarman Thirumulpad v. Union of India [(2012) 3 SCC 277] (Wild Buffalo case) and this Court directed implementation of that scheme in the State of Chhattisgarh. ***The Centrally-sponsored scheme, as already indicated, specifically refers to the Asiatic lions as a critically endangered species and highlighted the necessity for a recovery programme to ensure the long-term conservation of lions. NWAP, 2002-2016 and the Centrally-sponsored scheme, 2009 relating to integrated development of wildlife habitats are schemes which have statutory status and as held in Lafarge case [Lafarge Umiam***

[3] (2013) 8 SCC 234=2013 INSC 254

> accumulate on his premises, so near the house of another, that the stench incommodes him and makes the air unwholesome, this is an injurious nuisance, as it tends to deprive him of the use and benefit of his house. A like injury is, if one's neighbour sets up and exercises any offensive trade; as a tanner's, a tallow-chandler's, or the like; for though these are lawful and necessary trades, yet they should be exercised in remote places; for the rule is, "*sic utere tuo, ut alienum non leadas*"; this therefore is an actionable nuisance. And on a similar principle a constant ringing of bells in one's immediate neighbourhood may be a nuisance.
>
> ... With regard to other corporeal hereditaments; it is a nuisance to stop or divert water that used to run to another's meadow or mill; to corrupt or poison a watercourse, by erecting a dye-house or a lime-pit, for the use of trade, in the upper part of the stream; to pollute a pond, from which another is entitled to water his cattle; to obstruct a drain; or in short to do any act in common property, that in its consequences must necessarily tend to the prejudice of one's neighbour. So closely does the law of England enforce that excellent rule of gospel-morality, of "doing to others, as we would they should do unto ourselves".' ""

75. Further in the case of ***Intellectuals Forum, Tirupathi v. State of A.P. and others***[5], this Court observed thus:

[5] (2006) 3 SCC 549=2006 INSC 101

> "**84**. The world has reached a level of growth in the 21st century as never before envisaged. While the crisis of economic growth is still on, the key question which often arises and the courts are asked to adjudicate upon is whether economic growth can supersede the concern for environmental protection and whether sustainable development which can be achieved only by way of protecting the environment and conserving the natural resources for the benefit of humanity and future generations could be ignored in the garb of economic growth or compelling human necessity. The growth and development process are terms without any content, without an inkling as to the substance of their end results. This inevitably leads us to the conception of growth and development, which sustains from one generation to the next in order to secure "our common future". In pursuit of development, focus has to be on sustainability of development and policies towards that end have to be earnestly formulated and sincerely observed. As Prof. Weiss puts it, "conservation, however, always takes a back seat in times of economic stress". It is now an accepted social principle that all human beings have a fundamental right to a healthy environment, commensurate with their well-being, coupled with a corresponding duty of ensuring that resources are conserved and preserved in such a way that present as well as the future generations are aware of them equally."

76. In ***Indian Council for Enviro-Legal Action v. Union of India and others***[6], this Court observed thus:

[6] (1996) 5 SCC 281=1996 INSC 543

"**41**. With rapid industrialisation taking place, there is an increasing threat to the maintenance of the ecological balance. The general public is becoming aware of the need to protect environment. Even though, laws have been passed for the protection of environment, the enforcement of the same has been tardy, to say the least. With the governmental authorities not showing any concern with the enforcement of the said Acts, and with the development taking place for personal gains at the expense of environment and with disregard of the mandatory provisions of law, some public-spirited persons have been initiating public interest litigations. The legal position relating to the exercise of jurisdiction by the courts for preventing environmental degradation and thereby, seeking to protect the fundamental rights of the citizens, is now well settled by various decisions of this Court. The primary effort of the court, while dealing with the environmental-related issues, is to see that the enforcement agencies, whether it be the State or any other authority, take effective steps for the enforcement of the laws. The courts, in a way, act as the guardian of the people's fundamental rights but in regard to many technical matters, the courts may not be fully equipped. Perforce, it has to rely on outside agencies for reports and recommendations whereupon orders have been passed from time to time. Even though, it is not the function of the court to see the day-to-day enforcement of the law, that being the function of the Executive, but because of the non-functioning of the enforcement agencies, the courts as of necessity have had to pass orders directing the enforcement agencies to implement the law."

77. Emphasizing on the concern for environmental and

87. Section 38XA of the WLP Act specifically provides that the provisions contained in the said Chapter shall be in addition to, and not in derogation of, the provisions relating to sanctuaries and National Parks. As such, it could be seen that the legislature has put 'Tiger Reserve' on a higher pedestal than the sanctuaries and the National Parks.

88. Sub-section (4) of Section 38V of the WLP Act requires the State Government, while preparing a TCP, to ensure the agricultural, livelihood, developmental and other interests of the people living in tiger bearing forests or a tiger reserve. Explanation thereto divides the 'Tiger Reserve' into two areas, i.e., (i) core or critical tiger habitat areas of National Parks and sanctuaries, which are required to be kept as inviolate for the purposes of tiger conservation, without affecting the rights of the Scheduled Tribes or such other forest dwellers; and (ii) buffer or peripheral area, where a lesser degree of habitat protection is required to ensure the integrity of the critical tiger habitat. While doing so, the State Government is required to ensure adequate dispersal for the tiger species, which aims at promoting co-existence between wildlife and human activity with due

recognition of the livelihood, developmental, social and cultural rights of the local people, wherein the limits of such areas are determined based on the scientific and objective criteria in consultation with the concerned Gram Sabha and an Expert Committee constituted for the purpose are to be provided.

89. It is thus clear that, even in buffer or peripheral areas, though a lesser degree of habitat protection than the core area is to be provided, however, the provisions are required to be made to ensure the integrity of the critical tiger habitat with adequate dispersal for tiger species. An effort has to be made to promote co-existence between wildlife and human activity with due recognition of the livelihood, developmental, social and cultural rights.

90. It is further to be noted that the National Forest Policy, 1988 also emphasizes the necessity to provide for "corridors" linking the protected areas to maintain genetic continuity between artificially separated sub-sections of migrant wildlife. Even the National Wildlife Action Plan 2017-31 emphasizes on the same. As held by this Court in the case of ***Centre for Environmental Law, World Wide Fund-India*** (supra), this Policy has a statutory

flavor.

91. As held by this Court in the case of ***T.N. Godavarman Thirumulpad v. Union of India and others*** (supra), the approach has to be ecocentric and not anthropocentric. The approach has to be nature-centred where humans are a part of nature and non-humans have intrinsic value.

92. We will now have to examine as to how the concept of 'Tiger Safaris' came to be introduced.

93. We have already reproduced the relevant part of the Guidelines for Preparation of Tiger Conservation Plan, 2007. The said Guidelines show how important is the buffer zone vis-à-vis the tiger land tenure dynamics. Based on the available research data, it has been found that the minimum population of tigresses in breeding age, which is needed to maintain a viable population of 80-100 tigers (in and around core areas) requires an inviolate space of 800 -1000 sq. km. It also states that the tiger being an "umbrella species", such an area would also ensure viable populations of other wild animals (co-predators, prey) and forest, thereby ensuring the ecological viability of the entire area/habitat. It can also be seen that the buffer areas with forest connectivity

name at serial no. 16 in the transfer and posting proposals. This was done again without any proposal from the Forest Department and without the recommendation of CSB.

(vii) That, it was only after the then Forest Minister demitted office that Mr. Kishan Chand, DFO was finally put under suspension.

(d) 'Public Trust' Doctrine

133. It appears that the then Hon'ble Forest Minister and Mr. Kishan Chand had completely forgotten about the 'Public Trust' doctrine.

134. The importance of the 'Public Trust' doctrine in environmental and ecological matters has been explained by this Court in the case of ***M.C. Mehta v. Kamal Nath and others***[10]. This Court has elaborately referred to various articles and the judgments on the issue to come to a conclusion that the 'public trust' doctrine is a part of the law of the land in the following paragraphs:

> **"23.** The notion that the public has a right to expect certain lands and natural areas to retain

[10] (1997) 1 SCC 388=1996 INSC 1482

their natural characteristic is finding its way into the law of the land. The need to protect the environment and ecology has been summed up by David B. Hunter (University of Michigan) in an article titled *An ecological perspective on property*: *A call for judicial protection of the public's interest in environmentally critical resources* published in Harvard Environmental Law Review, Vol. 12 1988, p. 311 is in the following words:

> "Another major ecological tenet is that the world is finite. The earth can support only so many people and only so much human activity before limits are reached. This lesson was driven home by the oil crisis of the 1970s as well as by the pesticide scare of the 1960s. The current deterioration of the ozone layer is another vivid example of the complex, unpredictable and potentially catastrophic effects posed by our disregard of the environmental limits to economic growth. The absolute finiteness of the environment, when coupled with human dependency on the environment, leads to the unquestionable result that human activities will at some point be constrained.
>
> 'Human activity finds in the natural world its external limits. In short, the environment imposes constraints on our freedom; these constraints are not the product of value choices but of the scientific imperative of the environment's limitations. Reliance on improving technology can delay temporarily, but not forever, the inevitable constraints. There is a limit to the capacity of the environment

> open lands heretofore considered inviolate to change. The resolution of this conflict in any given case is for the legislature and not the courts. If there is a law made by Parliament or the State Legislatures the courts can serve as an instrument of determining legislative intent in the exercise of its powers of judicial review under the Constitution. But in the absence of any legislation, the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or for commercial use. The aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems of our country cannot be permitted to be eroded for private, commercial or any other use unless the courts find it necessary, in good faith, for the public good and in public interest to encroach upon the said resources."

135. This Court in unequivocal terms has held that the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or for commercial use. The aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems of our country cannot be permitted to be eroded for private, commercial or any other use unless the courts find it necessary, in good faith, for the public good and in public interest to encroach upon the said resources.

also in other areas around the Corbett Tiger Reserve, there is a mushrooming growth of resorts, which are acting as a hindrance to the free movement of animals including the tigers and elephants. It is also brought to our notice that similarly, there is a mushrooming growth of resorts around various Tiger Reserves throughout the country which are now being used as marriage destinations. It is brought to our notice that in the said resorts, music is played at a very loud volume which causes disturbance to the habitat of the forests. Undisputedly, mushrooming growth of resorts within the close proximity of the protected areas and uncontrolled activities therein, including sound pollution are capable of causing great harm to the ecosystem. We propose to issue certain directions in that regard in the operative part of our judgment.

(f) Principle of Ecological Restitution

150. It will be relevant to refer to the Convention on Biological Diversity, 1992 ("CBD" for short), to which India is a signatory. Article 8 of the CBD pertains to *in situ* conservation. Under clause (f) thereof, it requires the contracting parties to, as far as possible and as appropriate, to rehabilitate and restore the degraded

ecosystems and promote the recovery of threatened species. It reads thus:

> (f) **Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species,** inter alia, through the development and implementation of plans or other management strategies.
>
> [emphasis supplied]

151. In the Chorzow Factory Case[13], the Permanent Court of International Justice (PCIJ) laid down the standard in international law for reparations for the commission of internationally wrongful acts. The Court held:

> "The essential principle contained in the actual notion of an illegal act – a principle which seems to be established by international practice and in particular by the decisions of arbitral tribunals – is that ***reparation must, as far as possible, wipe out all the consequences of the illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed.*** Restitution in kind, or, if this is not possible, payment of a sum corresponding to the value which a restitution in kind would bear; the award, if need be, of damages for loss sustained which would not be covered by restitution in kind or payment in place of it -such are the principles which should serve to determine the amount of compensation due for an act contrary to international law (…)"
>
> [emphasis supplied]

[13] The Factory at Chorzow (Germany v. Poland), 13 September 1928, PCIJ, Merits, p. 47)

Article 8(f) of the CBD is what is required. At times, the compensatory afforestation permits forestation at some other site. However, the principle of restoration of damaged ecosystem would require the States to promote the recovery of threatened species. We are of the considered view that the States would be required to take steps for the identification and effective implementation of active restoration measures that are localized to the particular ecosystem that was damaged. The focus has to be on restoration of the ecosystem as close and similar as possible to the specific one that was damaged.

157. No doubt that the CBI is investigating the issue as to who is responsible for the same. However, the investigation by the CBI would only lead to finding out the culprits who are responsible for such huge devastation. The law will take its own course.

158. We find that, bringing the culprits to face the proceedings is a different matter and restoration of the damage already done is a different matter. We are of the considered view that the State cannot run away from its responsibilities to restore the damage done to the forest. The State, apart from preventing such acts in the future, should take immediate steps for restoration of the

damage already done; undertake an exercise for determining the valuation of the damage done and recover it from the persons found responsible for causing such a damage.

VI. CONCLUSIONS

159. It is well known that the presence of a Tiger in the forest is an indicator of the well-being of the ecosystem. Unless steps are taken for the protection of the Tigers, the ecosystem revolving around Tigers cannot be protected. The figures which are placed before us to show that there has been a substantial reduction in tiger poaching and an increase in the tigers' strength throughout the country. However, that should not be enough. The ground realities cannot be denied. The events like illegal constructions and illicit felling of trees on a rampant scale like the one that happened in the Corbett National Park cannot be ignored. Steps are required to prevent this.

160. We therefore requested Shri Chandra Prakash Goyal, former Director General of Forest, Shri Anup Malik, IFS, PCCF (HoFF), Uttarakhand, and Dr. Samir Sinha, IFS, PCCF (Wildlife) & Chief Wildlife Warden, Uttarakhand to give their suggestion for more effective management of the "Tiger Reserves" in India.

Accordingly, they have given their suggestions. No doubt that on some issues there is no coherence in the suggestions given. They are conflicting and contradictory to each other. In any event, all three Officers have vast experience in the Forest Department. Dr. Samir Sinha is a person who has prepared the TCP for the Corbett Tiger Reserve. Similarly, Shri Goyal has worked as the Director General of Forest and has also worked as a Field Director of some of the Tiger Reserves. At the same time, we are not experts in the field. We therefore find that it will be appropriate that experts in the field come together and come out with a solution that would go a long way in the effective management and protection of the Tiger Reserves.

161. We therefore find that the following directions need to be issued in the interests of justice:

A. The Safaris which are already existing and the one under construction at Pakhrau will not be disturbed. However, insofar as the Safari at 'Pakhrau' is concerned, we direct the State of Uttarakhand to relocate or establish a rescue centre in the vicinity of the 'Tiger Safari'. The directions which would be issued

C. The said Committee will:

(i) recommend the measures for restoration of the damages, in the local *in situ* environment to its original state before the damage was caused;

(ii) assess the environmental damage caused in the Corbett Tiger Reserve (CTR) and quantify the costs for restoration;

(iii) identify the persons/officials responsible for such a damage. Needless to state that the State shall recover the cost so quantified from the persons/delinquent officers found responsible for the same. The cost so recovered shall be exclusively used for the purpose of restoration of the damage caused to the environment.

(iv) specify how the funds so collected be utilized for active restoration of ecological damage.

D. The aforesaid Committee, inter alia, shall consider and recommend:

(i) The question as to whether Tiger Safaris shall be permitted in the buffer area or fringe area.

(ii) If such Safaris can be permitted, then what should be the guidelines for establishing such Safaris?

(iii) While considering the aforesaid aspect, the Committee shall take into consideration the following factors:

a) the approach must be of ecocentrism and not of anthropocentrism;

b) the precautionary principle must be applied to ensure that the least amount of environmental damage is caused;

c) the animals sourced shall not be from outside the Tiger Reserve. Only injured, conflicted, or orphaned tigers may be exhibited as per the 2016 Guidelines. To that extent the contrary provisions in the 2019 Guidelines stand quashed.

d) That such Safaris should be proximate to the Rescue Centres.

Needles to state that the aforesaid factors are

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No 12251 of 2018

Hanuman Laxman Aroskar ...Appellant

Versus

Union of India ...Respondent

WITH

Civil Appeal No 1053 of 2019

Federation of Rainbow Warriors ...Appellant

Versus

Union of India and Ors ...Respondents

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NEELAM GULATI
Date: 2019.03.29
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J U D G M E N T

Dr Dhananjaya Y Chandrachud, J

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12 A Miscellaneous Application[17] was filed by the State of Goa before the NGT on 2 July 2018 seeking permission for the felling of trees. By its judgment dated 21 August 2018, the NGT disposed of both the appeals and the Miscellaneous Application filed by the State of Goa, upholding the EC and imposing additional conditions to safeguard the environment. This Court has been informed that the felling of trees was initiated on 3 September 2018 and completed on 14 January 2019. Assailing the judgment of the NGT, two appeals have been filed before this Court: one by Hanuman Laxman Aroskar[18] and the other by the Federation of Rainbow Warriors[19].

13 On 18 January 2019, notice was issued in the appeals and an order of *status quo* was passed by this Court. The appeals were admitted for hearing and final disposal.

B Submissions

14 We have heard Ms Anitha Shenoy, learned counsel appearing on behalf of the appellants. Mr K K Venugopal, learned Attorney General[20] for India appeared on behalf of the State of Goa. Mr Atmaram S Nadkarni, learned Additional Solicitor General[21] of India appeared on behalf of the MoEFCC. Mr Parag P Tripathi, learned Senior Counsel and Ms Aastha Mehta, learned counsel appeared on behalf of the Concessionaire.

15 Ms Anitha Shenoy, learned counsel appearing on behalf of the appellants urged that the EIA report which is carried out under the terms of the 2006 notification

[17] MA No. 975 of 2018
[18] Civil Appeal No. 12251 of 2018
[19] Civil Appeal No. 1053 of 2019
[20] AG
[21] ASG

is a tool to evaluate the environmental consequences of a proposed activity. The proposed international airport, being a Category 'A' project, is governed by the second, third and fourth stages of scoping, public consultation and appraisal respectively envisaged under the 2006 notification. In addition to the 2006 notification, the Guidance manual furnishes a significant sign post in the procedure envisaged prior to the grant of an EC. The project proponent is required to submit Form 1 complete with relevant details of the proposed project and the status of the environment. The ToR which is finalized by the EAC is founded on the disclosures which are made by the project proponent. In this backdrop, the principal submissions urged by the appellants before the Court are as follows:

(i) There were material concealments by the project proponent in failing to disclose that as many as 54,676 trees were required to be felled. Form 1, which was submitted by the project proponent, was silent in regard to the number of trees required to be felled. The final EIA report, while dealing with the biological environment in clause 2.1.5 contains the following statement:

> "2.1.5 Biological environment
> Construction phase
> Impacts (Significance-Medium)
> The area acquired for proposed airport has only few trees, mainly bushes. These will be cleared during site preparation."

Contrary to the above assertion is the statement contained in the counter affidavit filed by the State of Goa:

> "..I say that the permissions which have been obtained for cutting of 54,676 trees have been granted by the concerned authorities in terms of the relevant statutory provisions and after laying down various conditions. I say that the context in which it was mentioned as sparse trees has to be seen from the huge area of the land. The land being 2133 acres, it would proportionally work out to about 25 trees in an area of 1 acre, i.e. 4000 sq. metres., which is one tree in an area of about 160 sq. metres."

disclosures required for areas which are important or sensitive for ecological reasons – wet lands, water sources or other water bodies, costal zone, biospheres, mountains and forests, left the required details blank. In this context, it was urged by the appellants that the purpose of the EIA report was not only to make an assessment of the project site but also of an area surrounding the project site within an aerial distance of 15 kilometres. The HLWG recognized that there were ESZs. In the present case, several villages are situated at a bare distance of 1.5 kilometres from the project site in Maharashtra. Yet, there was no disclosure of this fact and the EIA report merely recorded that Pernem taluka is not included in an ESZ;

(iv) The State of Maharashtra comprises nearly 40 per cent of the study area. Yet, there was no sampling of soil, air and water in Maharashtra. Sampling was carried out in 2011 and 2014-15 in Goa but no sampling site is situated in Maharashtra. In the absence of baseline data generated with regard to environmental parameters in the State of Maharashtra surrounding the project site, the EIA report suffers from a gross deficiency; and

(v) The EIA report is grossly deficient in failing to notice wildlife in the surrounding forests. On the contrary, the appellants have relied on a rapid survey conducted to assess the presence of various mammals in the study area. Moreover, no avi-faunal study was done.

16 Apart from the above submissions, Ms Shenoy has urged that the stages of public consultation and appraisal under the 2006 notification are crucial to the assessment process. As far as the public consultation is concerned, the draft EIA is given before the hearing. During the course of the public consultation, as many as 70

18 January 2019. 14.06 per cent of the project work has been completed and a manpower consisting of 1500 persons has been mobilized at the site together with plant and machinery.

29 The concessionaire has stated that it has tied up with a consortium of banks and the servicing of the loans is linked to project milestones. As on 18 January 2019, the major works in progress include: (i) site preparation and earth works such as excavation and filling up of runways, taxiways, aprons and parking bays; (ii) PTB-foundations and column works; and (iii) excavation of the foundations for the ATC building. The concessionaire has submitted that apart from the plantation of ten trees for every single tree which has been felled, the forest department identified about 500 trees for transplantation, which process is being carried out. In this background, it has been submitted that the project should not be interdicted. The concessionaire, it has been urged, is committed to the completion of the project which accords with all the approvals that have been received.

30 The rival submissions now fall for our consideration.

C Scheme of the 2006 notification and the Guidance manual for Airports

C. 1 EIA Process

31 The objective of the EIA process is to ensure that environmental and developmental concerns are appropriately balanced on the basis of the most accurate information available.

32 The Constitution (Forty-second Amendment) Act 1976, which came into force with effect from 3 January 1977, inserted Article 48A to the Constitution which

(iv) The 2006 notification stipulates the creation of a regulatory body at the state level – SEIAA comprising members with expertise in the field of environmental laws which is charged with granting ECs for Category 'B' projects;

(v) Under the 1994 notification, the final approval was granted by the IAA. Under the 2006 notification, though the final regulatory approval is granted by the MoEFCC or the SEIAA, as the case may be, the approval is to be based on the recommendations of the EAC functioning in the MoEFCC or the State Expert Appraisal Committees[38] which are constituted for that specific purpose;

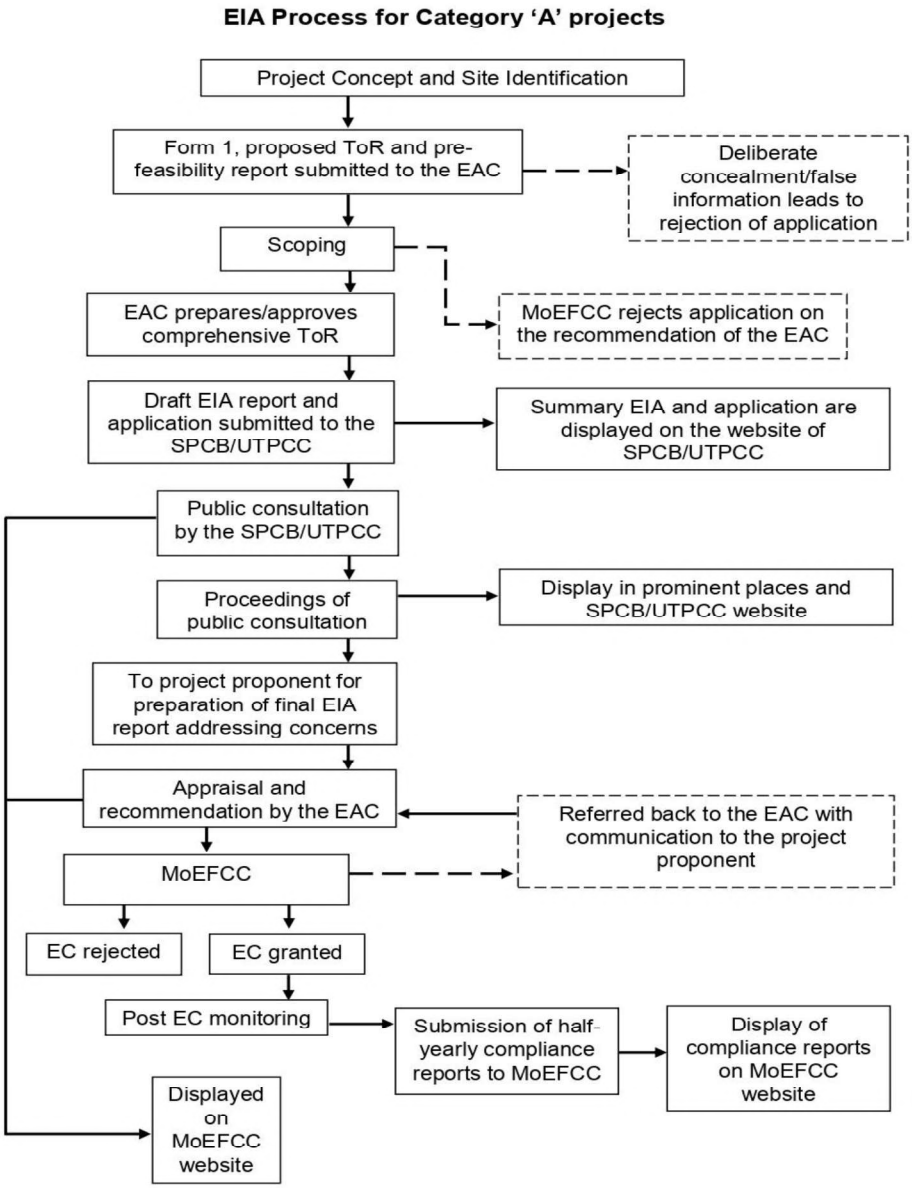
(vi) Under the 2006 notification, the application can be rejected by the regulatory authority on the basis of the recommendation of the EAC or the SEAC, as the case may be, at the preliminary stage itself, prior to public consultation; and

(vii) Under the 1994 notification, the public hearing process was overseen by the State Pollution Control Boards[39] which would constitute a public hearing panel for the purpose. Under the 2006 notification, the public consultation process is expanded to include the receipt of written comments from concerned persons. The public hearing component was to be overseen by the SPCBs or the Union Territory Pollution Control Committee[40].

40 The salient objective which underlies the 2006 notification is the protection, preservation and continued sustenance of the environment when the execution of new projects or the expansion or modernization of existing projects is envisaged. It imposes certain restrictions and prohibitions based on the potential environmental impact of projects unless prior EC has been granted by the concerned authority. The EC is required before any construction work, or preparation of land (except for

[38] SEAC
[39] SPCB
[40] UTPCC

securing the land) is started on the project or activity listed in the Schedule to the notification. The process stipulated under the 2006 notification is illustrated by the following flow-chart:



41 Based on the spatial extent of the potential impact and the potential impacts on human health and natural and man-made resources, the 2006 notification categorizes all projects into Category 'A' and Category 'B' projects. The MoEFCC in the Central Government and the SEIAA at the state level constitute the regulatory authorities for the purposes of the notification. Category 'A' projects require prior environmental clearance from the MoEFCC, based on the recommendation of the EAC constituted by the Central Government for this purpose. Category 'B' projects will require prior environmental clearance from the SEIAA, based on the recommendations of the SEAC. Where no SEIAA or SEAC has been constituted, Category 'B' projects are treated as Category 'A' projects.

42 Once a prospective site has been identified by the applicant for the proposed project, all applications seeking an EC shall be made in the prescribed Form 1 and Supplementary Form 1A[41], if applicable. The application must be submitted prior to the commencement of any construction activity, or preparation of the land at the site. A pre-feasibility report must also be submitted with the application except in the cases of construction projects in item 8 of the Schedule, for which a conceptual plan must be submitted. The significance of the information furnished by the applicant in Form 1 shall be explored shortly.

43 The process to obtain environmental clearance as stipulated by the notification for **new** projects[42] comprises a maximum of four stages, all of which may not apply depending on the specific case stipulated under the notification:

1) Screening;

[41] Only for construction projects listed under item 8 of the Schedule

[42] Applications for EC for expansions or modernization of **existing** units as stipulated under the notification are made in Form 1 and shall be considered by the EAC or the SEAC within 60 days, which will decide on the due diligence necessary including the preparation of the EIA and public consultations and the application shall be appraised accordingly for the grant of environmental clearance.

of relevant experience. Where experts are not available, professionals may be appointed to the EAC.

56 The EAC and the SEAC are charged with evaluating the information submitted by the applicant in Form 1/Form 1A and preparing comprehensive ToR which guide the preparation of the EIA reports. Given that these bodies comprise experts in the field of environmental law, the recommendation of the EAC or the SEAC to grant EC to an applicant or reject the application is *normally* accepted by the regulatory authority.

57 The regulatory authority at the state level (SEIAA) which is charged with the approval or rejection of an application for EC comprises three members who possess the qualifications in the field as prescribed in Appendix VI. Significantly, sub clause (7) of paragraph 3 of the 2006 notification stipulates that all decisions of the SEIAA shall be unanimous and taken in a meeting. Given the environmental consequences of a proposed project, no difference of opinion is provided for in the grant of an EC at the state level. It is further mandated that the project management submit half-yearly compliance reports to the regulatory authority in respect of the EC and conditions.

58 Under the 2006 notification, the process of obtaining an EC commences from the production of the information stipulated in Form 1/Form 1A. Crucial information regarding the particulars of the proposed project is sought to enable the EAC or the SEAC to prepare comprehensive ToR which the applicant is required to address during the course of the preparation of the EIA. Some of the information sought is produced thus:

(i) Construction, operation or decommissioning of the project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.);

(ii) Use of natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply);

(iii) Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about the actual or perceived risks to human health;

(iv) Production of solid wastes during construction, operation or decommissioning;

(v) Release of pollutants or any hazardous, toxic or noxious substances to air;

(vi) Generation of noise and vibration, and emissions of light and heat;

(vii) Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea;

(viii) Risk of accidents during construction or operation of the project, which could affect human health or the environment; and

(ix) Environment sensitivity which includes, amongst other things, the furnishing of the following details:

a. Areas protected under international and national legislation;

b. Ecologically sensitive areas; and

c. Areas used by protected, important or sensitive species of flora or fauna.

59 Under the 2006 notification, the EC process is based on the information provided by the applicant in Form 1. That the information provided in Form 1 is crucial can be borne from the following circumstances:

this reason, any application made or EC granted on the basis of a defective Form 1 is liable to be rejected immediately. Clause (vi) of paragraph 8 of the notification provides thus:

> "Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice."

C.2 Guidance manual for airports

61 In February 2010, the MoEF brought out its Guidance manual for airports. The need for a sector specific manual arose because the 2006 notification "re-engineered the entire EC process" under its earlier avatar of 1994 and new sectors were incorporated into the ambit of the EC process. The 2006 notification noted that as many as 39 developmental sectors require prior ECs. Sector specific manuals, it was hoped, would bring about standardisation in the quality of appraisal and obviate potential inconsistencies between the work performed by SEIAAs and SEACs. Chapter IV of the Guidance manual, which is titled 'Description of Environment', prescribes the study area for carrying out an EIA:

> "Primary data through measurements and field surveys; and secondary data from secondary sources are to be collected in the study area within 10 km radius from Aerodrome Reference Point (ARP). Primary data should cover one season other than monsoon and secondary data is to cover one full year. The basis for selection of these criteria is that the aircraft gains a height of 1000ft in this area below which noise and air pollution are generated maximum during its take off stage. Secondary data should be collected within 15 km aerial distance for the parameters as specifically mentioned at column 9 (III) of Form I of EIA Notification, 2006. Details of secondary data, the method of collection of secondary data,

> should be furnished. Similarly, the proposed locations of monitoring stations of water, air, soil and noise etc should be shown on the study area map."

62 Baseline data of environmental parameters which may be affected by airport activities is collected through primary monitoring in the study area and through secondary sources. The baseline data facilitates the evaluation of the predicted impact on environmental attributes in the study area by using scientific analysis and EIA methodologies. The object is to also aid in the preparation of an EMP that would outline measures for improving environmental quality as well as retain the scope for future expansions in a sustainable manner. The Guidance manual specifically requires collection of baseline data on the following: (i) land environment; (ii) water environment; (iii) air environment; (iv) noise environment; (v) biological environment; (iv) socio-economic environment and (vii) solid waste.

The importance of collecting data on land environment is emphasised in the following extract:

> "The terrain and hill slope, general slope and elevation of the area, the flow direction of streams and rivers, the water bodies and wet lands and the vegetation which together describe the physiography of the land, will control the drainage pattern in the region. Land farms, terrain, may get affected due to construction of airport. It may require large scale quarrying, dredging and reclamation, which may cause changes in the topography. This in turn may affect the drainage pattern of the land / terrain. Baseline data pertaining to existing land at the proposed project area including the description of terrain hill slopes, terrain features, slope and elevation are to be collected. Study of land use pattern, habitation, cropping pattern, forest cover, environmentally sensitive places etc., is to be undertaken by employing remote sensing techniques and ground truthing. Ecological features of forest area; agricultural land; grazing land; wildlife sanctuary land & national parks; migratory routes of fauna; water bodies; and drainage pattern including the orders of the drain and water sheds are to be described. Settlements in the study area may be delineated with respect to ARP on the site

> map. High rise buildings, industrial areas and zones, slaughter houses and other features of flight safety importance may also be marked on the map. Secondary data from Central Water Board GOI; State ground water department, State Irrigation Department is to be obtained. Geomorphology of the region is to be clearly delineated. Study of land use patterns, habitation, cropping pattern, and forest cover data is undertaken. Information on the location of water bodies, drainage, forests, surface travel routes with respect to the project site is obtained within the study area and plotted on a map. This map will show the natural slopes and the drainage patterns, which give a guideline while planning the drains in the airport project. The drains help in discharge of storm water from the airport to avoid flooding and water logging in the project area."

The study of the water environment is necessitated for the following reasons:

> "Ground water quality is important, as change in its chemical parameters will affect the water quality. Airport activities during construction / operation may have impact on ground water quality. Due to airport construction existing low areas may be reclaimed with dredged spoil. The pollutants from dredged spoil are likely to enter into the ground water. This is likely to increase sedimentation of pollutants in airport area, which may migrate in time to the neighbouring ground water. Also runoff from solid waste if any, may percolate into the ground and may contaminate the ground water. Hence, they need to be studied through primary surveys and secondary sources. Monitoring locations are to be finalized as per CPCB norms which can represent the baseline conditions."

On the aspect of air environment, the Guidance manual emphasises that:

> "Aircraft engines produce emissions that are similar to other emissions resulting from any oil-based fuel combustion. These, like any exhaust emissions, can affect local air quality at ground level. It is emissions from aircraft below 1,000ft, above the ground (typically around 3km from departure or, for arrivals, around 6km from touchdown) that are chiefly involved in influencing local air quality. These emissions disperse with the wind and blend with emissions from other sources such as emissions from domestic sources, emissions from industries and from surface transport."

Local emissions attributed to aircraft operations at airports include Oxides of Nitrogen[45], Carbon Monoxide[46], Hydrocarbons[47], Sulphur Dioxide[48], and particulate matter (PM 10 and PM 2.5).

63 The Guidance manual brings into focus the biological environment. It acknowledges that airport operations may alter eco-systems, threaten endangered species and disturb the movement and breeding patterns of wildlife. In this context, the collection of baseline data on sensitive habitats and wild or endangered species in the project area is contemplated. The Guidance manual stipulates thus:

> "Airport operations may cause change in local ecosystems, threaten endangered species, and disturb movements and breeding patterns of local wildlife. Airports are located within a variety of settings (both urban and rural), which support habitats and species of their own, some of which will have direct interaction with those located on the airport and vice versa. Some local areas will also be designated for their nature conservation value. The biological environment of the airport should hence be seen as an integral component of the wider landscape scale ecological network. To accomplish this,
>
> - Baseline data from field observations for various terrestrial and aquatic systems are to be generated.
> - Comparison of the data with authentic past records to understand changes is undertaken.
> - Environmental components like land, water, flora and fauna are characterized and,
> - The impact of airport development on vegetation structure in and around project site is to be understood.
>
> Data on sensitive habitats, wild or endangered species in the project area also is to be collected from Zoological Survey of India (ZSI), Botanical Survey of India (BSI), Wildlife Institute of India (WII) and Ministry of Earth Sciences. Wildlife symbolizes the functioning efficiency of the entire eco system. Just as wild flora needs special treatment for preservation and growth, wild fauna as well deserves specific conservatory pursuits for posterity. As per Wildlife Act (1972), the various wild animals are enlisted in the schedules of wildlife Act based on the intensity of threat to

[45] NO_x
[46] CO
[47] HC
[48] SO_2

> them as rare, endangered, threatened, vulnerable etc. Primary data on survey of the wild animals and birds in the study area is collected and identified with the classification into various schedules taken from secondary data."

64 It is in the backdrop of the 2006 notification and the Guidance manual that it becomes necessary to assess the process that was adopted in the present case and its outcome.

D Forests

65 The essence of the challenge to the EC is two-fold:

(i) Form 1, which was filed by the project proponent, did not contain any disclosure of the name or identity of forests within an aerial distance of 15 kilometres. Item 2 under the heading of 'Environmental Sensitivity' requires a clear disclosure of "areas which are important or sensitive for ecological reasons – wet lands, water sources or other water bodies, coastal zone, biospheres, mountains and forests"; and

(ii) Table 2.1 of Chapter II of the EIA report delineates ESZs within an aerial distance 15 kilometres from the project boundary. For the State of Goa, the table indicates the presence of forests but not of protected forests. For the State of Maharashtra, Table 2.1 indicates that there were neither reserved nor protected forests within 15 kilometres from the project boundary.

66 The learned ASG made an earnest effort to support this by urging that a reserved forest is one which is notified under Section 20 of the Indian Forest Act 1927. The issuance of a notification under Section 4, it was urged, is indicative only of an intent and a forest stands reserved under sub-section (2) of Section 20 only upon the issuance of a notification. The ASG submitted that the reliance which the

(a) Mining, quarrying and sand mining;

(b) Thermal power plants;

(c) Building and construction projects of 20,000 square metres area and above;

(d) Township and area development projects with an area of 50 hectares and above and/or with a built-up area of 1,50,000 square metres and above; and

(e) 'Red category' industries.

84 The submission of the ASG is that there is no prohibition on setting up a Category 'A' project in an ESZ. An infrastructure project such as an airport does not fall within the range of prohibited activities. What is necessary is that the project must be assessed in terms of the 2006 notification.

85 The glaring deficiency which emerges from the EIA report is its failure to notice the existence of ESZs within a buffer distance of 10 kilometres of the project site. On one hand, the EIA report takes note of the HLWG report dated 15 April 2013. But, on the other hand, the EIA report ignores the existence of ESZs within the study area on the ground that the **project site** is not situated in an ESZ. That, as we have seen, can never be accepted as an adequate response. The purpose and object of the EIA report is to map areas, understand their vulnerabilities, and conduct a study on a scientific basis of the impact of the proposed project on an ecologically sensitive terrain. The EIA report fails to meet a classical requirement of administrative law: to take into account a relevant consideration namely, that within the study area which has to be considered, there is the presence of ESZs.

86 In deducing the impact of a proposed activity on an ESZ, it is not sufficient to take recourse to a generic assessment of a proposed activity on the ecology of the

study area. The EIA report must factor in those specific features which make an area ecologically sensitive. These would encompass all aspects of environmental concern which render the area ecologically sensitive. This would include wet lands, water sources, water bodies, costal zones, biospheres, mountains and forests. The vulnerabilities of each of them must be studied as distinctive components together with a holistic analysis of their existence in a chain of bio-diversity. Where an area is ecologically sensitive because of the presence of flora or fauna requiring protection, that must be specifically adverted to and studied. The deficiency of the EIA report emanates from its failure to notice that the purpose of the study was not only to determine whether the project site is ecologically sensitive. Confining itself to this aspect, the EIA report failed to consider a crucial and relevant consideration.

F Sampling Points

87 The submission of the appellants is that the Guidance manual requires the collection of primary data through measures and field studies in the study area within 10 kilometres radius from the ARP. Secondary data has to be collected within a 15 kilometres aerial distance for the parameters mentioned in Colum 9(III) of Form 1 of the 2006 notification. In the present case, it was urged that not a single sampling station with reference to any of the parameters is situated in Maharashtra. As a result, no sampling sites for any of the parameters fall within 40% of the study area. Consequently, no primary data collection was done despite the carrying out of two samples in 2011 and 2014 respectively. In response to this submission, it has been urged that all sampling points were based on para 4.1 of the Guidance manual. As a result, it was submitted that areas within Goa and Maharashtra were studied along

The reasons furnished by the EAC for its recommendation are a basic link in the ultimate decision of the regulatory authority. They constitute substantive material which will be considered by the Tribunal when it considers a challenge to the grant of an EC.

112 What, then, do the reasons which have been furnished by the EAC tell us? The EAC relies on the "peculiar circumstances of the case" as the basis of its recommendation. What the peculiar circumstances are, is left for pure guess work or surmise. The EAC refers to the delay in acquisition proceedings, a larger public interest and the fact that the project proponent "has not concealed facts and circumstances". Each one of the reasons which has weighed with the EAC betrays a lack of comprehension of the true nature of its function under the 2006 notification. The EAC has failed to consider relevant circumstances bearing on the environmental impact of the project and has instead considered circumstances extraneous to its function. That the project proponent, according to the EAC, has not concealed facts and circumstances is not reason enough to warrant a grant of an EC. Moreover, even this hypothesis (as we have seen earlier) is incorrect. There is no analysis of the EIA report. The EAC has failed to answer to the call to its expertise.

113 Clause (vi) of para 8 of the 2006 notification stipulates thus:

> "(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice."

Deliberate concealment or the submission of false or misleading information or data material for screening, scoping, appraisal or decision on the application makes it liable for rejection. That the project proponent must submit all information and data without concealing relevant features is a basic hypothesis and expectation of the 2006 notification. The EAC has, in the brief reasons which are contained in para 3.1.2, not applied its mind at all to the environmental concerns raised in relation to the project nor do its reasons indicate an appraisal of those concerns by evaluating the impact of the project.

114 The EAC is an expert body. It must speak in the manner of an expert. Its remit is to apply itself to every relevant aspect of the project bearing upon the environment. It is not bound by the analysis which is conducted in the EIA report. It is duty bound to analyse the EIA report. Where it finds it deficient it can adopt such modalities which, in its expert decision-making capacity, are required. The reasons which are furnished by the EAC constitute a live link between its processes and the outomce of its adjudicatory function. In the absence of cogent reasons, the process by its very nature, together with the outcome stands vitiated.

115 Mr ANS Nadkarni, learned ASG urged that the EAC had, in its 149th meeting, sought additional information on six issues. Subsequently, at its 151st meeting, it deferred consideration upon the representation filed by the Federation of Rainbow Warriors and at its 152nd meeting, it analysed the response of the project proponent to the representation. Hence, the EAC must be deemed to have applied its mind. This approach is completely flawed. At its 149th meeting, the EAC specifically called for a clarification on six issues. The next meeting was deferred. The Minutes of the 152nd meeting contain no assessment of whether the clarifications which were sought

> and substantially affects the rights of the parties and if so whether it is either an open question in the sense that it is not finally settled by this Court or by the Privy Council or by the Federal Court or is not free from difficulty or calls for discussion of alternative views. If the question is settled by the highest court or the general principles to be applied in determining the question are well settled and there is a mere question of applying those principles or that the plea raised is palpably absurd the question would not be a substantial question of law."

Re-appreciation of the 'factual matrix' has been held to be distinct from a substantial question of law. In the present case, we have indicated the basis for the invocation of the jurisdiction of this Court under Section 22. There was a failure to follow binding norms under the 2006 notification. There were serious flaws in the decision-making process. Relevant material has been excluded from consideration and extraneous circumstances were borne in mind. The EAC as an expert body abdicated its obligations to make an expert determination based on reasons. The NGT as an adjudicatory body failed to exercise the jurisdiction entrusted to it under Section 16(h) read with Section 20 of the NGT Act 2010 by merely deferring to the decision to recommend and grant an EC. The parameters in regard to the existence of substantial questions of law have hence been established in the classical or conventional sense of that expression.

J Environmental Rule of Law

126 Fundamental to the outcome of this case is a quest for environmental governance within a rule of law paradigm. Environmental governance is founded on the need to promote environmental sustainability as a crucial enabling factor which ensures the health of our eco system.

140 The rule of law requires a regime which has effective, accountable and transparent institutions. Responsive, inclusive, participatory and representative decision making are key ingredients to the rule of law. Public access to information is, in similar terms, fundamental to the preservation of the rule of law. In a domestic context, environmental governance that is founded on the rule of law emerges from the values of our Constitution. The health of the environment is key to preserving the right to life as a constitutionally recognized value under Article 21 of the Constitution. Proper structures for environmental decision making find expression in the guarantee against arbitrary action and the affirmative duty of fair treatment under Article 14 of the Constitution.

141 The 2006 notification must hence be construed as a significant link in India's quest to pursue the SDGs. Many of those goals, besides being accepted by the international community of which India is a part, constitute a basic expression of our own constitutional value system. Our interface with the norms which the international community has adopted in the sphere of environmental governance is hence as much a reflection of our own responsibility in a context which travels beyond our borders as much as it is a reflection of the aspirations of our own Constitution. The fundamental principle which emerges from our interpretation of the 2006 notification is that in the area of environmental governance, the means are as significant as the ends. The processes of decision are as crucial as the ultimate decision. The basic postulate of the 2006 notification is that the path which is prescribed for disclosures, studies, gathering data, consultation and appraisal is designed in a manner that would secure decision making which is transparent, responsive and inclusive.

PETITIONER:
INDIAN COUNCIL FOR ENVIRO-LEGAL ACTION ETC.

ANNEXURE-24

Vs.

RESPONDENT:
UNION OF INDIA AND ORS.ETC.

DATE OF JUDGMENT: 13/02/1996

BENCH:
JEEVAN REDDY, B.P. (J)
BENCH:
JEEVAN REDDY, B.P. (J)
KIRPAL B.N. (J)

CITATION:
1996 AIR 1446 1996 SCC (3) 212
JT 1996 (2) 196 1996 SCALE (2)44

ACT:

HEADNOTE:

JUDGMENT:

J U D G M E N T

B.P.JEEVAN REDDY,J.

WRIT PETITION (C) NO.967 OF 1989:

This writ petition filed by an environmentalist organization brings to light the woes of people living in the vicinity of chemical industrial plants in India. It highlights the disregard, nay, contempt for law and lawful authorities on the part of some among the emerging breed of entrepreneurs, taking advantage, as they do, of the country's need for industrialization and export earnings. Pursuit of profit has absolutely drained them of any feeling for fellow human beings - for that matter, for anything else. And the law seems to have been helpless. Systemic defects? It is such instances which have led many people in this country to believe that disregard of law pays and that the consequences of such disregard will never be visited upon them - particularly, if they are men with means. Strong words indeed - but nothing less would reflect the deep sense of hurt, the hearing of this case has instilled in us. The facts of the case will bear out these opening remarks.

Bichhri is a small village in Udaipur district of Rajasthan. To its north is a major industrial establishment, Hindustan Zinc Limited, a public sector concern. That did not affect Bichri. Its woes began somewhere in 1987 when the fourth respondent herein, Hindustan Agro Chemicals Limited started producing certain chemicals like Oleum [said to be the concentrated form of Sulphuric acid] and Single Super Phosphate. The real calamity occurred when a sister concern, Silver Chemicals [Respondent No.5], commenced production of 'H' acid in a plant located within the same complex. 'H' acid was meant for export exclusively. Its manufacture gives rise to enormous quantities of highly toxic effluents - in particular, iron-based and gypsum-based sludge - which if not properly treated, pose grave threat to mother Earth. It poisons the earth, the water and everything that comes in

April, 1994.

(III) The damage caused by the untreated highly toxic wastes resulting from the production of 'H' acid - and the continued discharge of highly toxic effluent from the Sulphuric Acid Plant, flowing through the sludge [H-acid waste] - is undescribable. It has inflicted untold misery upon the villagers and long lasting damage to the soil, to the underground water and to the environment of that area in general. The Report of NEERI contains a sketch, at Page 178, showing the area that has been adversely affected by the production of 'H' acid by the respondents. The area has been divided into three zones on the basis of the extent of contamination. A total area of 350 he has become seriously contaminated. The water in the wells in that area is not fit for consumption either by human beings or cattle. It has seriously affected the productivity of the land. According to NEERI Report, Rupees forty crores is required for repairing the damage caused to men, land, water and the flora.

(IV) This Court has repeatedly found and has recorded in its Orders that it is respondents who have caused the said damage. The analysis Reports obtained pursuant to the directions of the Court clearly establish that the pollution of the wells is on account of the wastes discharged by Respondents Nos.4 to 8, i.e., production of 'H' acid. The Report of the environment experts dated November 1, 1993 has already been referred to hereinbefore. Indeed, several orders of this Court referred to supra are also based upon the said finding.

(V) Sections 3 and 5 of the Environment [Protection] Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2(a) of the Environment [Protection] Act. This power includes the power to prohibit an activity, close an industry, direct and/or carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The principle "Polluter Pays" has gained almost universal recognition, apart from the fact that it is stated in absolute terms in Oleum Gas Leak Case. The law declared in the said decision is the law governing this case.

DIRECTIONS:

Accordingly, the following directions are made:

1. The Central Government shall determine the amount required for carrying out the remedial measures including the removal of sludge lying in and around the complex of Respondents 4 to 8, in the area affected in village Bichhri and other adjacent villages, on account of the production of 'H' acid and the discharges from the Sulphuric Acid Plant of Respondents 4 to 8. Chapters-VI and VII in NEERI Report [submitted in 1994] shall be deemed to be the show-cause notice issued by the Central Government proposing the determination of the said amount. Within six weeks from this day, Respondents 4 to 8 shall submit their explanation, along with such material as they think appropriate in support of their case, to the Secretary, Ministry of Environment and Forests, Government of India, [M.E.F.]. The Secretary shall thereupon determine the amount in consultation with the experts of his Ministry within six weeks of the submission of the explanation by the said Respondents. The orders passed by the Secretary, [M.E.F.] shall be communicated to Respondents 4 to 8 - and all

ANNEXURE-25

2024 INSC 241

Reportable

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1628-1629 OF 2021

Noble M. Paikada **... Appellant**

versus

Union of India **... Respondent**

J U D G M E N T

ABHAY S. OKA, J.

FACTUAL ASPECTS

1. These appeals take exception to the judgment and order dated 28th October 2020 (for short, 'the impugned judgment') passed by the National Green Tribunal, Principal Bench, New Delhi (for short, 'the NGT'). There is also a challenge to the order dated 24th December 2020, by which, the NGT rejected the review petition filed by the appellant for seeking review of the impugned judgment.

2. A notification was issued on 14th September 2006 (for short, 'the first EC notification') by the Ministry of Environment and Forests (for short, 'MoEF') in exercise of powers under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (for short, 'the EP Act') read with clause (d) of sub-rule (3) of Rule 5 of the Environment

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Date: 2024.03.21 16:44:23 IST
Reason:

.. .."

Thus, item 6 in Appendix IX of the second EC notification was maintained but was renumbered as item 7. Item 6 was newly added.

5. Before we go into the challenge to the impugned notification, we must note here that items 6 and 7 were substituted by further notification dated 30th August 2023 (for short, 'amended impugned notification') issued during the pendency of these appeals. Substituted items 6 and 7 in the amended impugned notification read thus:

> "6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. shall be subject to the compliance of standard operating procedures and environmental safeguards issued in this regard from time to time.
>
> 7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management shall be subject to the compliance of environmental safeguards issued in this regard from time to time."

6. The impugned notification was challenged on several grounds before the NGT by filing the Original Application subject matter of these appeals. Apart from other grounds, it was contended that the impugned notification violated the directions issued by this Court in the case of ***Deepak Kumar***

parties were permitted to make further submissions on the legality and validity of the amended impugned notification.

SUBMISSIONS

9. The learned senior counsel appearing for the appellant submitted that the object of the EP Act is to provide for the protection and improvement of the environment. She invited our attention to Section 3 of the EP Act, which confers a power on the Central Government to take such measures as it deems necessary or expedient for protecting and improving the quality of the environment and preventing and abating environmental pollution. She pointed out that the first EC notification was issued in the exercise of powers conferred under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the EP Act. Clause (v) empowers the Central Government to take measures for restrictions of the areas, in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards. She also invited our attention to the EP Rules and, in particular, Rule 5 thereof. It lays down that the Central Government may consider the factors set out in sub-rule (1) while prohibiting or restricting the location of industries and carrying out operations and processes in different areas. She pointed out that before issuing the first EC notification, the process laid down in sub-rule (3) of Rule 5 was followed.

10. The learned senior counsel invited our attention to a decision of this Court in the case of ***Hanuman Laxman***

***Aroskar v. Union of India*[2]**. She also relied upon a decision of this Court in the case of ***Deepak Kumar*[1]**. She pointed out that as a result of item 6, there will not be any regulation of the extraction of ordinary earth for utilisation in linear projects, such as, roads, pipelines, etc. She submitted that such a blanket exemption will defeat the very object of enacting the EP Act and, in particular, Section 3 thereof. She submitted that the decision of this Court in the case of ***Deepak Kumar*[1]** and subsequent decisions mandated that there must be a requirement to obtain EC for the minor minerals pertaining to materials used for linear projects. The learned senior counsel submitted that allowing the extraction of the earth in such an indiscriminate manner is wholly arbitrary and violative of Article 14 of the Constitution of India.

11. Inviting our attention to the amended impugned notification, the learned senior counsel pointed out that the substituted item 6 provides that extraction of ordinary earth for linear projects shall be subject to compliance with the Standard Operating Procedure (SOP) and safeguards issued in this regard from time to time. Thus, the exemption remains. However, an SOP will be laid down to avail the exemption. She urged that the substituted item 6 is more arbitrary.

12. The learned senior counsel also pointed out that the whole issue was directed to be reconsidered under the impugned judgment. But nothing has been placed on record to

[2] (2019) 15 SCC 401

the Office Memorandum is of no consequence. Hence, on account of the violation of Article 14, item 6 in the impugned notification, as well as the amended impugned notification, will have to be struck down. As noted earlier, the object of the EP Act is to protect and improve the environment. Apart from the illegality committed by non-compliance with sub-rule (3) of Rule 5 of the EP Rules, the exemption granted without incorporating any safeguards is completely unguided and arbitrary. Grant of such blanket exemption completely defeats the very object of the EP Act.

NON-COMPLIANCE WITH THE DIRECTIONS OF THE NGT

28. In paragraph 8 of the impugned order, which we have quoted earlier, the NGT observed that the blanket exemption needs to be hedged by appropriate safeguards, such as, the process of excavation and quantum. Therefore, in paragraph 9, a direction was issued to MoEF&CC to revisit the impugned notification in the light of the observations made in paragraph 8. Within the three months provided by the NGT to do so, no steps had been taken to revisit item 6 of the impugned notification.

29. The Ministry has filed an additional affidavit dated 18th July 2023, and reliance has been placed on the guidelines for sand mining. As far as item 6 is concerned, in the counter affidavit, reliance was placed on the Office Memorandum dated 8th August 2022, purportedly issued in terms of the directions issued in paragraph 9 of the impugned judgment. It records that item 6 shall be subject to the SOP attached to the said

Office Memorandum. We have perused the said SOP. We find that the SOP creates no regulatory machinery to ensure the implementation of the terms of the SOP. The SOP does not refer to item 6 at all; it merely refers to the activities relating to the identification to borrow areas to obtain earth or soil materials. It does not refer to extracting ordinary earth for linear projects, such as roads, pipelines, etc. Therefore, the said SOP can hardly be said to be in terms of what the NGT ordered the Central Government to do in terms of paragraphs 8 and 9.

30. We are not entertaining a challenge to item 7 of the impugned notification. As none of the respondents have challenged the impugned notification, they will have to implement the directions issued in terms of paragraph 9 of the impugned judgment regarding item 7.

31. Thus, notwithstanding the specific directions issued in paragraph 8 read with paragraph 9 of the impugned judgment, no safeguards have been provided, such as laying down processes, the mode and the manner of excavation and quantum.

32. Therefore, we have no hesitation in striking down item 6 of the substituted Appendix-IX forming part of the impugned notification dated 28th March 2020 and item 6 of the amended impugned notification dated 30th August 2023. Accordingly, we quash item 6 in the two notifications above.

33. The appeals are, accordingly, partly allowed on above terms. There will be no order as to costs.

.....J.
(Abhay S. Oka)

.....J.
(Sanjay Karol)

New Delhi;
March 21, 2024.

F. No. 3-70/2020-IA.III [141127]
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

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

Dated: 28th March, 2024

OFFICE MEMORANDUM

Subject: **Compliance of the Judgement dated 21/03/2024 of Hon'ble Supreme Court in Civil Appeal Nos 1628-1629 of 2021, Noble M. Paikada Vs Union of India – reg.**

The Ministry vide Notification S.O. 1224 (E) dated 28/03/2020 amended Appendix-IX to the EIA Notification, 2006 which *inter-alia* provided exemption from prior Environmental Clearance for the following:

> *"6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.*
>
> *7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management."*

2. Thereafter, Ministry vide Notification S.O. 3840 (E) dated 30/08/2023 amended the aforesaid provisions of item 6 & 7 of Appendix-IX to the EIA Notification, 2006 as given below:

> *"6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. shall be subject to the compliance of standard operating procedures and environmental safeguards issued in this regard from time to time.*
>
> *7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management shall be subject to the compliance of environmental safeguards issued in this regard from time to time."*

3. The Hon'ble Supreme Court vide its judgment dated 21/03/2024 in Civil Appeal Nos 1628-1629 of 2021 titled Noble M. Paikada Vs Union of India has struck down item 6 of the substituted Appendix-IX forming part of the Notification S.O. 1224 (E) dated 28/03/2020 and S.O. 3840 (E) dated 30/08/2023.

4. The copy of the judgement which is self-explanatory is enclosed herewith for compliance.

5. This is issued with the approval of the Competent Authority.

28/3/2024

(Sundar Ramanathan)
Scientist 'E'

Encl: as above.

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman and Member Secretaries of SEIAA/ SEACs
3. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/Sr.PPS to JS (SKB)
6. Website, MoEF&CC/Guard file
7. Ministry of Mines
8. Ministry of Petroleum and Natural Gas
9. Ministry of Road Transport and Highways

India's Notified Ecologically Sensitive Areas (ESAs)

The Story So Far...

Meenakshi Kapoor

Kanchi Kohli

Manju Menon

Kalpavriksh

2009

3. Threats to Pachmarhi

About 45 hotels had come up in early 1990s in Pachmarhi, many of them violating the Cantonment Board building norms allowing ground plus three storeys for a building with a maximum height of 15 metres. Official plans for Pachmarhi's future are even more discouraging. Pachmarhi already receives around 80,000 domestic tourists every year and this figure does not include the number of pilgrims who come to the *melas* of Shivratri and Nagpanchami held in March and the *shravan* month respectively (roughly around 3 lakhs on each occasion). Rather than seeking to regulate tourism, the Draft Development Plan for Pachmarhi published in September 1998 by the Town & Country Planning Organisation (TCPO) of the Government of Madhya Pradesh assumes a substantial increase in the tourist influx. It plans for a three hundred percent increase in the tourist inflow by 2011. It includes other suggestions as well that may pose a threat to Pachmarhi, like locating a residential university in the region, a ropeway project and the upgradation of an airstrip into a better quality aerodrome among others.

4. Background to the ESA Notification

Around 1994, Mr. Pradip Krishen, a film maker & author of the book *'Trees of Delhi'* was invited for a meeting called by the Housing and Environment Secretary, Madhya Pradesh to look at the issues and threats confronting Pachmarhi. In 1996, an INTACH workshop on tourism was organised in Bhopal to understand the threats and potentials of the town. Both the army and the state government were involved in organising this. During the meeting, it was felt that a planning initiative was needed to save this landscape but the state government seemed interested only in exploiting its tourism potential. Mr. Pradip Krishen was the convenor for the Pachmarhi Chapter of INTACH at that time.

Following this, Mr. Krishen met with the Chief Secretary, Madhya Pradesh and the heads of various departments and made a presentation in Bhopal talking about the significance of Pachmarhi and the need to protect it. Through this he managed to convince the state government that INTACH could prepare an integrated conservation plan for the area. It was proposed that the state government would appoint a steering committee and INTACH would constitute a task force comprising of experts from all relevant sectors. The task force would gather data, analyse it and design planning options for Pachmarhi, and the decision on a final plan would be left to the discretion of the steering committee. This contract was signed in 1997.

After 3 months, INTACH received a letter saying that their contract had been cancelled without any reason being provided. The state government had instead appointed the Town & Country Planning Organisation (TCPO) to undertake the Development Plan exercise for Pachmarhi.

As mentioned earlier, Pachmarhi was under serious threat due to the projections made in this Development Plan. The Government of Madhya Pradesh appointed a committee to hear the objections from the public to the draft Development Plan and make suggestions to the Director, Town & Country Planning. At that point, Mr. Pradip Krishen was in touch with Dr. Ishwar Dass, a retired officer of the Indian Administrative Service, who was then based in Bhopal. Both of them put together data they had collected over several years towards an integrated conservation plan for Pachmarhi, and presented it before the officials of TCPO and shared their plans for Pachmarhi including measures like the afforestation of indigenous plants, regulated tourism, etc. To their surprise, the TCPO asked them to be on its committee. One of the reasons why they feel this may have been done was that the TCPO did not want them to publicly criticise the draft Development Plan. Nevertheless, Mr. Pradip Krishen and Dr. Ishwar Dass joined the committee but none of their objections were incorporated in the final version of the plan.

5. Genesis of the preliminary notification

The process of protecting Pachmarhi by declaring it an eco-sensitive zone began with a note dated January 13, 1993 from Mr. Anthony De Sa, Deputy Secretary and Special Assistant in the office of the Minister for Environment and Forests. The note stated that Mr. Kamal Nath, the Minister for Environment and Forests desired that a study team of experts be set up to examine the carrying capacity of the SADA[1] (Special Area Development Authority) area (Pachmarhi & its immediate environs) so that planned development could take place in the region. He desired that the matter be discussed with the Secretary of his ministry before the end of the month. The reason behind the special interest of the MoEF in this matter could be that both Mr. Kamal Nath and Mr. Anthony De Sa belonged to Madhya Pradesh and they probably had an idea of the contents of the Development Plan for Pachmahi.

[1] As per section 64 (1) of the Town & Country Planning Act 1973, the State Government can notify an area as a special area if it deems fit. Special Area Development Authority (SADA) will prepare and implement the development plan for the special area.

ANNEXURE-27

भारतीय वन्यजीव संस्थान
Wildlife Institute of India

सूचना का अधिकार
RIGHT TO INFORMATION

No. WII/RTI/CPIO/2023-24/QTR-2/41

Date: 07 .08.2023

To,

Mr. Brajesh Kumar Bharadwaj
632, Yellow Bungalow Shubhalay colony,
Narsinghpur road, Chhindwara
MP, Pin:480001

Sub.: Information under RTI Act, 2005–reg.

Ref.: Your RTI no. WLIOI/R/E/23/00045 dated: 11.07.2023.

Sir/Madam,

Please refer to your application cited above under RTI Act, 2005. In this context, the required information has been received from concerned department and being furnished below:

Information Sought	Reply of WII
Final copy of: Wildlife Institute of India (WII) submitted an final report to Chief wildlife warden with regard to height and noise level for flights over Kedarnath wildlife sanctuary. WII had recommended to notify areas above wildlife Sanctuaries as an silent zone.	This study was conducted by WII on the request of the Uttarakhand Forest Department. The report has been submitted to the Chief Wildlife Warden, Uttarakhand. The RTI applicant may be requested to collect a copy of the WII report from the Office of the Chief Wildlife Warden, Uttarakhand.

In case, you are not satisfied with the aforesaid reply, you may appeal to the Appellate Authority as per details given below within 30 days from the date of receipt of this letter.

Registrar
First Appellate Authority & Registrar
Address: Wildlife Institute of India, Chandrabani, Dehradun
Phone No.: 01352646202

Thanking you,

Yours faithfully

[Baljeet Kaur]
CPIO

पत्रपेटी सं. 18, चन्द्रबनी, देहरादून-248001, उत्तराखण्ड, भारत
Post Box No. 18, Chandrabani, Dehradun-248001, Uttarakhand, INDIA
ई.पी.ए.बी.एक्स. :+91-135-2640111 से 2640115, फैक्स:0135-2640117
EPABX : +91-135-2640111 to 2640115, Fax : 0135-2640117
ई–मेल/E-mail : wii@wii.gov.in, वेब/website : www.wii.gov.in

Printed from
THE TIMES OF INDIA

Wildlife Institute of India recommends noise, height limits for helicopters to fly over Kedarnath Wildlife Sanctuary

TNN | Jan 31, 2016, 10.32 PM IST

DEHRADUN: Wildlife Institute of India (WII) has submitted an interim report with regard to height and noise level for flights to fly over the Kedarnath Wildlife Sanctuary (KWLS) to chief wildlife warden (CWLW). WII has recommended to notify the areas above wildlife sanctuaries as 'silent zone', keeping the noise level of helicopters within the noise limit of 50 dB, as has been notified by Goa. The report also highlights the fact that on an average the flights are generating noise level of 70 dB and fly below 600 meter. As per the norms laid by DGCA, the flights should be operated above 600 m from the ground. The report says that these measures will reduce impact on wildlife. WII will submit final report in summer this year.

DVS Khati, CWLW said, the state would ahere to above 600 meter height for helicopters as prescribed by WII and the noise level would adjust according to that.
It is in 2013, divisional forest official of KWLS has submitted a report to CWLW, saying that animals and birds of many endangered and rare species such as snow leopard, musk deer and Monal had abandoned those area of KWLS, once the frequent flights for Kedarnath temple began for the pilgrims.

NGT while hearing a case on this matter ordered on December 10 stated that the state will take immediate steps to submit its proposal for notification of eco sensitive zone covering KWIS as well . This proposal must be submitted to MoEF within 3 months from the date of pronouncement to this judgement. However we direct the state government to issue specific direction in consonance with the aviation policy with specific reference to the

Eco sensitive Zones of KWLS in relation to height and level of noise that the helicopter being used by the company should be permitted to generate.

The report says, "Our measurement of noise levels due to helicopter flights that were recorded at six locations along the flight paths during autumn last year ranged from 46 dB to 89 dB with a mean of 70 dB , well above the 50 dB upper noise limit prescribed for 'Silent Zone'. Lowest noise levels were observed at Soneprayag where the helicopters tend to fly highest, due to a bend in the valley. This demonstrates a correlation between helicopter flying height and noise level. "

As per the norms laid by DGCA , the flights should be operated above 600 m from the ground. Our altitude records of helicopter flights made during autumn last year revealed that with the exception of one, all helicopter flights have flown less than 600 m above ground. The compliance of the above mentioned regulations needs to be strictly adhered so to reduce /minimize disturbances to wildlife due to noise besides having flying safety consideration.

WII report stated that state forest department or an other agency could monitor the helicopter operator's compliance with regulatory norms laid by DGCA by regular checking of aviation records submitted by the different operators. Monitoring the helicopter altitude and position could be done using equipments such as Laser Destomerter, Lidar Gun and setting up of Automatic Dependent surveillance unit.

Printed from
THE TIMES OF INDIA

Operator of helicopter joyride shuts service in Jaisalmer

TNN | Jan 5, 2023, 10.22 AM IST



JAISALMER: The helicopter joyride service started by Rajasthan Tourism Development Corporation (RTDC) in Sam area of Jaisalmer district on December 27 has been wound up. The service operator, Aone Helicopters OPC Pvt Ltd, went back to Jaipur with the helicopter and all joyride items on Wednesday. Following a news report in TOI about the helicopter joyrides posing a threat to Great Indian Bustards (GIB) in Desert National Park (DNP), the forest department had served a notice to both RTDC and the helicopter operator on Tuesday. The notice said the joyrides were being carried out in eco-sensitive zones without permission from the environment and forest department. This led to the company stopping its services on Tuesday and leaving for Jaipur on Wednesday.

Aone Helicopters OPC Pvt Ltd CEO Sohan Singh Nathawat confirmed that the operations have been called off completely. He, however, said had no idea about the permissions for the flight service in DNP area. The company plans to resume the services after getting due permission and will build its own helipad, he added.

Sensing the dangers to the wildlife in DNP the helicopter joyrides were posing, many green activists and NGOs had shot off a letter to the chief conservator of forest and wildlife. The letter said the helicopter taking off from

Sam hamlet and flying over Ganga and Kanoi closures and parking at the GIB habitat was affecting the wildlife in the area. “While on the one hand a conservation effort for the state bird GIB is on at DNP, on the other hand GIBs are leaving the place due to the noise of the helicopter,” said the letter. It also pointed out that flying helicopters over the sanctuary area is a violation of Wildlife Conservation Act, 1972, and that the operators had not taken any environmental approval from the forest department.

The letter had prompted the forest department to issue a notice to RTDC, joyride operator and the district administration, asking that the route of the flight service be changed, and that the flying activity be carried out outside the eco-sensitive zone.

Ashish Vyas, the deputy conservator of forest at DNP, said the notice served to RTDC and Aone Helicopters OPC Pvt Ltd on Tuesday had informed them that the flight services cannot be carried out in the eco-sensitive zone without permission from the forest and environment department. “The joyrides can be conducted outside the eco-sensitive zone,” he added.

ANNEXURE-28

Item No.18:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

(Through Video Conference)

Original Application No.88 of 2024 (SZ)

Earlier O.A. No. 114 of 2024(PB)

IN THE MATTER OF:

Tribunal on its own motion **SUO MOTU** based on the News Item in The Times of India dt: 31.12.2023 titled, **"Forest dept objects to operating flights over protected areas".**

And

Principal Chief Conservator of Forests,
Tamil Nadu Forest Department and Ors.

...Respondent(s)

Date of hearing: 08.05.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Dr. D. Shanmuganathan for R1 & R2.

ORDER

1. The learned Government Pleader for the State of Tamil Nadu would seek time to file a report.

2. Post the matter on **16.07.2024.**

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.88/2024(SZ)
08th May, 2024. Mn.

ANNEXURE-29

RIGHT TO INFORMATION

RTI MATTER

भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest and Climate Change

राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण

National Tiger Conservation Authority

F. No. 10-1/2024-NTCA **New Delhi, the April 29, 2024**

To,

Mr. Brajesh Kumar Bharadwaj,
632, Yellow Bungalow Shubhalay colony,
Narsinghpur road, Chhindwara MP, Pin:480001

Sub: Information under Right to Information Act, 2005– reg.

Sir,

Please refer to your RTI application received online vide registration No.NTCAD/R/E/24/00027 dated 07.04.2024 on the subject cited above. The information pertaining to this Authority is furnished as under:

S. No.	Question	Answer/ Reply
Under RTI Act 2005, please provide the copy of following:		
1.	Appendix-C (containing Article 1-5) Tripartite Memorandum of Understanding (MOU) between Ministry of Environment and Forests (National Tiger Conservation Authority) New Delhi , Government of Madhya Pradesh and Field Director Satpura Tiger Reserve as per Para 17 of NTCA Gazette notification No 15-31/2012 NTCA dated 15 October 2012.	Information pertaining to your queries is attached at Annexure-1.

If you are not satisfied with the aforesaid reply, you may appeal to the First Appellate Authority i.e., **Dr. Vaibhav C. Mathur, Deputy Inspector General of Forests, National Tiger Conservation Authority (NTCA),** Govt. of India, Ministry of Environment, Forest & Climate Change, B-1 Wing, 7th Floor, Pt. Deendayal Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.

भवदीय / Yours faithfully

हेमंत सिंह / Hemant Singh
सहा0 वन महानिरीक्षक (रा.व्या.सं.प्रा.)/Asst. IGF (NTCA)
केंद्रिय लोक सूचना अधिकारी / Central Public Information Officer
Email: aig3-ntca@nic.in
Tel. (EPABX): + 91 11 24367837-39
FAX: +91 11 24367836

TRIPARTITE MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF ENVIRONMENT AND FORESTS
(NATIONAL TIGER CONSERVATION AUTHORITY)
SATPURA TIGER RESERVE NARMADAPURAM
GOVERNMENT OF MADHYA PRADESH
AND
FIELD DIRECTOR SATPURA TIGER RESERVE

The Government of India has revamped its Tiger Conservation Programme through the setting of the National Tiger Conservation Authority. The urgency in saving the tiger, India's national animal conjoins on the Centre, State and Tiger Reserve Management onerous responsibilities. Effective dischange of which is essential. This tripartite memorandum seeks to lay our respective Responsibilities and reciprocal commitments linked to fund flows to ensure effective tiger Conservation in the country

This tripartite Memorandum of Understanding made this 13 day of February, 2018 between the Ministry of Environment and Forests, acting through the National Tiger Conservation Authority. 7 Floor, Paryavaran Bhawan. C.GO Complex. New Delhi-110003 (hereinafter referred to as the NTCA') of the First Part, the State Government of Madhya Pradesh, acting through Principal Secretary to the Govt. of Madhya Pradesh, Environment & Forests Department (hereinafter referred. to as the State Government), of the Second Part, and the Field Director of Satpura Tiger Reserve (hereinafter referred to as the Field Director), of the Third Part.

Whereas the State Government has submitted a proposal to the Ministry of Environment and Forests, through the Field Director, seeking financial assistance for protection and development of Satpura Tiger Reserve, here in after referred to as the "Annual Plan of Operation 2020-21

And whereas the Ministry of Environment and Forests is ready and willing to extend financial support for the approved items of the said work, on the terms and conditions given below for the year 2020-21 and thereafter

NOW, THEREFORE, IT IS HEREBY AGREED between the Parties as follows:

ARTICLE I

Obligations of the Ministry of Environment and Forests (through the NTCA)

The Ministry of Environment and Forests has agreed and affirmed that :-

1. Funding support under Project Tiger shall be made available to the Tiger Reserve in two phases, on receipt of the Annual Plan of Operation with cost estimates of proposed field initiatives, based on tiger reserve specific "Tiger Conservation Plan"
2. The first installment of the funding support under Project Tiger would be done by four weeks after receipt of the Annual Plan of Operation from respective State Governments, subject to the availability of funds and directives of the Ministry of Finance
3. The second installment of the funding support under Project Tiger would be released by two weeks after receipt of Utilization Certificate pertaining to previous year from the States along with 60% Utilization Report of funding support released as first installment during the current financial year, and the Progress Report in the desired format from the Field Director, duly recommended by the Chief Wildlife Warden of the State.
4. Technical guidance in the form of advisory would be provided to the Field Director under intimation to the State Government in the Tiger Reserve, within the ambit of the provisions contained in the Wildlife (Protection) Act 1972 with regard to conservation of tigers and their habitat.
5. At ecological auditing on the impact of investment made in the reserve shall be carried out as per prescribed criteria.

ARTICLE II

Obligations of the Government of Madhya Pradesh

The State Government has agreed and affined that:

(1) The Tiger Conservation Plan, as required under section 38V of the Wildlife (Protection) Act. 1972, as amended in 2006, shall be prepared for the Tiger

Reserve for which the finding support is being sought from First Party, as per the prescribed guidelines within 6 months from signing of MoU.

(2) The core or critical tiger habitat and the bufler or peripheral area shall be delineated and notified as required under the Wildlife (Protection) Act, 1972, as amended in 2006 within 6 months from signing of MoU.

(3) The staff vacancies shall be filled up by Second Party for ensuring effective implementation and field protection, after fixing area norms vis-a-vis the topography within 6 months from signing of MoU

(4) The money released under Project Tiger shall be made available to the tiger reserve within 2 weeks of its receipt in the State for implementing tiger conservation initiatives, as proposed in the Annual Plan of Operations, with due compliance of the normative guidelines and advisories of the said Authority

(5) The State Government shall post a motivated officer with proven track record, preferably trained in wildlife management, as the Field Director of the Tiger Reserve, with a minimum tenure of three years (extendable if the situation warrants).

(6) The State Government shall constitute a Steering Committee as required under section 38U of the Wildlife (Protection) Act, 1972, as amended in 2006, under the Chairmanship of the Chief Minister, for ensuring coordination, monitoring, protection and conservation of tiger, co-predators and prey animals, within one year from signing of MoU

(7) The State Government shall establish a reserve-specific Tiger Conservation Foundation, as autonomous "profit centres" for the Tiger Reserve to facilitate and support its management for tiger conservation and eco development, by involving local people, as per the guidelines issued, empowered to receive tourism gate collections assistance from Government and other funds from Government and planning authority, to create a "development fund", and deploy it for the benefit of the reserve, local people and the staff within 6 months from signing of MoU.

(8) The State Government shall promote action for local intelligence gathering and protection of the tiger reserve, and this "Security Plan" should form part of the Tiger Conservation Plan, with provisions for periodic "Security Audit"

(9) The State Government shall ensure capacity building of the frontline staff for effective enforcement, apart from staff development and staff welfare measures, based on a capacity building plan made part of the Tiger Conservation Plan

(10) The State Government shall regulate tourism as per carrying capacity computed for the reserve and develop forest and wildlife tourism policy for the State within one year from signing of MoU

(11) The State Government shall avail ihe enhanced relocation package for relocating the villages in the core/critical tiger habitats as per the revised guidelines of the Project Tiger and statutory provisions, in a time bound manner.

(12) The State Government shall take steps for restoring the identified corridor linkages with the tiger Reserve by mainstreaming tiger conservation in the landscape amongst the various production sectors, with the active involvement of territorial forest divisions, and revenue authorities, having scope for handholding by credible agencies outside the Government system.

(13) The State Government shall ensure ecologically compatible land uses in areas linking one tiger reserve with the other, while ensuring that forestry operations of regular forest divisions and those adjoining tiger reserves are not incompatible with the needs of tiger conservation.

(14) The State Government shall certify that no ecologically unsustainable land use such as mining, industry and similar projects operate within the Tiger Reserve.

(15) The State Government would ensure that the day-to-day tiger monitoring protocol is ensured in the Tiger Reserve as per advisories issued by the National Tiger Conservation Authority (Project Tiger), for facilitating forecasting of untoward happenings

(16) The State Government shall ensure active management of the buffer zone of the Tiger Reserve with central assistance for ehciting public support through mainstreaming of wildlife concerns, to benefit local people and wild animals, apart from addressing man wildlife animal interface.

(17) The State shall place in the public domain the Tiger Conservation Plan of the reserve and details of execution within 6 months from signing of MoU in their official website www.mpforest.gov.in apart from making available the same in local language to promote public vigil.

(18) The money released by the National Tiger Conservation Authority shall be made available to tiger reserves for taking up the works proposed in the Annual Plan of Operations (APO) immediately, with due compliance of the normative guidelines and advisories of the said Authority.

(19) The Director/Officer In charge of the Tiger Reserve shall be empowered to spend the money provided by the National Tiger Conservation Authority for immediate execution of the schemes, as per the norms and procedures prescribed by NICA and the State Government.

(20) The State Government will ensure that the Accounts of the grants released by NTCA are audited by Statutory Audit of the State Government on annual basis and a certificate to this effect will be sent to NTCA annually latest by 31" May each year

ARTICLE III

Obligations of the Field Director Satpura Tiger Reserve

The Field Director Satpura Tiger Reserve has agreed and affirmed that:

(1) A Security Plan would be drawn up for the Reserve, considering its strength weakness opportunity and threat which would form part of the Tiger Conservation Plan, to ensure intelligence based enforcement for protection of tiger, other wild animals and the habitat.

(2) The day-to-day monitoring protocols for tiger and other wild animals would be duly followed, as prescribed by the National Tiger Conservation Authority. to ensure forecasting of untoward happenings in the habitat

(3) The Tiger Conservation Plan would I prepared within a time frame of six months, as per the guidelines issued by the NTCA with prescriptions for the core. buffer and adjoining areas.

(4) A staff development plan should be prepared and submitted to the State Government for ensuring frontline field staff in the right age group with the capacity to perform field work in the Reserve.

(5) Initiatives for mainstreaming tiger conservation the buffer and outer landscapes should be taken up through sectoral integration of different district level schemes, to provide livelihood options to the fringe dwellers for reducing their dependency on the Tiger Reserve, with reciprocal commitments from beneficiaries to protect the tiger.

(6) Timely redressed of man-wild animal conflicts would be ensured to prevent revenge killings of tiger and other wild animals

(7) A Tiger Conservation Foundation will be set up for the Reserve as a receptacle for gate receipts and other receipts from the State /Central Governments to undertake local actions.

(8) The Annual Plan of Operation for funding support from NTCA shall have reference to the Tiger Conservation Plan.

(9) The cost estimates worked out by the Field Director should be based on approved schedule of rates of the State Government.

(10) The APO must indicate the location / area of proposed initiative/ initiatives on a map, along with physical target, financial target and unit rate, with the basis of estimation

(11) The progress report should invariably indicate the physical achievement (viz, quantity number, area indicating location) and the objectives fulfilled on implementation of proposed activities.

(12) A year-wise photo catalogue of physical targets shall be maintained to facilitate verification during supervisory visits.

(13) During execution, details of estimate, man-days involved etc. shall be displayed near the work site.

(14) Utilization Certificate showing unspent balance, if any, shall be furnished to National Tiger Conservation Authority annually after the close of the financial year so that the same is reached in this office by 31st May of each year Complete Utilization Certificate shall be submitted immediately on completion of the work.

(15) The accounts of the grants released by National Tiger Conservation Authority shall be maintained properly as per audit requirement and shall be open to inspection by the NTCA/Audit A copy of these accounts shall also be released to NTCA. In case of construction/ habitat improvement works, photocopies of the measurement books (for the work which was executed from NTCA's grant) shall also be sent to NTCA Details of unspent amount, if any, shall be intimated to the Authority for adjustment as unspent balance or revalidation.

(16) The funds will be used only for the purpose of which it was sanctioned. Diversion of funds will not be allowed without the prior approval of NTCA.

(17) The records of all assets acquired out of the grant released herewith by the NTCA, shall be made available for scrutiny of audit Such assets shall not be, without the prior approval of Govt. of India/ National Tiger Conservation Authority be disposed off, encumbered or utilized for the purpose other than those for which the grant is sanctioned.

(18) A statement showing the extracts of the assets created out of the grants released by NTCA shall be furnished to NTCA annually by 31st May of each year.

(19) The liger Reserve Management should consult the Gram Sabha while deploying the local work force as Members of the Sabha would be conversant with the geographical and other related information about the area.

(20) The Compensation for cattle lifting, crop depredation, injury and death of humans should be decided in consultation with the Zilla Parishad (ZP)

2. The Tiger Reserve Management should coordinate with the concerned Gram Panchayat (GP) while implementing crop protection safeguards and other initiatives relating to man-wild animal conflicts.

(21) The Tiger Reserve Management should consult with Panchayati Raj Institutions fo providing ecologically viable livelihood options to reduce villagers dependence on forests. The Gram Sabha should be involved in restoring forest cover in the buffer areas in order to provide a supplementary habitat to animals moving out of core areas.

(22) Zilla Parishad should be involved in monitoring the payment and utilization of the compensation package whether under option-I or option-II.

(23) In case of option I1, relocation 'rehabilitation from the protected area/tiger reserve by the Forest Department should be done in consultation with the Gram Sabha

(24) Zilla Parishad Chairperson should be a member of the District level Implementing Committee for ensuring convergence with other sectors.

(25) Implementation and monitoring of district level schemes in the relocated village should be done through Gram Panchayat/Gram Sabha.

(26) Gram Panchayat/Gram Sabha should be involved in identifying labour oriented works relating to the relocation process, ensuring that the relocated villagers get adequate remuneration for their labour.

(27) In case of re-settlement on forest land, the new settlement should be eligible to access forest resources based on their traditional forest rights as certified by the Gram Sabha.

(28) Recommendations of Gram Panchayat/Gram Sabha should be taken while deciding the site for fair price shops, schools, health centre etc. close to the relocated village.

(29) Gram Panchay at/Gram Snbha should be consulted in the identification of services activities and personnel involved in ecotourism.

(30) The Local Traditional Village Councils or the Gram Sabha under the PESA Ac. 1996, as the case may be, should be consulted on the rehabilitation/welfare package to ensure that such tribal people are provided with livelihood options as well as health care, education and housing facilities, vis-à-vis the statutory provisions contained in the Wild Life (Protection) Act. 1972 as amended in 2006

ARTICLE IV

(Site-specific action)

Some tiger reserves may warrant special interventions owing to their unique geographical and other attributes

Examples

1. Proactive steps for intelligence based enforcement/anti poaching operations in border reserves and sensitive areas.
2. Proactive steps for preventing mortality of wild animals in Kaziranga
3. Proactive steps for fire prone habitats
4. Proactive steps for drought prone habitats.
5. Innovative steps for areas affected by insurgency and related problems.
6. Innovative steps for addressing issues like tigers straying out frequently in human settlements in habitats.

ARTICLE V

Consequences of non-observance of the terns of the MoU

(in case of non-observance of the terms of MoU by the State Government and the Field Director)

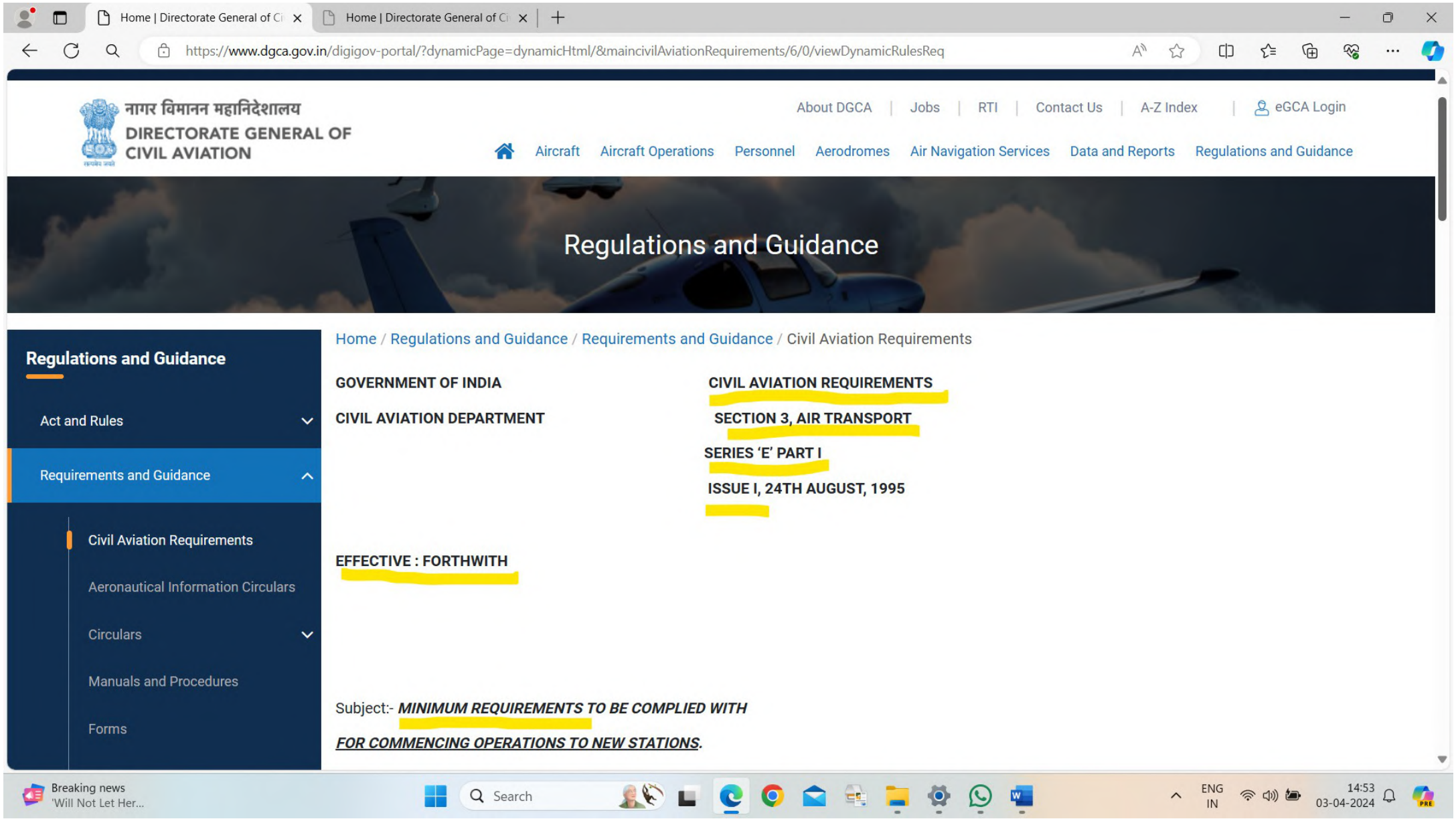
1. Stoppage of funding support under Project Tiger.
2. Release of second installment would not be made in case the Utilization Certificate relating to the first release is not received in the NICA.

3. Non adherence/ observance to MoU may lead to stoppage of incentives which may be provided to the officials and staff of the Tiger Reserve
4. Non observance of the MoU leading to loss of tiger and its habitat and violation of statutory provisions of the NTCA may lead to penal action on the Field Director through the State Government.

IN WITNESS WHEREOF. The representatives of the Parties to this Memornndum of Understanding being duly authorized have signed this Memorandum of Understanding as of the day. month and year first above written.

Signed for and on behalf of National Tiger Conservation Authority	**Signed for and on behalf Government of Madhya Pradesh**	**Field Director Satpura Tiger Reserve Narmadapuram**

ANNEXURE-30


Home | Directorate General of Ci
Home | Directorate General of Ci
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नागर विमानन महानिदेशालय
DIRECTORATE GENERAL OF CIVIL AVIATION
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GOVERNMENT OF INDIA
CIVIL AVIATION DEPARTMENT
CIVIL AVIATION REQUIREMENTS
SECTION 3, AIR TRANSPORT
SERIES 'E' PART I
ISSUE I, 24TH AUGUST, 1995
EFFECTIVE : FORTHWITH
Subject:- MINIMUM REQUIREMENTS TO BE COMPLIED WITH
FOR COMMENCING OPERATIONS TO NEW STATIONS.
Breaking news
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Comments

With the rapid growth of aviation in India, many operators have plans to start operations to new stations where no air transport services are being operated. While commencing flights to new stations, it has to be ensured that at least the minimum required facilities relating to air traffic control, safety services, security arrangements, etc. are available at these stations to ensure safety of operations. Proper planning is, therefore, required on the part of the operators.

2. The operators should take the following aspects into consideration and furnish necessary information to the concerned authorities i.e. Airports Authority of India, Bureau of Civil Aviation Security, DGCA etc. while seeking approval for commencing commercial operations to new stations including those airports which were operational earlier but are not operational at the time of commencement of new flights.

I) **Passenger Facilities**

The airport should have at least an improvised passenger lounge with separate security hold area. A telephone with STD facility should also be available at the airport.

ii) **Fencing** ✓

Proper operational fencing should be provided around the airport as per the guidelines of Bureau of Civil Aviation Security. However, to start the operations, adequate guarding arrangements may be made around the perimeter of the airport by the owner of the airfield till regular fencing is provided. This arrangement should only be for short duration and fencing should be provided quickly.

iii) **Watch and Ward**

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iii) **Watch and Ward**

The owner of the airfield should provide proper watch and ward staff responsible for security and safety of the aircraft movements.

iv) **Anti-Hijacking Measures**

Arrangements for Anti-Hijacking measures would be made by BCAS. The airport is required to have Security Committee for implementation of the anti-hijacking measures. Airports Authority of India (AAI) will provide the necessary equipment such as Door Frame Metal Detector and Hand-Held Metal Detector for security checks at all airports including those not owned by AAI.

v) **Emergency Plans**

The airport should have the emergency plans for handling emergencies like accident, bomb threat, hijacking, fire etc. and these should be available as per the existing requirements.

vi) **ATC Facilities**

The airport should at least have a Control Tower with ATC facilities, two-way VHF communication and adequate ATC personnel. The operations shall be planned within the ATC watch hours.

vii) **Clearance of Ministry of Defence**

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The operator should obtain clearance of the Ministry of Defence if the operations are proposed to/from defence airfields. Clearances of Ministry of Defence and Ministry of Home Affairs are required in respect of foreign pilots also, if used for operations.

viii) **Advance Notice**

A minimum of 45 days notice is required to be given to BCAS, AAI or any other agency running the airport, DGCA and India Meteorological Department (IMD) before commencing operations. If the flights are to be operated to defence airfields, in addition to obtaining clearances as mentioned in para vii) above, the concerned defence authorities shall also be given adequate advance notice in accordance with their requirements.

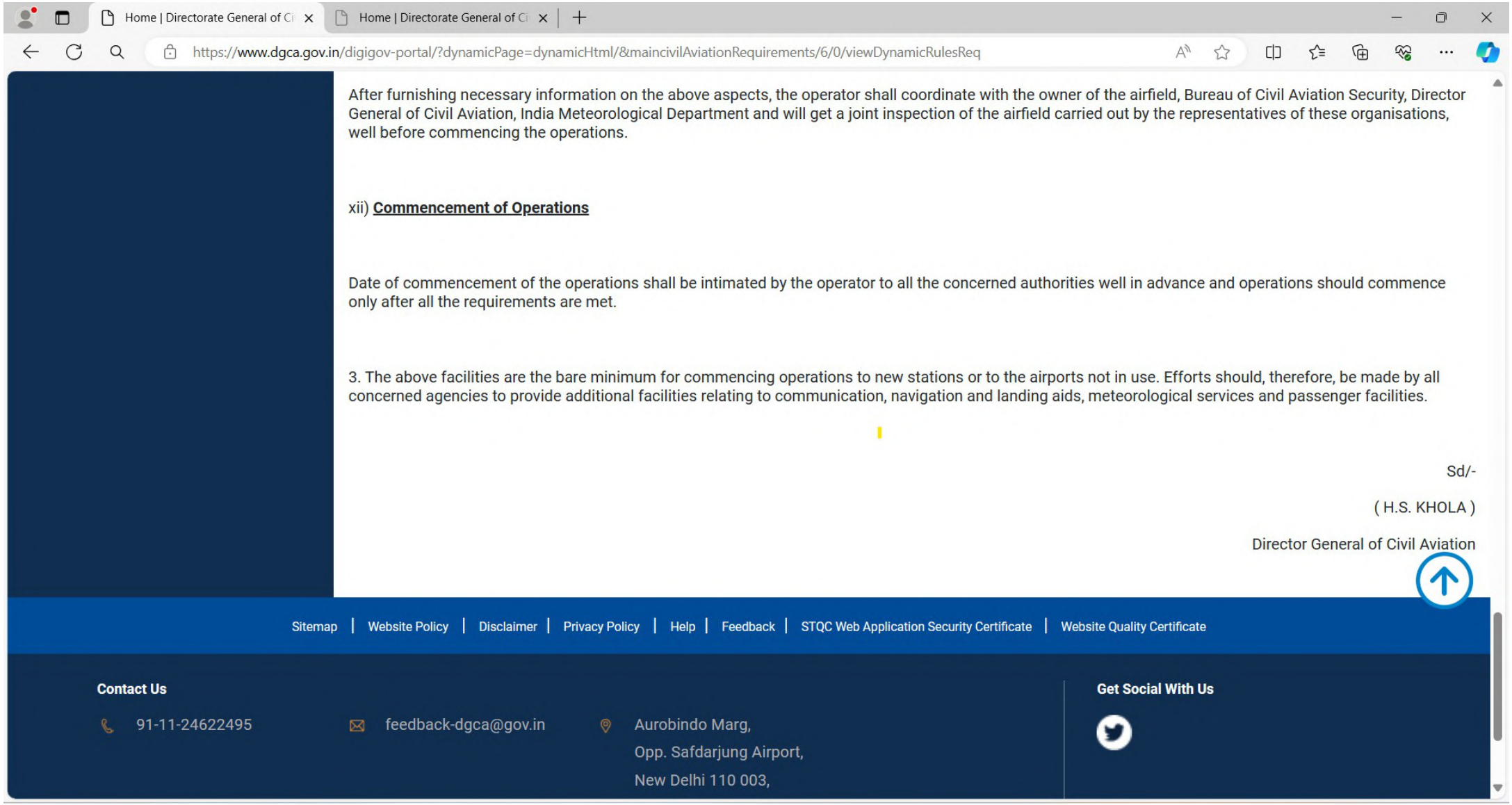
ix) **Suitability of the Airport**

The operator shall evaluate and confirm to DGCA, with necessary supporting data, suitability of the airport for safe operation of the type of aircraft proposed to be used from considerations such as runway length, PCN/LCN value, clearance of the surrounding and enroute obstacles with one engine inoperative etc. before commencing operations.

x) **Safety Services**

The airport should have safety services adequate for the type of aircraft proposed to be operated.

xi) **Inspection by DGCA, AAI, BCAS, IMD and Operator**



After furnishing necessary information on the above aspects, the operator shall coordinate with the owner of the airfield, Bureau of Civil Aviation Security, Director General of Civil Aviation, India Meteorological Department and will get a joint inspection of the airfield carried out by the representatives of these organisations, well before commencing the operations.

xii) **Commencement of Operations**

Date of commencement of the operations shall be intimated by the operator to all the concerned authorities well in advance and operations should commence only after all the requirements are met.

3. The above facilities are the bare minimum for commencing operations to new stations or to the airports not in use. Efforts should, therefore, be made by all concerned agencies to provide additional facilities relating to communication, navigation and landing aids, meteorological services and passenger facilities.

Sd/-

(H.S. KHOLA)

Director General of Civil Aviation

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Aurobindo Marg,
Opp. Safdarjung Airport,
New Delhi 110 003,

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ANNEXURE-31

PART XI – AERODROMES

78. icensing of Aerodromes – (1) No aerodrome other than a defence aerodrome shall be used as a regular place of landing and departure by a scheduled air transport service or for a series of landings and departures by any aircraft carrying passengers or cargo for hire or reward unless --

(a) it has been licensed for the purpose, and save in accordance with the conditions prescribed in such licence; or

(b) it has been approved by the Director-General, subject to such conditions as he may deem fit to impose, for the purpose of operation of flights in the event of national or international crisis, natural calamities, emergencies or otherwise requiring such flights to carry material goods for relief purposes, or for giving joyrides for hire or reward:

Provided that any person already permitted and operating scheduled air transport services to an aerodrome before the commencement of the Aircraft (4th Amendment) Rules, 2004 may continue operation of such services till the aerodrome operator obtains the licence from the Director-General by the date to be notified by the Central Government.

(1A) A defence aerodrome shall not be used as a regular place of landing and departure by a scheduled air transport service, unless it has been certified as per the requirements specified by the Director-General:

Provided that nothing contained in this sub-rule shall apply to a defence aerodrome, for such a period as may be notified by the Central Government in the Official Gazette, if such scheduled air transport services are already operating to that aerodrome on the date of commencement of the Aircraft (Fourth Amendment) Rules, 2016.

(2) An aerodrome shall be licensed by the Central Government in one of the following categories, namely:- (a) for public use; (b) for private use, that this is to say, for use by the licensee and by individuals specifically authorized by the licensee.

(3) An aerodrome may be licensed for all types of aircraft or for certain specified types or classes of aircraft and the licence may specify the conditions on which the aerodrome may be used.

(4) No person shall operate or cause to be operated any flight from a temporary aerodrome or an aerodrome which has not been licensed or approved, as the case may be, under these rules unless it meets the minimum safety requirements laid down by the Director-General.

[Substituted by – GSR No. 732(E) dated 02-11-2004
Amended by GSR No. 977(E) dated 5-10-2016]

79. Qualifications of licensee. – A licence for an aerodrome shall not be granted to any person other than **–**

(a) a citizen of India; or
(b) a Company or a body corporate:
Provided that -
(i) it is registered and having its principal place of business in India;
(i) it meets the equity holding criteria specified by the
Central Government from time to time; or
(c) the Central Government or a State Government or any company or any corporation owned or controlled by either of the said Governments; or
(d) a society registered under the Societies Registration Act, 1860. (21 of 1860).

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

ANNEXURE-32

A+ A A-

Select Language: English

Public Authorities Available

RTI Online

Version 2.0

An Initiative of Department of Personnel & Training, Government of India

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Online RTI Status Form

Note:Fields marked with * are Mandatory.

Enter Registration Number	DGOCA/R/E/24/00006
Name	Brajesh Kumar Bharadwaj
Received Date	03/01/2024
Public Authority	Director General of Civil Aviation
Status	REQUEST DISPOSED OF
Date of action	29/01/2024
Reply :- No such approval granted by Aerodrome Standards Directorate,DGCA for Pachmarhi(Madhya Pradesh).Hence No information available with CPIO.	
CPIO Details :-	Manoj Kumar Garg (Aerodrome Standards) Phone: 01124654507 manojgarg[dot]dgca[at]gov[dot]in
First Appellate Authority Details :-	M T Bokade Phone: 011-24622499 mtbokade[dot]dgca[at]nic[dot]in
Nodal Officer Details :-	
Telephone Number	011-24622500
Email Id	bharat[dot]dgca[at]nic[dot]in

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Online RTI Request Form Details

RTI Request Details :-

RTI Request Registration number	DGOCA/R/E/24/00006
Public Authority	Director General of Civil Aviation

Personal Details of RTI Applicant:-

Name	Brajesh Kumar Bharadwaj
Gender	Male
Address	632, Yellow Bungalow Shubhalay colony , Narsinghpur road, Chhindwara MP
Country	India
State	Madhya Pradesh
Status	Urban
Educational Status	Literate
Phone Number	+91-9810670991
Mobile Number	+91-9810670991
Email-ID	brijii100[at]gmail[dot]com

Request Details :-

Citizenship	Indian
Is the Requester Below Poverty Line ?	No

(Description of Information sought (upto 500 characters)

Description of Information Sought
Under the RTI act 2005, please provide the following information: 1. Certified copy of site suitability approval granted to Pachmarhi in Madhya Pradesh by the Aerodrome Standards Directorate of the DGCA, Ministry of Civil Aviation in accordance with Paragraph (xi) of the Aircraft Rules 1937.

Concerned CPIO	Manoj Kumar Garg (Aerodrome Standards)
Supporting document ***(only pdf upto 1 MB)***	Supporting document not provided

Print Close

ANNEXURE-33

GOVERNMENT OF INDIA
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPP. SAFDURJUNG AIRPORT, NEW DELHI

AVIATION ENVIRONMENT CIRCULAR 1 OF 2009

File No. 04-01/2010- AED **Dated: September 16, 2009**
Rev. 1, 10th August 2011

Subject: Creation of Aviation Environment Cell in Airlines, Aerodrome Operators and Air Navigation Service Provider Organizations in order to address aviation environmental issues.

1. Introduction

Aviation sector contributes currently about 2% of the global CO_2 emissions, with international aviation contributing little over half of this amount or 1%. Though technological improvements have resulted in substantial reduction in CO_2 emissions by means of fuel efficiency however, the projected growth of international air traffic will overweigh the gains achieved due to improvements in fuel efficiency. Hence, currently projected technological developments and operational improvements are not enough to bring deceleration in the process on increasing CO_2 concentration in the atmosphere unless the problem is addressed properly by implementation of further measures for adaptation and mitigation.

2. ICAO Initiatives

2.1 After the release of Assessment Report 4 of Intergovernmental Panel on Climate Change (IPCC), all international organizations working to reduce the impact of Greenhouse Gas (GHG) on climate decided to address the issue more aggressively including International Civil Aviation Organization (ICAO). Group on International Aviation & Climate Change (GIACC) was formed under the aegis of ICAO through a Resolution of ICAO Assembly at the 36th Session. GIACC has its genesis in Appendix-K of Resolution A36-22 and has been tasked with developing and recommending to the Council an aggressive Programme of Action (POA) on International Aviation and Climate Change and a common strategy to limit or reduce GHG emissions attributable to international civil aviation. Creation of environment

cell is hereby made mandatory in all scheduled, non-scheduled airlines, airport service providers including Airport Authority of India and all private airports.

2.2 GIACC felt that there is an urgent need for action to address growing CO2 emissions from international aviation and reached to a consensus to develop a Programme of Action. GIACC further agreed to frame Global Aspirational Goals (GAG) in order to finalize a strategy to combat with the present situation. The GAGs are developed on the basis of available cutting-edge technologies, operational practices and future traffic forecast. GIACC has also developed a basket of measures to be implemented by the Contracting States.

3. Strategic Objectives of ICAO

ICAO works to achieve its vision of safe, secure and sustainable development of civil aviation through cooperation amongst its member States. To implement this vision, the Council approved on December 17, 2004 the following strategic objectives of the Organization for the period 2005-2010:

A: Safety – Enhance global civil aviation safety
B: Security – Enhance global civil aviation security
C: Environmental Protection – Minimize the adverse effect of global civil aviation on the environment
D: Efficiency – Enhance the efficiency of aviation operations
E: Continuity – Maintain the continuity of aviation operations
F: Rule of Law – Strengthen law governing international civil aviation.

ICAO is pursuing all the aforesaid strategic objectives to harmonize and standardize the international civil aviation across the globe with special emphasis on Environmental Protection. To achieve the objectives, Committee on Aviation Environmental Protection (CAEP) and Group on International Aviation and Climate Change (GIACC) have been created under the aegis of ICAO to look into the environmental issues of international aviation and to provide guidance and feasible solutions to combat with this challenge.

4. Initiatives at National and DGCA Levels

4.1 Understanding the gravity of the situation, India has also developed its National Action Plan on Climate Change broadly covering all those aspects that may adversely affect the economy and growth of the country.

4.2 As a proactive initiative, an Aviation Environmental Unit (AEU) has been recently set up in DGCA to coordinate the aviation related environmental issues.

4.3 In order to promote this global and national endeavour, it is advised that all airline operators (scheduled and non-scheduled), ANS providers (AAI) and aerodrome operators (AAI and private) should also set up an Aviation Environment Cell within their respective organizations within available resources. The Aviation Environment Cell must be headed by an official having sound knowledge of aviation environmental related matters.

4.4 The names of all officials working in the cell should be forwarded to DGCA with their contact details such as e-mails, phone no., fax no., cell no, etc at the earliest for coordination. Any changes in name or duties of officials of cell shall be informed to DGCA.

5. Role of Environment Cell

5.1 The environmental cell needs to play a pivotal role between the concerned organization and DGCA on the issues pertaining to aviation environmental areas. The environmental cell shall be responsible for maintaining data and information pertaining to fuel consumption, carbon emissions, energy demand, etc and developing future action plans to reduce the carbon footprint of their respective organizations. Any such initiatives that help in reducing carbon emissions from aviation sector, adopted by the organization shall be informed to DGCA.

5.2 The Environment Cell shall develop their own action plans for implementation within the organization, in order to reduce emissions from aviation sector. The environmental cell should also submit to DGCA the various initiatives taken by them or planned for future in this direction including various measures. It must also address the noise related issues due to air traffic movement.

6. Requirements

The environmental cell should consider adopting standard practices that have been followed by other airlines/organizations. Some of these measures are listed below for reference:

i) Aircraft Related Technological Developments

a) Retrofitting and upgrade improvements on existing aircraft,
b) Adopting aggressive fuel efficiency methods,
c) Setting of short, medium and long term fuel conservation goals,
d) Adopting latest fuel management strategy,
e) Planning for using biofuels as alternative to fossil fuel,
f) Fixing of winglets, riblets, etc.

ii) Operational Improvements

a) Minimizing dead weights,
b) Improving load factors,
c) Improving ground operations & pilot trainings,
d) Ensuring maintenance schedule to be strictly followed,
e) Tailoring aircraft selection for a particular sector/route.

iii) Improved Air Traffic Management and Infrastructure use

a) Improving pre-departure planning,
b) Developing fuel efficient flight departure procedures,
c) Improving taxing and parking methods,

d) Identifying the bottlenecks in air traffic management,
e) Adopting electrical/gas/alternative fuels operated ground vehicles,
f) Replacing GPUs by direct electrical supply,
g) Improving public transport system in airports.

7. Monitoring, Reporting and Surveillance

7.1 It will be the sole responsibility of the organization to establish Aviation Environment Cell and to furnish all details pertaining to fuel consumption, carbon emissions, energy demand, etc to DGCA as mentioned in para 5.1 of this circular.

7.2 DGCA will monitor the information provided by the organizations and may carry out surveillance of all such organizations as mentioned in para 4.3 of this circular to ensure proper compliance.

(E. K. Bharat Bhushan)
Director General of Civil Aviation

ANNEXURE34

PART I – Preliminary

1. Short title and extent - (1) These rules may be called the Aircraft Rules, 1937.

(2) They extend to the whole of India and apply also (unless the contrary intention appears) -

(a) to, and to persons on, aircraft registered in India wherever they may be, expect cases falling under sub-rule(4);

(b) to, and to persons on, all aircraft for the time being in or over India :

Provided that in the case of aircraft registered in a country other than India, the regulations of that country relating to registration, license of personnel, airworthiness and log books shall apply in place of the provisions contained in Parts IV, V, VI and IX of these Rules :

Provided further that the foregoing proviso shall not apply to aircraft registered in any country whose regulations are not based on standards at least equal to the minimum standards established from time to time under the Convention on International Civil Aviation opened for signature at Chicago on the 7th December, 1944, and the cases falling under sub-rule(3).

(2A) In case of aircraft registered in a contracting State other than India and operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business, or, if has no such place of business, his permanent residence in another contracting State than India, the regulations of the other contracting State relating to registration, licensing of personnel, airworthiness and log books shall apply in place of the provisions contained in Parts IV, V, VI and IX of these rules, provided that an agreement has been reached between the Government of State of registry of aircraft and the government of the other contracting State relating to transfer of functions and duties pursuant to Article 83 bis of the Convention and the same has been officially notified to the Government of India or the International Civil Aviation Organisation. The extent of application of these rules to such aircraft shall be as per the agreement between the two Governments.

(3) These rules shall also apply to aircraft registered in a contracting State and operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business, or, if he has no such place of business, his permanent residence in India, provided that an agreement has been reached between the government of the State of registry of the Aircraft and the Government of India in regard to transfer of functions and duties pursuant to Article 83 bis of the convention. The extent of application of these rules to such aircraft shall be as per the agreement between the two Governments.

(4) These rules shall not apply to aircraft registered in India and operated pursuant to an agreement for the lease, charter or interchange of aircraft or any similar arrangement by an operator who has his principal place of business or if he has no such place of business, his permanent residence in a contracting State, provided that an agreement has been reached between the Government of India and the Government of that contracting state in regard to transfer of functions and duties pursuant to Article 83 bis of the Convention. The extent of non-application of these rules to such aircraft shall be as per the agreement between the two Governments.

[Amended by (i) G.S.R. No. 794, dated. 16-5-1966,

(ii) G.S.R. No. 20(E) dated 12-1-1994, and

(iii) G.S.R. No. 812(E) dated 21-11-2008.]

2. Nationality of aircraft - An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

3. Definitions and Interpretation - In these rules, unless there is anything repugnant in the subject or context –

(1) *Deleted by GSR No. 535(E) dated 5th July 2012*

(1A) "Aerial work" means any aircraft operation undertaken for an industrial or commercial purpose or any other remunerative purpose, but does not include operation of an air transport service;

[Inserted by GSR No 643(E) dated 29-7-2010 and GSR No. 801(E) dated 15-9-2010]

(1B) "Aerial work aircraft" means an aircraft used for the aerial work."

[Inserted by GSR No 643(E) dated 29-7-2010 and GSR No. 801(E) dated 15-9-2010]

(1C) "air traffic" means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1D) "Air Traffic Controller" means a person on duty in an air traffic services unit and entrusted with the task of giving instructions, clearance or advice to aircraft by approved means of communication in the interest of safety of aircraft operations;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1E) "Air Traffic Controller's Licence" means a licence granted under these rules certifying the competence of the holder to perform the duties of an air traffic controller and containing his personal details including ratings, endorsements and validity of the licence;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1F) "air traffic service" means the flight information service, alerting service and air traffic advisory service and air traffic control service (area control service, approach control service or aerodrome control service);

[Inserted by GSR No 64(E) dated 3-2-2012]

(1G) "Air traffic services unit" means the air traffic control unit, flight information centre or air traffic services reporting office;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1GA) "Airworthy" means the status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition of safe operation in accordance with norms specified by the Director-General;

[Inserted by GSR No 721(E) dated 23-6-2017]

(1GB) "Airworthiness Review Certificate" means a certificate issued under these rules to confirm the continued validity of a Certificate of Airworthiness;

[Inserted by GSR No 721(E) dated 23-6-2017]

(1H) "approved training" means a training the curriculum of which has been approved by the Director-General;

[Inserted by GSR No 64(E) dated 3-2-2012]

(2) "Aerodrome" means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto;

(3) 'Aerodrome operator' means a person, organization or enterprise responsible for operation and management of an aerodrome.

[Inserted by GSR No 690(E) dated 22.09.2009]

(4) "Aerodyne" means an aircraft whose support in flight is derived dynamically from the reaction on surfaces in motion relative to the air, and includes all aeroplanes, helicopters, gyroplanes, gliders and kites;

(4A) "Aeronautical beacon" means an aeronautical ground light visible at all azimuth either continuously or intermittently to designate a particular point on the surface of the earth;

[Inserted by GSR No 610(E) dated 14-8-84]

(4B) "Aeronautical ground light" means any light provided as an aid to air navigation other than a light displayed on an aircraft;

[Inserted by GSR No 610(E) dated 14-8-84]

(4C) "Aeronautical product" means any civil aircraft, aircraft engine or propeller.

[Inserted by GSR No 97(E) dated 14-02-2014]

(5) "Aeroplane" means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

[Amended by GSR No. 1202 dated 23-7-1976]

(6) "Aerostat" means an aircraft supported in the air statically and includes all airships and balloons;

(7) "Aircraft" means any machine which can derive support in the atmosphere from reactions of the air other than reactions of the air against the earth's surface and includes balloons whether fixed or free, airships, kites, gliders and flying machines;

[Amended by GSR No. 270 dated 2-3-1973]

(7A) "Aircraft component" means any part, the soundness and correct functioning of which, when fitted to an aircraft, is essential to the continued airworthiness or safety of the aircraft and includes any item of equipment;

[Inserted by GSR No. 1202 dated 23-7-1976]

(8) "Airship" means a power-driven lighter-than air aircraft;

[Amended by GSR No. 1202 dated 23-7-1976]

(9) "Air transport service" means a service for the transport by air of persons, mails or any other thing, animate or inanimate, for any kind of remuneration whatsoever, whether such service consists of a single flight or series of flights;

Explanation. – For the purposes of this clause, “acceptable level of safety” is the minimum degree of safety that must be assured by a system in actual practice.

[Inserted by GSR No. 59(E) dated 31.01.2011; Renumbered by GSR No 721(E) dated 23-6-2017]

(48B) “Safety oversight function” means a function by means of which the safety–related standards and recommended practices and associated procedures contained in the Annexes to the Convention are implemented.”

[Inserted by GSR No. 59(E) dated 31.01.2011]

(49) "Scheduled air transport service" means an air transport service undertaken between the same two or more places and operated according to a published time table or with flights so regular or frequent that they constitute a recognisably systematic series, each flight being open to use by members of the public;

[Amended by GSR No. 117(E) dated 25.2.1994]

(50) "Seaplane" means an aeroplane capable normally of taking off from and alighting solely on water;

(50A) *Deleted by GSR No. 535(E) dated 5th July 2012*

(51) "Solo flight time" means flight time during which a pilot is the sole occupant of an aircraft;

(51A) “specified or as specified or may be specified by the Director-General” means the directions issued by the Director-General under rule 133A and placed in public domain on the website of the Directorate General of Civil Aviation i.e. (http://dgca.nic.in);

[Inserted by GSR No. 911(E) dated 16-09-2016]

(51B) "Special Certificate of Airworthiness" means a document issued by the Director-General to an aircraft which has a restricted type certificate or complies with airworthiness specifications as specified by the Director-General for ensuring adequate safety;

[Inserted by GSR No 721(E) dated 23-6-2017]

(51C) "Special Flight Permit" means a document issued by the Director-General to an aircraft which does not meet the conditions of airworthiness as defined in clause (1GA) but is in a condition for safe operation subject to limitations as may be specified therein;

[Inserted by GSR No 721(E) dated 23-6-2017]

(52) "State aircraft" includes military aircraft and aircraft exclusively employed in the service of the Government such as posts, customs, police;

(52A) “Student Pilot-in-Command” means a trainee pilot, acting as Pilot-in-Command under observation of a flight instructor, who shall not manipulate the flight controls of an aircraft or influence the flight during flight time except when the safety of the aircraft is jeopardised.

Note: In the event the instructor manipulates the flight controls during the flight, the flight shall be deemed to be a dual instructional flight.

[Inserted by GSR No. dated 12-03-2009]

(53) "Subsequent aircraft" means an aircraft which is constructed in accordance with the design and specification of a type of aircraft, which has been approved or accepted by the Central Government for

2. वायुयान नियम, 1937 में, --

(क) नियम 3 में, खंड (17) (सा.का.नि 232(अ), तारीख 19 मार्च, 2007 द्वारा लोपित) के पश्चात्, निम्नलिखित खंड अन्तःस्थापित किया जाए, अर्थात्:-

"(17क) रक्षा विमान क्षेत्र" उस विमान क्षेत्र से अभिप्रेत है जो भारतीय वायु सेना, भारतीय नौ सेना या भारतीय थल सेना के स्वामित्व में है और उसके द्वारा प्रचालित है;";

(ख) नियम 78 में,-

(i) उप-नियम (1) में, "कोई विमान क्षेत्र नहीं" शब्दों के स्थान पर "रक्षा विमान क्षेत्र से भिन्न कोई विमान क्षेत्र नहीं" शब्दों को प्रतिस्थापित किया जाए;

(ii) उप-नियम (1) के पश्चात्, निम्नलिखित उप-नियम अंतःस्थापित किया जाए, अर्थात्:-

"(1क) किसी रक्षा विमान क्षेत्र, का उपयोग किसी अनुसूचित विमान परिवहन सेवा द्वारा अवतरण या प्रस्थान के नियमित स्थान के रूप में तब तक नहीं किया जा सकेगा जब तक कि वह महानिदेशक द्वारा विनिर्दिष्ट अपेक्षाओं के अनुसार प्रमाणित नहीं कर दिया जाताः

परंतु इस उप-नियम में निहित कोई अन्य बात रक्षा विमान क्षेत्र पर ऐसी अवधि के लिए लागू नहीं होगी जो केंद्रीय सरकार द्वारा सरकारी राजपत्र में अधिसूचित की जाए; यदि ऐसी अनुसूचित विमान परिवहन सेवा वायुयान (चौथा संशोधन) नियम, 2016 के प्रारंभ होने की तारीख से उस विमान क्षेत्र पर पहले से प्रचालित की जा रही है।"

[फा. सं. एवी.11012/4/2005-ए]

अरूण कुमार, संयुक्त सचिव

टिप्पण : मूल नियम तारीख 23 मार्च, 1937 की अधिसूचना संख्या वी-26 द्वारा सरकारी राजपत्र में प्रकाशित किए गए थे और अंतिम संशोधन भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में तारीख 24 सितम्बर, 2016 को प्रकाशित अधिसूचना संख्या.सा.का.नि 911(अ), द्वारा किया गया।

MINISTRY OF CIVIL AVIATION

NOTIFICATION

New Delhi, the 5th October, 2016

G.S.R. 977(E).—Whereas the draft of certain rules further to amend the Aircraft Rules, 1937, was published, as required by section 14 of the Aircraft Act, 1934 (XXII of 1934), vide notification of the Government of India in the Ministry of Civil Aviation, published in the Gazette of India, Extraordinary Part-II, Section 3, Sub-section (i), vide number G.S.R. 805(E), dated 09th August, 2016, for inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the Gazette of India in which the said notification was published, were made available to public;

And whereas copies of the Gazette in which the said notification was published were made available to the public on the 19th August, 2016;

And whereas no objections or suggestions have been received from any person in respect of the draft rules within the period specified in the said notification;

Now, therefore, in exercise of the powers conferred by Section 5 of the said Aircraft Act, the Central Government hereby makes the following rules further to amend the Aircraft Rules, 1937, namely: —

1. (1) These rules may be called the Aircraft (Fourth Amendment) Rules, 2016.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Aircraft Rules, 1937, —

(a) in rule 3, after clause (17)[omitted by GSR 232(E), dated 19th March, 2007], the following clause shall be inserted, namely:-

"(17A) Defence Aerodrome" means an aerodrome owned and operated by Indian Air Force, Indian Navy or Indian Army;";

(b) in rule 78, —

(i) in sub-rule (1), for the words, "No aerodrome", the words, "No aerodrome other than a defence aerodrome" shall be substituted;

(ii) after sub-rule (1), the following sub-rule shall be inserted, namely:—

"(1A) A defence aerodrome shall not be used as a regular place of landing and departure by a scheduled air transport service, unless it has been certified as per the requirements specified by the Director-General:

Provided that nothing contained in this sub-rule shall apply to a defence aerodrome, for such a period as may be notified by the Central Government in the Official Gazette, if such scheduled air transport services are already operating to that aerodrome on the date of commencement of the Aircraft (Fourth Amendment) Rules, 2016.".

[F. No. AV.11012/4/2005-A]

ARUN KUMAR, Jt. Secy.

Note : The principal rules were published in the Gazette of India, vide notification number V-26, dated the 23rd March, 1937 and last amended vide GSR 911(E), published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 24th September, 2016.

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HARINDRA KUMAR Digitally signed by HARINDRA KUMAR Date: 2016.10.12 09:26:28 +05'30'

F.No.8-55/2022 WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)
2nd Floor, Prithvi Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi 110003.

Date:25th November, 2022

To
The Chief Wild Life Warden,
All States/UTs

Sub: Management of protected areas- Hon'ble Prime Minister, the Chairman of the National Board for Wild Life at the conference of Hon'ble Forest Ministers and the officials of Forest Departments of States/Union Territories at Kevadia in Gujarat on 23.09.2022.

Sir/Madam,

Hon'ble Prime Minister, Chairman of the National Board for Wild Life, gave important mantras for the conservation of forests and environment of the country while addressing participants at the conference of Forest Ministers and officials of Forest Departments of States/Union Territories held in Kevadia in Gujarat on 23.09.2022.

2. The Standing Committee of the National Board for Wild Life, in its 70th meeting held on 13th October, 2022, deliberated on some of the policy issues pertaining to the conservation and protection of wildlife and their habitat as highlighted by Hon'ble Prime Minister. After detailed discussions, the Standing Committee decided that an advisory be issued to all the States/UTs to take necessary steps on the following aspects for more effective management and conservation of protected areas:

a. **Solid waste management and freedom from single use plastic:** Urbanization, industrialization and economic growth in our country have resulted in increase of net per-capita waste generation. Effective solid waste management is a major challenge in cities with high population density. The following steps may therefore be taken by the States/UTs:

   i. Action for clearing solid waste in and around protected areas should be undertaken in mission mode, especially in tourism zones/circuits. There should be compete ban on single use plastics inside the protected areas.

   ii. In accordance with the Section 32 of the Wild Life (Protection) Act, 1927, the State Government should ensure that no

person uses any substance which may cause injury to or endanger any wild life in the sanctuary.

iii. While executing projects, proper disposal of muck should be ensured as recommended by the Standing Committee of the National Board for Wild Life.

iv. Local panchayats and self-help groups should be encouraged to carry out special campaigns for proper disposal of solid waste which includes food waste, medical waste etc.

v. Adequate signages on solid waste disposal should be placed at appropriate sites in all infrastructure projects. Signages should be put up within railway coaches and on construction sites of road and bridge projects.

b. **Water Conservation**: Water is very important for human life and other living beings on the planet. Wetlands are critical part of our natural environment. Wetlands in the protected areas and forests and eco-sensitive zones are crucial for wild animals and forests. They provide habitat for flora and fauna and many contain a wide diversity of life, supporting plants and animals that are found nowhere else. Their conservation is important for the recharge of ground water and overall survival of living beings. Wetlands protect our shores from wave action, reduce the impacts of floods, absorb pollutants and improve water quality.
The following actions are suggested in order to ensure water conservation in and around protected areas.

i. Drainages leading to water channels should be cleaned and silt deposits in ponds, tanks etc. should be removed and utilised for agricultural development in and around the project area within 10 km of the project area.

ii. Maintenance of water holes created inside the protected areas should be ensured.

iii. Proposals submitted for consideration of the Standing Committee for Wildlife should be strictly as per the management prescriptions of wetlands situated within 10 km of the project area under the Wetland (Conservation & Development) Rules, 2017.

iv. A time bound action plan should be drawn up for removal of encroachments in water bodies both inside and outside protected areas.

v. State Governments should impose a total ban on any change in land classification of areas registered as water bodies in revenue records.

vi. The origin of water source or sump should be protected in its pristine natural and original form.

c. **Experience Based Learning:** Experiential learning is the process of learning through experience. It is the process whereby knowledge is created through the transformation of experience. It could be a tool for generating awareness regarding conservation and protection of forests and wildlife.
The following actions may be taken by the States/UTs to create awareness regarding forest and wildlife conservation through promotion of experience based learning:

i. The School Education departments should be encouraged to incorporate experience based learning towards conservation of forests and wildlife in the school curriculum.

ii. The colleges and schools situated within 10 km. of project area should be encouraged to organise treks, visit etc to forest and wildlife areas and educate students regarding forest and wildlife.

iii. Afforestation programmes should be organised through the networks of Eco-clubs and National Green Corps.

iv. Best practices on forest and wildlife management, water conservation and practice of ayurvedic medicine should be incorporated in the curriculum of life sciences and forestry institutions.

d. **Carbon action through LIFE:** In order to mitigate climate change, it is essential to make people aware of the importance of making changes in life style by adopting the principle of reduce, reuse, and recycle. The following actions may be taken by States/UTs in this regard:

i. Linear infrastructure projects such as roads, railways etc. should be aimed at reducing carbon footprints:

ii. While formulating projects special attention should be paid to mitigating climate change, especially when such projects are proposed to be located within protected areas, tiger reserves, forests, wildlife corridors and eco-sensitive zones. The total carbon footprint of the project should be evaluated.

iii. While submitting proposals for consideration of the Standing Committee of the National Board for Wild Life, there should

be a cost-benefit analysis in terms of maintenance of carbon neutrality or increase in carbon sequestration.

iv. Proposal only having positive carbon footprint will be considered by the Standing Committee henceforth.

Yours faithfully,

(Dr. Sudheer Chintalapati)
Scientist 'E'
Email: ddwlmef@gmail.com

Copy to: PSO to the ADGF (WL)/PPS to IGF (WL)/PPS to DIGF (WL).

(Dr. Sudheer Chintalapati)
Scientist 'E'

रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
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पर्यावरण एवं वन मंत्रालय

अधिसूचना

नई दिल्ली, 16 नवम्बर, 2009

सा.का.नि. 826(अ).- केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1986 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

1. (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) सांतवा संशोधन नियम, 2009 है ।
(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. पर्यावरण (संरक्षण) नियम, 1986 (जिन्हें इसके पश्चात् उक्त नियम कहा गया है) के नियम 3 के, उप नियम (3ख) में "अनुसूची -VII के स्तंभ (3) से (5) " शब्दों, कोष्ठकों, अंकों और अक्षरों के स्थान पर " अनुसूची-VII के स्तंभ (4) और स्तंभ (5) में "शब्दों, कोष्ठकों, अंकों और अक्षरों को रखा जायें ।

3. अनुसूची- VII और इससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित अनुसूची और प्रविष्टियॉ रखी जाएंगी, अर्थात्:-

"[अनुसूची VII]
[नियम 3(3ख) देखिए]
राष्ट्रीय परिवेशी वायु गुणवत्ता मानक

क्रम संख्या	प्रदूषक	समय आधारित औसत	परिवेशी वायु में सांन्द्रण		
			औद्योगिक, रिहायशी, ग्रामीण और अन्य क्षेत्र	पारिस्थितिकीय संवेदनशील क्षेत्र (केन्द्रीय सरकार द्वारा अधिसूचित)	प्रबोधन की पद्धति
(1)	(2)	(3)	(4)	(5)	(6)
1	सल्फर डाई आक्साइड (SO_2), $\mu g/m^3$	वार्षिक*	50	20	-उन्नत पश्चिम और गाईक -पराबैगनी परिदीप्ति
		24 घंटे**	80	80	

(1)	(2)	(3)	(4)	(5)	(6)
2	नाइट्रोजन डाई आक्साइड (NO_2), $\mu g/m^3$	वार्षिक*	40	30	-उपांतरित जैकब और हॉचाइजर (सोडियम-आर्सेनाईट) -रासायनिक संदीप्ति
		24 घंटे**	80	80	
3	विविक्त पदार्थ (10 माइक्रान से कम आकार) या PM_{10}, $\mu g/m^3$	वार्षिक*	60	60	-हरात्मक विश्लेषण, -टोयम -बीटा तनुकरण पद्धति
		24 घंटे**	100	100	
4	विविक्त पदार्थ (2.5 माइक्रान से कम आकार) या $PM_{2.5}$ $\mu g/m^3$	वार्षिक*	40	40	-हरात्मक विश्लेषण, -टोयम -बीटा तनुकरण पद्धति
		24 घंटे**	60	60	
5	ओजोन (O_3) $\mu g/m^3$	8 घंटे**	100	100	-पराबैंगनी दीप्तिकाल - रासायनिक संदीप्ति - रासायनिक पद्धति
		1 घंटा**	180	180	
6	सीसा (Pb) $\mu g/m^3$	वार्षिक*	0.50	0.50	ई पी एम 2000 या समरूप फिल्टर पेपर का प्रयोग करके AAS/ICP पद्धति - टेफलॉन फील्टर पेपर का प्रयोग करते हुए ED-XRF
		24 घंटे**	1.0	1.0	
7	कार्बन मोनोक्साइड (CO) mg/m^3	8 घंटे*	02	02	-अविपेक्षी अवरक्त (NDIR) स्पैक्ट्रम मापन
		1 घंटा*	04	04	
8	अमोनिया (NH_3) $\mu g/m^3$	वार्षिक*	100	100	-रासायनिक संदीप्ति -इण्डोफिनॉल ब्लू पद्धति
		24 घंटे**	400	400	
9	बैन्जीन (C_6H_6) $\mu g/m^3$	वार्षिक*	05	05	- आन लाइन गैस क्रोमेटोग्राफी - अधिशोषण तथा नि:शोषण के बाद गैस क्रोमेटोग्राफी
10	बेन्जो (ए) पाईरीन (BaP) केवल विविक्त कण, ng/m^3	वार्षिक*	01	01	-विलायक निष्कर्षण के बाद HPLC/GC द्वारा विश्लेषण
11	आर्सेनिक (As) ng/m^3	वार्षिक*	06	06	-असंवितरक अवरक्त स्पैक्ट्रामिती, ई पी एम 2000 या समरूप फिल्टर पेपर का प्रयोग करके ICP/AAS पद्धति
12	निकिल (Ni) ng/m^3	वार्षिक*	20	20	ई पी एम 2000 या समरूप फिल्टर पेपर का प्रयोग करके ICP/AAS पद्धति

* वर्ष में एक समान अंतरालों पर सप्ताह में दो बार प्रति 24 घंटे तक किसी एक स्थान विशेष पर लिये गये न्यूनतम 104 मापों का वार्षिक अंकगणीतीय औसत ।

** वर्ष में 98 प्रतिशत समय पर 24 घंटे या 8 घंटे या 1 घंटा के मानीटर मापमान, जो लागू हो, अनुपालन किये जाएंगे । दो प्रतिशत समय पर यह मापमान अधिक हो सकता है, किन्तु क्रमिक दो मानीटर करने के दिनों पर नहीं ।

टिप्पण :

1.जब कभी और जहां भी किसी अपने-अपने प्रवर्ग के लिये दो क्रमिक प्रबोधन दिनों पर मापित मूल्य, ऊपर विनिर्दिष्ट सीमा से अधिक हो तो इसे नियमित या निरंतर प्रबोधन तथा अतिरिक्त अन्वेषण करवाने के लिये पर्याप्त कारण समझा जायेगा ।"।

[फा. सं. क्यू-15017/43/2007-सी.पी.डब्ल्यू.]

रजनीश दुबे, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र में असाधारण सं.का.आ.844 (अ), तारीख 19 नवम्बर 1986 द्वारा प्रकाशित किये गये थे और पश्चातवर्ती संशोधन सं.का.आ.433 (अ), तारीख 18 अप्रैल 1987, सा.का.नि. 176 (अ), तारीख 2 अप्रैल 1996 और हाल में ही सा.का.नि. 97 (अ), तारीख 18 फरवरी 2009; सा.का.नि. 149 (अ), तारीख 4 मार्च, 2009; सा.का.नि. 512 (अ), तारीख 9 जुलाई, 2009; सा.का.नि. 543 (अ), तारीख 22 जुलाई, 2009; सा.का.नि. 595 (अ), तारीख 21 अगस्त, 2009; और सा.का.नि. 974 (अ) तारीख, 04 नवम्बर 2009 द्वारा प्रकाशित किए गए ।

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 16th November, 2009

G.S.R. 826(E).— In exercise of the powers conferred by section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. (1) These rules may be called the Environment (Protection) Seventh Amendment Rules, 2009.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules), in rule 3, in sub-rule (3B), for the words, brackets, figures and letters, "in columns (3) to (5) of Schedule VII", the words, brackets, figures and letters "in columns (4) and (5) of Schedule VII" shall be substituted.

3. For Schedule VII to the said rules and entries relating thereto, the following Schedule and entries shall be substituted, namely:—

"[SCHEDULE VII]

[See rule 3(3B)]

NATIONAL AMBIENT AIR QUALITY STANDARDS

S. No.	Pollutant	Time Weighted Average	Concentration in Ambient Air		
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1	Sulphur Dioxide (SO_2), µg/m^3	Annual*	50	20	- Improved West and Gaeke
		24 hours**	80	80	-Ultraviolet fluorescence
2	Nitrogen Dioxide (NO_2), µg/m^3	Annual*	40	30	- Modified Jacob & Hochheiser (Na-Arsenite)
		24 hours**	80	80	- Chemiluminescence
3	Particulate Matter (size less than 10µm) or PM_{10} µg/m^3	Annual*	60	60	- Gravimetric - TOEM
		24 hours**	100	100	- Beta attenuation
4	Particulate Matter (size less than 2.5µm) or $PM_{2.5}$ µg/m^3	Annual*	40	40	- Gravimetric - TOEM
		24 hours**	60	60	- Beta attenuation

(1)	(2)	(3)	(4)	(5)	(6)
5	Ozone (O_3) $\mu g/m^3$	8 hours**	100	100	- UV photometric - Chemilminescence
		1 hour**	180	180	- Chemical Method
6	Lead (Pb) $\mu g/m^3$	Annual*	0.50	0.50	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper - ED-XRF using Teflon filter
		24 hours**	1.0	1.0	
7	Carbon Monoxide(CO) mg/m^3	8 hours**	02	02	- Non Dispersive Infra Red (NDIR) spectroscopy
		1 hour**	04	04	
8	Ammonia(NH_3) $\mu g/m^3$	Annual*	100	100	-Chemiluminescence -Indophenol blue method
		24 hours**	400	400	
9	Benzene (C_6H_6) $\mu g/m^3$	Annual*	05	05	- Gas chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10	Benzo(a)Pyrene (BaP) - particulate phase only, ng/m^3	Annual*	01	01	- Solvent extraction followed by HPLC/GC analysis
11	Arsenic (As), ng/m^3	Annual*	06	06	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper
12	Nickel (Ni), ng/m^3	Annual*	20	20	- AAS /ICP method after sampling on EPM 2000 or equivalent filter paper

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or.01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note.— Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigation.".

[F. No. Q-15017/43/2007-CPW]

RAJNEESH DUBE, Jt. Secy.

Note.— The principal rules were published in the Gazette of India, Extraordinary vide number S.O.844(E), dated the 19th November, 1986; and subsequently amended vide numbers S.O. 433(E), dated the 18th April, 1987; G.S.R. 176 (E), dated the 2nd April 1996; and were recently amended vide numbers G.S.R. 97(E), dated the 18th February, 2009; G.S.R. 149(E), dated the 4th March, 2009; G.S.R. 512(E), dated the 9th July, 2009; G.S.R. 543(E), dated the 22nd July, 2009; G.S.R. 595(E), dated the 21st August, 2009; and G.S.R. 794(E), dated the 4th November, 2009.

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(2) राज्य/संघ शासित प्रदेश विकास प्राधिकरणों को विमानपत्तन के आस-पास भूमि उपयोग योजना के लिए विमानपत्तन ध्वनि परिक्षेत्र में विमानपत्तन प्रचालनअपेक्षाओं पर विचार करना चाहिए।

5. **विमानपत्तन ध्वनि मैपिंग:**

सभी विमानपत्तनों के लिएध्वनि मैपिंग का कार्यविमानपत्तन के मास्टर प्लान के अनुसार, विमानपत्तन भावी विमान संचलन और यातायात अनुमानों पर विचार करते हुए विमानपत्तन के प्रचालकों द्वारा नागर विमानन महानिदेशक की अपेक्षाओं में निर्दिष्ट आवश्यकताओं के अनुसार किया जाना चाहिए। यह जानकारी विमानपत्तनों के प्रमुख स्थानों के साथ-साथ संबंधित विमानपत्तन प्रचालक और राज्य/संघ शासित प्रदेश विकास प्राधिकरण की वेबसाइट में प्रदर्शित की जाएगी।

6. **प्रोटोकाल और मापन प्रक्रिया:**

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय और केंद्रीय प्रदूषण नियंत्रण बोर्ड की वेबसाइट पर प्रदर्शित विमानपत्तन ध्वनि परिक्षेत्र के लिए निगरानी प्रोटोकाल और मापन प्रक्रिया का अनुपालन किया जाएगा।

7. विकास प्राधिकरण/क्षेत्रीय आयोजना विभाग, विमानपत्तन ध्वनि परिक्षेत्रों के अंतर्गत आने वाले किसी भी भवन निर्माण के लिए मौजूदा भवन कोडों और उप-कानूनों के तहत भीतरी वातावरण में सुधार के लिए डिज़ाइन, निर्माण और सामग्रियों के चयन में नई इमारतों, सुविधाओं और आवासीय, संस्थागत, अस्पताल और वाणिज्यिक सुविधाओं की परियोजनाओं में ध्वनि प्रतिरोध को शामिल करने के लिए प्रावधान निर्दिष्ट करेंगे।

8. सभी विमानपत्तन, एयरलाइन और प्राधिकरण अधिसूचना की तारीख से दो साल के भीतर अधिसूचना में निर्दिष्ट अपेक्षाओं का पालन करेंगे।"

[फा. सं. क्यू-15017/31/2015-सीपीडब्ल्यू]

डॉ. ए. सेंथिल वेल, वैज्ञानिक 'जी'

टिप्पण: प्रमुख नियम, भारत के राजपत्र, असाधारण, भाग-II, खंड 3, उप-खंड (i) में दिनांक 19 नवम्बर, 1986 की संख्या – का.आ 844 (अ) के द्वारा प्रकाशित किए गए थे और अंतिम संशोधन दिनांक 22 मार्च, 2018 की अधिसूचना सा.का.नि. 263 (अ) द्वारा किया गया।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 18th June, 2018

G.S.R. 568(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in Schedule–I, after serial number 111 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:-

Sl. No.	Industry	Parameters	Standards	
1	2	3	4	
		Ambient Air Quality Standards with respect to Noise in Airport Noise Zone		
"112	Airports	Type of Airports	Limits in dB (A) Leq*	
			Day Time	Night Time
		Busy Airports	70	65
		All other Airports excluding proposed airports	65	60

Definitions:

(a) *dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing. A day time from 6.00 a.m. to 10.00 p.m. and night time from 10.00 p.m. to 6.00 a.m. are considered for time weighted average.

(b) "A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear (The range of human hearing is 20 Hz to 20 kHz).

(c) A "decibel" is a unit in which noise is measured.

(d) Leq: It is energy mean of the noise level over a specified period.

(e) Busy Airport - For the purpose of noise management at airports, a busy airport shall be defined as "a civil airport which has more than 50,000 aircraft movements per year (a movement being a take-off or a landing)" excluding those purely for training purposes on light aircraft.

(f) Take-off – A phase of flight from the application of takeoff power to an altitude of final take-off segment.

(g) Landing – A phase of flight from the beginning of the landing flare until aircraft exits the landing runway comes to a stop on the runway, or when power is applied for takeoff in the case of a touch-and-go landing.

(h) Lmax is unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.

(i) Other Airports – an airport having more than 15000 but less than 50000 aircraft movement annually.

(j) Proposed Airports – airport that is not functional yet and is under development.

Note : (i) Day time shall mean from 6.00 a.m. to 10.00 p.m and night time shall mean from 10.00 p.m. to 6.00 a.m.

(ii) The above specified limits shall have a tolerance limit of 10dB (A) Leq.

(iii) The specified limit excludes defense aircraft and aircraft landing and take-off noise from all runways and aircraft engine/ground run-ups, helipad locations earmarked by Airport Operator for this purpose.

(iv) However, the limit for aircraft noise as Lmax will be notified by the airport operator with approval of the Directorate General of Civil Aviation at the aircraft noise monitoring locations installed by the airports as mentioned in paragraph 1 of this notification.

(v) The noise limits specified in above shall replace and supersede the ambient air quality in respect of noise limits of the following existing zones:

(a) Silence;

(b) Residential; and

(c) Commercial areas;

(vi) As specified in the Noise Pollution (Regulation and Control) Rules, 2000 in the areas falling directly under Airport Noise Zone.

(vii) The noise standards within the overall boundary of airports shall be applicable as Industrial Areas i.e. day time 75 dB (A) Leq and night time 70 db (A) Leq as per the Noise (Regulation and Control) Rules 2000 and shall be measured at different points of airport boundary and then averaged.

(viii) These standards will not be applicable to a civil airport which has less than 15,000 aircraft movement annually.

1(1) For Airports excluding newly proposed airports:

In addition to dB(A) Leq applicable in the 'airport noise zones' specified above, Lmax value in dB(A) shall be published by the airport operator with approval of the Directorate General of Civil Aviation only for airports having more than 50,000 annual traffic movements. These Lmax values shall be complied by airlines and to be monitored and communicated by Airport Operator to the Directorate General of Civil Aviation. These Lmax value shall be reviewed as and when there is a requirement in future.

(2) For Proposed Airports (yet to be operationalized):

(i) For any upcoming/New Airports, noise modeling shall be conducted by the airport operators and results should be submitted to the Ministry of Environment, Forest and Climate Change while seeking Environment Clearance under the Environment Impact Assessment Notification, 2006.

(ii) The airport operators should also develop airport noise zone as specified in paragraph 4 and share the same with Ministry of Housing and Urban Affairs and concerned State Development Authority for necessary land use planning around airport.

(iii) The concerned State / Union Territory Development Authorities should not allow any new residential, institutions & commercial facilities and other noise sensitive area falling in the airport noise zone area without any noise reduction measure.

2. Compliance of noise levels applicable to Airport Noise Zone as specified above shall lie with the airport operator and overseen by the Directorate General of Civil Aviation.

3. Airport operators shall prepare Noise Management Plan for compliance of the Airport Noise Standards.

4. Airport Noise Zones:

(1) The Airport Noise Zone area for each Airport shall be defined as Noise Contour for day and night period by the respective Airport Operator on the basis of existing GSR 751 (E), issued by the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015 published on 30th September, 2015 as amended from time to time on Height Restriction for Safeguarding of Aircraft Operation considering all approach and departure funnels and Instrument Flight Procedures (i.e. Instrument Approach Procedures, Standard Instrument Departure & Standard Terminal Arrival Route) in consultation with airports Air Navigation Service Provider as per the Master Plan of the Airport. The same shall be shall be approved by the Directorate General of Civil Aviation and displayed on the website of respective Airport Operators. This activity shall be completed within two years from the date of issuance of the final notification.

(2) State / Union Territory Development Authorities should take into consideration of Airport Operations requirements in the airport noise zone area for the land use planning around the airport.

5. Airport Noise Mapping:

Noise mapping in for all airports should be carried out as per the requirements specified in the Director General Civil Aviation's requirements by the airport operators considering future aircraft movement and traffic projections of the airport as per the Master Plan of the Airport. This information to be displayed at a prominent places at Airports as well as in the website of respective Airport Operator and State / Union Territory Development Authority.

6. Protocol and Measurements Procedure:

Monitoring protocol and measurements procedure for airport noise zone displayed on the website of the Ministry of Environment, Forest and the Climate Change and the Central Pollution Control Board shall be followed.

7. Development Authorities / Regional Planning Department shall specify provisions for inclusion of sound resistance in new buildings, facilities and projects of residential, institutional, hospital and commercial facilities in the design, construction and materials selections for improving indoor environment under existing building codes and bye laws for any building constructions coming under airport noise zones.

8. All the Airport, Airline and Authority shall comply with the requirements specified in the notification within two years from the date of notification. ".

[F.No. Q-15017/31/2015-CPW]

Dr. A. SENTHIL VEL, Scientist 'G'

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number S.O. 844 (E), dated the 19th November, 1986 and last amended vide notification G.S.R. 263(E), dated the 22th March, 2018.

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ANNEXURE-39

MINISTRY OF ENVIRONMENT AND FORESTS
(NATIONAL TIGER CONSERVATION AUTHORITY)
NOTIFICATION

New Delhi, the 15th October, 2012

No. 15-31/2012-NTCA.—Whereas, the National Tiger Conservation Authority under clause (c) of sub-section (1) of Section 38-O of the Wild Life (Protection) Act, 1972 has the power to lay down normative standards for tourism activitites and guidelines for project tiger for tiger conservation in the buffer and core areas of tiger reserves to ensure their due compliance:

And whereas, the Central Government is committed to frame comprehensive guidelines with regard to fixation of core areas and buffer areas and tourism including welfare and religious tourism as contemplated under clause (c) of sub-section (1) of section 38-O of the Wildlife (Protection) Act, 1972 as well with regard to the protection of tigers in forest and non-forest areas;

Now, therefore, in pursuance of the powers conferred under clause (c) of sub-section (1) of section 38-O of the Wild Life (Protection) Act, 1972 (53 of 1972) and in supersession of the Guidelines issued by the National Tiger Conservation Authority vide number F.No. 3-1/2003-PT, dated the 21st February, 2008, except as regard to things done or omitted to be done before such supersession, the National Tiger Conservation Authority hereby makes the following guidelines to be followed for the purpose of tiger conservation in the buffer and core area of tiger reserves and lay down normative standards for tourism activities in tiger reserves, namely:—

1. Short title. These guidelines may be called the National Tiger Conservation Authority (Normative Standards for Tourism activities and Project Tiger) Guidelines, 2012.

PART-A

GUIDELINES UNDER SECTION 38-O (c) OF THE WILD LIFE (PROTECTION) ACT, 1972 FOR PROJECT TIGER

Chapter-I

2. Tiger conservation.

(i) The Central Government, through the Ministry of Environment and Forests provides technical guidance and financial support to various State Governments, *inter alia*, for tiger conservation.

(2) The State Governments are responsible for day-to-day management and implementing the policies and plans relating to wildlife conservation.

Table-4 (a): Performance of Headline Indicators (Top Ten)

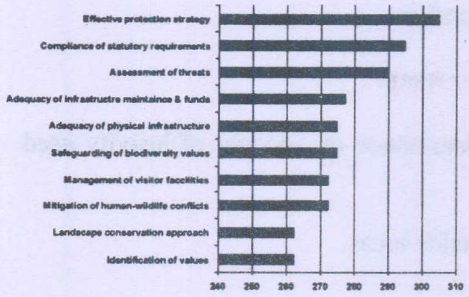


Table-4(b): Performance of Headline Indicators (Middle Ten)

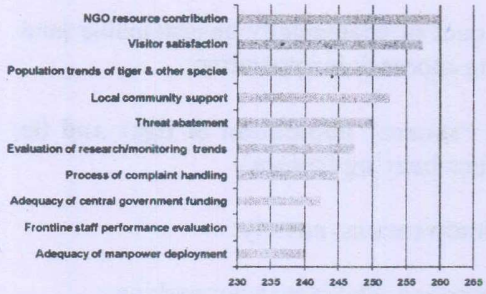
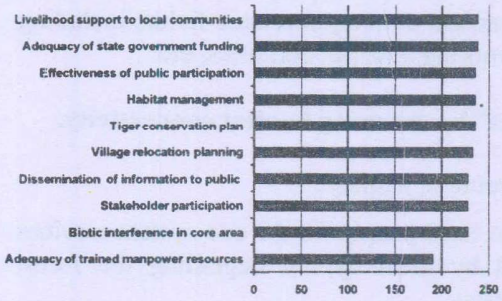


Table-4(c): Performance of Headline Indicators (Bottom Ten)



6. General reasons for tiger decline in areas outside tiger reserves.

The reasons for tiger decline in areas outside tiger reserves and protected areas are as below:

(i) Degradation of forest status outside Protected Areas and Tiger Reserves owing to:

(a) human pressure;
(b) livestock pressure; and
(c) ecologically unsustainable land uses.

(ii) Fragmentation leading to loss of gene flow from source populations.

(iii) Loss of forest quality in terms of prey biomass.

(iv) Tiger deaths due to man-animal conflict.

(v) Tiger deaths due to poaching.

(vi) Loss of reproduction owing to disturbance on account of heavily used infrastructure like highways, etc.

(vii) Lack of adequate protection in outside areas.

(viii) Insurgency or law and order problems.

7. Present approach to tiger conservation.

Owing to habitat fragmentation on account of ecologically unsustainable land uses, biotic pressure and poaching, the following approach is imperative.

7.1 Consolidating and strengthening the "source" population of tiger and its prey in tiger reserves, protected areas and tiger bearing forests.

This involves the following active managerial interventions, namely:

(i) Protection, antipoaching operations and intelligence networking;
(ii) Strengthening of infrastructure within tiger reserves;
(iii) Creation of inviolate space through relocation;
(iv) Capacity building of frontline staff, local people and officers and strengthening of training centres and training in related fields, including enforcement, intelligence networking, tourism activities, etc.

7.2 Managing the "source-sink dynamics" by restoring habitat connectivity.

This involves the following managerial intervention, namely:

(i) actively providing incentives to local people for the eco-system services and corridor values provided by them by not degrading the forest (payment for eco-system services);
(ii) incentives to local people for taking up plantations and protecting natural root stocks besides preventing free grazing;
(iii) encouraging stall feeding of cattle and fostering marketing of dairy products;
(iv) providing subsidized gas connection to local people for reducing their dependency on forest towards fuel wood collection.

7.3. Importance of a buffer zone vis-à-vis the tiger land tenure dynamics.

7.3.1 Tiger is a territorial animal, which advertises its presence in an area and maintains a territory. It is a well known fact that partial overlaps of resident male territories in an area do occur. However, the degree of overlap increases lethal internecine combats. Several female territories do occur in an overlapping manner within the territory of a male tiger. The tiger land tenure dynamics ensures presence of

prime adult inhabitants which act as source populations, periodically replacing old males by young adults from nearby forest areas (**Plate 1**).

7.3.2 The ongoing study and analysis of available research data on tiger ecology indicate, that the minimum population of tigresses in breeding age, which are needed to maintain a viable population of 80-100 tigers (in and around core areas) require an inviolate space of 800 -1200 sq km. Tiger being an "umbrella species", this will also ensure viable populations of other wild animals (co-predators, prey) and forest, thereby ensuring the ecological viability of the entire area or habitat. Therefore, buffer areas with forest connectivity are imperative for tiger dynamics, since such areas foster sub adults, young adults, transients and old members of the population. The young adults periodically replace the resident ageing males and females from the source population area.

7.3.3 The buffer area, absorbs the "shock" of poaching pressure on populations of tiger and other wild animals. In case of severe habitat depletion in buffer areas, the source population would get targeted and eventually decimate.

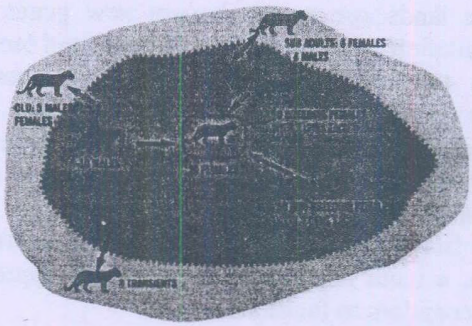


Plate 1: Tiger Land Tenure Dynamics. Minimum population of tigers in breeding age needed for maintaining a viable population (80-100 tigers), which require an inviolate space of 800-1200 square kilometres

7.4 Value of Corridors.

7.4.1 Isolated populations of wild animals face the risk of extinction owing to insularization. Habitat fragmentation adversely affects wildlife due to decreased opportunity available for wild animal movement from different habitats. This in turn prevents gene flow in the landscape. The equilibrium theory of island biogeography predicts greater species richness in large wildlife areas or in smaller areas connected by habitat corridors owing to increased movements of wild animals. Such connecting habitats, apart from facilitating animal movements also act as refuge for spill over populations from the core areas. They may also act as smaller "source" by facilitating breeding and movement of native wildlife populations to colonize adjoining habitats. Natural linear features like rivers or mountain ranges may act as boundaries for wildlife populations. However, disturbance of corridors on account of human interventions (highways, canals, industries, roads, railway tracks, transmission lines) is deleterious to wildlife.

7.4.2 "Source" populations are those which produce a surplus of animals which are potential colonizers. On the other hand, "Sinks" are those populations in which deaths exceed births, and their persistence depends on regular influx of immigrants (Plate 2).

under section 18 (for constituting a Sanctuary) or section 35 (for constituting a National Park). Sub-section (2) of section 24 of the Wild Life (Protection) Act, 1972 authorizes the Collector to acquire such land or rights. Therefore, payment of compensation for the immovable property of people forms part of modifying or settling their rights which is a statutory requirement.

10.2.2. The ongoing study and the analysis of the available research data on tiger ecology indicate that the minimum population of tigresses in breeding age, which are needed to maintain a viable population of 80-100 tigers (in and around core) require an inviolate space of 800-1200 sq. km. Tiger being an "umbrella species", this will also ensure viable populations of other wild animals (co-predators, prey) and forest, thereby ensuring the ecological viability of the entire area and habitat. Thus, it becomes an ecological imperative to keep the core areas of tiger reserves inviolate for the survival of source populations of tiger and other wild animals.

10.2.3. The proposed package has following two options, namely:

(a) **Option I** – Payment of the entire package amount (Rs. 10 lakhs per family) to the family in case the family opts so, without involving any rehabilitation or relocation process by the Forest Department.

(b) **Option II** – Carrying out relocation or rehabilitation of village from protected area or tiger reserve by the Forest Department.

10.3. Strengthening of infrastructure within Tiger Reserves.

The following activities, inter alia, would form part of reinforcing the infrastructure of Tiger Reserves (including support to new tiger reserves), namely:—

(a) Civil Works (staff quarters, family hostels, office improvement, patrolling camp, house keeping buildings, museum, culverts).
(b) Maintenance, creation and upgradation of road network.
(c) Maintenance and creation of wireless tower.
(d) Maintenance and creation of fire watch tower.
(e) Maintenance and creation of bridges, dams, anicuts.
(f) Maintenance, creation of firelines and firebreaks.
(g) Maintenance and creation of earthen ponds.
(h) Procurement, maintenance of vehicles (Gypsy, Jeep, Truck, Tractor etc.).
(i) Habitat improvement works.
(j) Procurement of hardware, software and Geographical Information System (GIS).
(k) Procurement of compass, range finder, Global Positioning System (GPS), camera traps.
(l) Procurement of satellite imageries for management planning.
(m) Map digitization facility for management planning.

10.4. Habitat improvement and water development.

These, inter alia, may include, weed eradication, removal of gregarious plant growth from grasslands, grass improvement, water retention structures and the like. These initiatives would increase the forage and browse values of the habitat for wild animals.

10.5. Addressing man-animal conflict (ensuring uniform, timely compensation for human deaths due to wild animals, livestock depredation by carnivores, crop depredation by wild ungulates) (compensation for crop loss is a new component):

This would involve:

(a) payment of compensation for cattle lifting, death of human beings and crop depredation due to wild animals.
(b) creation of crop protection structures.
(c) procurement and deployment of traps, cages to catch problematic animals.
(d) procurement of tranquilizing equipments, rescue vehicles and drugs.

10.6. Co-existence agenda in buffer or fringe areas.

The fringe areas around tiger reserve have corridor value, and their ecological sustainability is important to prevent the area from becoming ecological sinks on account of over use of resources and unwise land use. This calls for delineation of buffer zone around a tiger reserve to incorporate such fringe areas so that it can fulfill the following objectives, namely:

(a) providing ecologically viable livelihood options to local stakeholders for reducing their dependency on forests.
(b) conserving the forest area through restorative inputs involving local people for providing habitat supplement to wild animals moving out of core areas.

10.7. Rehabilitation of traditional hunting tribes living around tiger reserves.

There is an urgent need to launch a rehabilitation and development programme for the denotified tribes and tribes involved in traditional hunting, living around tiger reserves and tiger corridors. The following denotified tribes and communities are involved in traditional hunting of wild animals : Behelias, Ambalgars, Badaks, Mongias, Bavariyas, Monglias, Pardhi, Boyas, Kaikads, Karwal Nat, Nirshikaris, Picharis, Valayaras, Yenadis, Chakma, Mizo, Bru, Solung and Nyishi. While this list is not exhaustive, around 5,000 such families are required to be taken up under a welfare programme (forming part of NTCA initiatives) during the Plan period. The rehabilitation and welfare package should be evolved in a site specific, consultative manner with livelihood options, to include : wages for such people towards their deployment in foot patrolling for protecting wildlife, providing agricultural land with irrigation, basic health care, housing and related community welfare inputs and basic education facilities. The experience gained in the past for settling denotified tribes by the salvation army is required to be considered dispassionately while structuring the programme.

10.8. Research and field equipments.

The All India tiger estimation using the new methodology approved by the Tiger Task Force has resulted in a permanent monitoring protocol for the field units. The Phase-IV, tiger reserve level, would be launched to monitor the source populations of tiger. Further, assistance would be provided for fostering field oriented

Appendix-A

List of core and critical tiger habitats of Tiger Reserves in India, notified under the Wildlife (Protection) Act, 1972, as amended in 2006
(as on 24.09.2012)

Sl. No.	Year of creation	Name of Tiger Reserve	State	Area of the core / critical tiger habitat (In Sq. Kms.)
1	2	3	4	5
1	1973-74	Bandipur	Karnataka	872.24
2	1973-74	Corbett	Uttarakhand	821.99
3	1973-74	Kanha	Madhya Pradesh	917.43
4	1973-74	Manas	Assam	840.04
5	1973-74	Melghat	Maharashtra	1500.49
6	1973-74	Palamau	Jharkhand	414.08
7	1973-74	Ranthambore	Rajasthan	1113.364
8	1973-74	Similipal	Odisha	1194.75
9	1973-74	Sunderbans	West Bengal	1699.62
10	1978-79	Periyar	Kerala	881.00
11	1978-79	Sariska	Rajasthan	881.1124
12	1982-83	Buxa	West Bengal	390.5813
13	1982-83	Indravati	Chhattisgarh	1258.37
14	1982-83	Nagarjunsagar	Andhra Pradesh	3721.00**
15	1982-83	Namdapha	Arunachal Pradesh	1807.82
16	1987-88	Dudhwa	Uttar Pradesh	1093.79
17	1988-89	Kalakad-Mundanthurai	Tamil Nadu	895.00
18	1989-90	Valmiki	Bihar	598.45
19	1992-93	Pench	Madhya Pradesh	411.33
20	1993-94	Tadoba-Andhari	Maharashtra	625.82
21	1993-94	Bandhavgarh	Madhya Pradesh	716.903
22	1994-95	Panna	Madhya Pradesh	576.13
23	1994-95	Dampa	Mizoram	500.00
24	1998-99	Bhadra	Karnataka	492.46
25	1998-99	Pench	Maharashtra	257.26
26	1999-2000	Pakke	Arunachal Pradesh	683.45
27	1999-2000	Nameri	Assam	200.00
28	1999-2000	Satpura	Madhya Pradesh	1339.264
29	2008-2009	Anamalai	Tamil Nadu	958.59
30	2008-2009	Udanti-Sitanadi	Chattisgarh	851.09
31	2008-2009	Satkosia	Odisha	523.61
32	2008-2009	Kaziranga	Assam	625.58
33	2008-2009	Achanakmar	Chattisgarh	626.195
34	2008-2009	Dandeli-Anshi	Karnataka	814.884
35	2008-2009	Sanjay-Dubri	Madhya Pradesh	812.571

36	2008-2009	Mudumalai	Tamil Nadu	321.00
37	2008-2009	Nagarahole	Karnataka	643.35
38	2008-2009	Parambikulam	Kerala	390.89
39	2009-2010	Sahyadri	Maharashtra	600.12
40	2011-2012	Biligiri Ranganathan Temple	Karnataka	359.10
41.	2012-2013	Kawal	Andhra Pradesh	893.23
		TOTAL		**35123.9547**

** Government of Andhra Pradesh has notified Gundla Brahmeswaram Wildlife Sanctuary as an extended core to Nagarjunasagar Srisailam Tiger Reserve (NSTR). The extended area is 1194 sq.km. Hence the total core area of NSTR is 3721 sq.km.

Appendix-B

List of Buffer and peripheral areas in India, notified under the Wildlife (Protection) Act, 1972, as amended in 2006 (24.09.2012)

Sl. No.	Year of creation	Name of Tiger Reserve	State	Area of the buffer / peripheral (In Sq. Kms.)
1	2	3	4	5
1	1973-74	Bandipur	Karnataka	584.06
2	1973-74	Corbett	Uttarakhand	466.32
3	1973-74	Kanha	Madhya Pradesh	1134.361
4	1973-74	Manas	Assam	2310.88
5	1973-74	Melghat	Maharashtra	1268.03
6	1973-74	Palamau	Jharkhand	715.85
7	1973-74	Ranthambore	Rajasthan	297.9265
8	1973-74	Similipal	Odisha	1555.25
9	1973-74	Sunderbans	West Bengal	885.27
10	1978-79	Periyar	Kerala	44.00
11	1978-79	Sariska	Rajasthan	332.23
12	1982-83	Buxa	West Bengal	367.3225
13	1982-83	Indravati	Chhattisgarh	1540.70
14	1982-83	Nagarjunsagar	Andhra Pradesh	1175.51
15	1982-83	Namdapha	Arunachal Pradesh	245.00
16	1987-88	Dudhwa	Uttar Pradesh	1107.9848

17	1988-89	Kalakad-Mundanthurai	Tamil Nadu	706.542
18	1989-90	Valmiki	Bihar	300.93
19	1992-93	Pench	Madhya Pradesh	768.30225
20	1993-94	Tadoba-Andhari	Maharashtra	1101.7711
21	1993-94	Bandhavgarh	Madhya Pradesh	820.03509
22	1994-95	Panna	Madhya Pradesh	1002.42
23	1994-95	Dampa	Mizoram	488.00
24	1998-99	Bhadra	Karnataka	571.83
25	1998-99	Pench	Maharashtra	483.96
26	1999-2000	Pakke	Arunachal Pradesh	515.00
27	1999-2000	Nameri	Assam	144.00
28	1999-2000	Satpura	Madhya Pradesh	794.04397
29	2008-2009	Anamalai	Tamil Nadu	521.28
30	2008-2009	Udanti-Sitanadi	Chattisgarh	991.45
31	2008-2009	Satkosia	Odisha	440.26
32	2008-2009	Kaziranga	Assam	548.00
33	2008-2009	Achanakmar	Chattisgarh	287.822
34	2008-2009	Dandeli-Anshi	Karnataka	282.63
35	2008-2009	Sanjay-Dubri	Madhya Pradesh	861.931
36	2008-2009	Mudumalai	Tamil Nadu	367.59
37	2008-2009	Nagarahole	Karnataka	562.41
38	2008-2009	Parambikulam	Kerala	252.772
39	2009-2010	Sahyadri	Maharashtra	565.45
40	2011-2012	Biligiri Ranganathan Temple	Karnataka	215.72
41.	2012-2013	Kawal	Andhra Pradesh	1125.89
		TOTAL		**28750.73**

the matching grant to recurring items of expenditure, deploy field staff and officers, and give their salaries. The Project Tiger Directorate of the Ministry of Environment and Forests was mandated with the task of providing technical guidance and funding support.

15.2. The implementation of 'Project Tiger' over the years has highlighted the need for a statutory authority with legal backing to ensure tiger conservation. On the basis of the recommendations of National Board for Wild Life under the Chairmanship of the Hon'ble Prime Minister, a Task Force was set up to look into the problems of tiger conservation in the country. The recommendations of the said Task Force, inter alia include strengthening of 'Project Tiger' by giving it statutory and administrative powers, apart from creating the Wildlife Crime Control Bureau. It has also recommended that an annual report should be submitted to the Central Government for laying in Parliament, so that commitment to 'Project Tiger' is reviewed from time to time, in addition to addressing the concerns of local people. Broadly, the urgent recommendations of the said Task Force are as below:

(i) Reinvigorating the constitution of governance.

(ii) Strengthening efforts towards protection of tiger, checking poaching, convicting wildlife criminals and breaking the international trade network in wildlife body parts and derivatives.

(iii) Expanding the undisturbed areas for tiger by reducing human pressure.

(iv) Repair the relationship with local people who share the tigers habitat by fielding strategies for coexistence.

(v) Regenerate the forest habitats in the fringes of the tigers protective enclaves by investing in forest, water and grassland economies of the people.

15.3 The tiger reserves are faced with ecological disturbances and various other problems. Fragmentation of habitats occurs owing to overuse of forest habitats, apart from conflicting land uses leading to loss of habitat. There are also in some cases, significant village population with large number of cattle, which graze in the forests, leading to ecological degradation, apart from major sources of regular or intermittent disturbance, such as temples and commercial entities, such as, tea estates. This also leads to man-animal conflicts, resulting in tiger and prey mortality.

15.4. Several constraints affect field implementation of the project, such as, delayed release of Central Assistance given to the States for Field Units, staff vacancies, ageing of field staff, lack of capacity building initiatives, weak enforcement and monitoring of protection work, etc. The events in the recent past have highlighted the fact that there is a need in the States for greater commitment and vigilance. The field administration managing the tiger reserves require capacity building and supervision.

15.5. There is also an urgent need to strengthen the system at the Central Government level (Project Tiger Directorate), which has the mandate to oversee and guide tiger conservation in the country. Involvement of States and strengthening the field administration, supervision of the project and building a participatory base by including interests of local people living in and around tiger reserves are extremely important.

(GPS), camera traps.

(xii) Procurement of satellite imageries for management planning.

(xiii) Map digitization facility for management planning.

(xiv) Monitoring system for Tigers' Intensive Protection and Ecological Status (M-STrIPES) monitoring.

(xv) E-surveillance.

16.3. Habitat improvement and water development (ongoing) (recurring).

These, inter alia, may include: weed eradication, removal of gregarious plant growth from grasslands, grass improvement, water retention structures and the like. These initiatives would increase the forage and browse values of the habitat for wild animals.

16.4. Addressing man-animal conflict (ensuring uniform, timely compensation for human deaths due to wild animals, livestock depredation by carnivores, crop depredation* by wild ungulates) (compensation for crop loss is a new component) (non recurring).

16.4.1. This would involve:

(i) Payment of compensation for cattle lifting, death of human beings and crop depredation* due to wild animals.

(ii) Creation of crop protection structures.

(iii) Procurement and deployment traps, cages to catch problematic animals.

(iv) Procurement of tranquilizing equipments, rescue vehicles and drugs.

16.4.2. The above initiatives are extremely important to avoid as well as redress the "park-people" interface conflicts.

(* would be supported as per prevailing norms of the State, in the delineated buffer area as explained in Section 38V of the Wild Life (Protection) Act, 1972, as amended in 2006.)

16.5. Co-existence agenda in buffer and fringe areas (landscape approach, sectoral integration, ecologically sustainable development programme, livelihood options and eco-tourism) (new activity in case of tiger reserves where buffer has not been notified so far) (non recurring).

The fringe areas around tiger reserve have corridor value, and their ecological sustainability is important to prevent the area from becoming ecological sinks on account of over use of resources and unwise land use. This calls for delineation of buffer zone around a tiger reserve to incorporate such fringe areas so that it can fulfill the following objectives, namely:

(i) Providing ecologically viable livelihood options to local stakeholders for reducing their dependency on forests.

(ii) Conserving the forest area through restorative inputs involving local people for providing habitat supplement to wild animals moving out of core areas.

A comparative assessment of the forest cover status of outer fringe areas of tiger reserves up to a radial distance of 10 kms. has been done in collaboration with the

Forest Survey of India. The States are required to delineate the fringe or buffer area around the core zones of tiger reserves, and submit a Tiger Conservation Plan as required under section 38 V of the Wild Life (Protection) Act, 1972, to ensure wildlife conservation while addressing the livelihood issues relating to local people.

16.6 Rehabilitation package for traditional hunting tribes living around tiger reserves (new activity) (non recurring).

There is an urgent need to launch a rehabilitation and development programme for the denotified tribes and tribes involved in traditional hunting, living around tiger reserves and tiger corridors. The following denotified tribes and communities are involved in traditional hunting of wild animals: Behelias, Ambalgars, Badaks, Mongias, Bavariyas, Monglias, Pardhi, Boyas, Kaikads, Karwal Nat, Nirshikaris, Picharis, Valayaras, Yenadis, Chakma, Mizo, Bru, Solung and Nyishi. While this list is not exhaustive, around 5,000 such families are required to be taken up under a welfare programme (forming part of NTCA initiatives) during the Plan period. The rehabilitation and welfare package should be evolved in a site specific, consultative manner with livelihood options, to include: wages for such people towards their deployment in foot patrolling for protecting wildlife, providing agricultural land with irrigation, basic health care, housing and related community welfare inputs and basic education facilities. The experience gained in the past for settling denotified tribes by the salvation army is required to be considered dispassionately while structuring the programme.

16.7. Research and field equipments (ongoing) (non recurring).

The All India tiger estimation using the new methodology approved by the Tiger Task Force has resulted in a permanent monitoring protocol for the field units. The format and protocol used for the Phase-I data collection in the new estimation process should be adopted for day-to-day field monitoring. Further, assistance would be provided for fostering field oriented research and to equip the staff with facilities like Global Positioning System (GPS), camera traps, night vision, range finder and related accessories including hardware and software. As decided in the 1st meeting of the National Tiger Conservation Authority, the tiger reserves are required to carry out the day to day monitoring of wild animals using the refined process in the GIS domain, which would enable "forecasting" vis-à-vis wildlife protection.

16.8. Staff development and capacity building (ongoing) (non recurring).

This would involve:

(i) Capacity building and training.
(ii) Providing project allowance and special incentives.
(iii) Specialized training in the use of Global Information System (GIS), antipoaching operations.
(iv) Specialized training in jurisprudence and wildlife forensics.
(v) Study tours for appraisal of good practices in other reserves.
(vi) Dissemination workshops.
(vii) Specialized training in park interpretation.
(viii) Specialized training in management planning.

ANNEXURE-40

F.No.6-30/2019 WL (Part)
Government of India
Ministry of Environment, Forest and Climate Change
Wildlife Division

2nd Floor, Vayu Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi 110003.
Tele: 011-20819214

Date:24th February, 2023

To

1. The Principal Secretary (Forests), All States/ UTS
2. The Chief Wild Life Warden, All States/ UTS
3. The PCCF, All States/ UTS
4. The Secretary, Ministry of Railways
5. CMD, Rail Vikas Nigam Limited

Sub: Revised guideline for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas- reg.

Sir/Madam,

Reference is invited to the order dated 16.01.2023 passed by the Hon'ble Supreme Court in I.A. No. 160201 of 2022 filed on behalf of Ministry of Railways in W.P. No. (C) 202 of 1995. Hon'ble Supreme Court of India vide order dated 16.01.2023 has directed that

before undertaking such activities, apart from the requisite permission from Ministry of Environment, Forest and Climate Change, the project proponents shall also obtain a permission of the Standing Committee of National Board for Wild Life.

Needless to state that while granting permissions, the Standing Committee of the National Board for Wild Life would ensure that necessary mitigation measures in order to protect the wild life are ensured.

Accordingly, the para 1.6 of the Revised guideline for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas dated 21st July 2022 shall be read as follows:

PTO

1.6 ACTIVITIES INSIDE ECO-SENSITIVE ZONES:
Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries, if ESZ has not been notified, prior approval of the NBWL/SCNBWL shall be required: a. for construction and allied activities undertaken by and for Indian Railways and any of its subsidiaries/sister concerns; or b. if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.

This issues with the approval of competent authority.

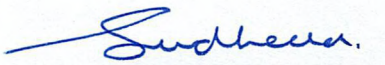
Yours faithfully,



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

Copy to:

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



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

F. No. 6-30/2019-WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

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

21st July, 2022

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

Sub: Revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas - reg.

Sir/Madam,

In pursuance to this Ministry's earlier letter of even number dated 06.05.2022, I have been directed to enclose herewith **revised guidelines** for seeking recommendations of Standing Committee of National Board for Wild Life for ready reference.

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

Yours faithfully,

Encl: as above

(Dr. Rajendra Kumar)
Scientist 'C'
Email: kumar.rajendra@gov.in

Copy to:

1. PPS to DFG&SS, MoEF&CC
2. PPS to ADG(WL), MoEF&CC
3. PPS to IGF(WL)/IGF(PE)/IGF(NTCA), MoEF&CC
4. PS to DIG(WL)/DIG(FC), MoEF&CC
5. Guard File

GUIDELINES FOR SEEKING RECOMMENDATIONS OF STANDING COMMITTEE OF NATIONAL BOARD FOR WILD LIFE

Areas of ecological, faunal, floral, geomorphological, natural or zoological significance and reserve forests are notified as Sanctuaries and National Parks for the purpose of protecting, propagating or developing wildlife or its environment. Such areas are extremely important for conservation of biodiversity and ensuring the survival of its floral and faunal components. Activities involving use or diversion of any part of a notified protected area should therefore be permitted only after taking into account the likely impact of the activity on the protected area.

The Ministry has issued clarifications/guidelines from time to time for submission of proposals for consideration of the National Board for Wild Life (NBWL)/Standing Committee of the National Board for Wild Life (SCNBWL). These guidelines are being issued in supersession of the earlier guidelines.

1.	**ACTIVITIES INSIDE PROTECTED AREAS**
	Consideration and recommendation of NBWL/SCNBWL is required in the following cases:
1.1	**WILDLIFE SANCTUARIES:**
	In view of the provisions of section 29 of the Wild Life (Protection) Act, 1972 (WLPA, consultation with the State Board for Wild Life (SBWL) is required before permitting any activity mentioned in this section within a sanctuary. In view of the directions dated 9th May 2002 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 337/1995 and order dated 5.10.2015 in W.P. (C) No. 202/1995, all such proposals also require recommendation of the SCNBWL.
1.2	**NATIONAL PARKS:**
	Section 35 (6) of WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within a National Park.
1.3	**OTHER PROVISIONS:**
	Section 33 (a) of the WLPA provides for prior approval of the National Board for construction of commercial tourist lodges, hotels, zoos and safari parks inside a sanctuary. This proviso is also applicable to National Parks as per Section 35 (8) of the WLPA.
1.4	**ACTIVITIES WITHIN TIGER RESERVES AND LINKING AREAS:**

	The Protected Areas constituting a Tiger Reserve attract all the provisions applicable for National Parks or Sanctuaries. In addition, as per section 38-O (1) (g) of the Act, approval of NBWL and advice of the National Tiger Conservation Authority (NTCA) are required for activities within tiger reserves and in areas linking one Protected Area or tiger reserve with another Protected Area or tiger reserve for ecologically unsustainable uses, except in public interest.
1.5	**ALTERATION OF BOUNDARIES:**
	In view of sections 26A (3) and 35 (5) of WLPA, no alteration of the boundaries of a Sanctuary/National Park by the State Government can be made except on a recommendation of the NBWL/SCNBWL. Further, in view of section 38 W of the WLPA, no alteration in the boundaries of a Tiger Reserve can be made except on a recommendation of the NTCA and the approval of the NBWL.
1.6	**ACTIVITIES INSIDE ECO-SENSITIVE ZONES:**
	Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries (if ESZ has not been notified), prior approval of the NBWL/SCNBWL shall be required if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.
1.7	**ACTIVITIES REFERRED BY OTHER AGENCIES:**
	There may be cases where chairperson of NBWL/SCNBWL or Hon'ble Supreme Court of India or any other statutory agency may desire examination of a proposal by the NBWL/SCNBWL. Such cases may be submitted by the State Government/UT Administration for consideration of NBWL/SCNBWL along with the recommendations of the SBWL.
2.	**PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE:**

i. The User Agency shall submit the proposal online on the PARIVESH portal of the Ministry. A User Manual for online submission and monitoring of Environmental, Forest and Wild Life Clearance is available at https://parivesh.nic.in. No proposal submitted for consideration of the SCNBWL in physical form shall be entertained by the Ministry.

ii. The user agency can also track the movement of the proposal through different stages of processing through the online clearance system.

iii. The roles of various agencies involved in the process and actions required to be taken are provided in the manual. In case of difficulty, the details of concerned to be contacted have also been provided.

3. TIME LINES TO BE FOLLOWED BY VARIOUS AGENCIES INVOLVED IN PROCESSING THE PROPOSALS:

Following time lines will be adhered by all the officials responsible for the activities indicated

1	**DFO/Wild Life Warden**	i. Initial scrutiny in **5 days** of receipt of the proposal
		ii. **15 days** after receipt of complete proposal for site inspection, consultation with Conservator of Forests/Chief Conservator of Forests/Addl. Principal Chief Conservator of Forests and forwarding to the Chief Wild Life Warden
2	**Chief Wild Life Warden**	**15 days** from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wild Life.
3	**Consultation with State Board for Wild Life and recommendation of State Government**	The activity involves decision of the State Government, consultation with State Board for Wild Life and thereafter, recommendation of State Government to Ministry of Environment, Forest and Climate Change enclosing the copy of the minutes of the State Board for Wild Life. Therefore, this stage may take up to **45 days (one and half months)**, as the State Board for Wild Life is chaired by Hon'ble Chief Minister.
4	**Ministry of Environment, Forest and Climate Change**	i. Initial scrutiny in **10 days** of receipt of the proposal
5	**Consultation with Standing Committee of National Board for Wild Life**	ii. In the upcoming Meetings of Standing Committee of National Board for Wild Life which are ordinarily convened once in **3 months**.

4.	**PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:**
	State Governments/Union Territory Administrations may consider prescribing rules under section 28 of the WLPA regarding safeguards to be followed while entering Protected Areas for survey/ investigation. In view of section 35(8) of the Act, the provisions of section 28 apply in relation to a National Park as they apply in relation to a sanctuary. It may be noted that when invasive activities (such as destruction, exploitation, removal etc from PA) are involved, the permit for survey and investigation can be issued only after consideration by the SCNBWL. In case survey work and/or Environment Impact Assessment (EIA) studies are to be taken up in areas involving a Protected Area, and are covered under section 29 or 35(6) of WLPA, then also the entire procedure, as prescribed in paragraph 2 above needs to be followed.
5.	**MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS:**
	A guidance document, namely, 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.
6.	**COST OF MITIGATION MEASURES:**
	Measures to mitigate impacts of projects in protected areas and eco-sensitive zones should be part of project proposals. Instead of imposing a fixed cost, mitigation measures and costs associated with such measures should be prescribed while recommending project proposals.
7.	**MANAGEMENT PLANS FOR AREAS UNDER TRANSMISSION LINES:**
	Proposals for transmission lines shall be accompanied with a management plan for the area below the transmission line. The management plan should prescribe the species to be planted and maintained below the transmission line, periodicity of maintenance etc.
8.	**BIO-DIVERSITY IMPACT ASSESSMENT REPORT:**
	Proposals for use of an area exceeding 50 ha within a sanctuary/national park shall be accompanied with a bio-diversity impact assessment study report prepared by an agency accredited by the Government of India.
9.	**MINING PROPOSALS:**
	In view of the direction of the Hon'ble Supreme Court of India in its order dated 04.08.2006 in I.A. 1000 in W.P. 202/95, no proposal for mining in a

	sanctuary/National Park or within one km from the boundary of a sanctuary/ National Park should be forwarded to the Ministry for consideration of the SCNBWL.
10.	**USE OF INNOVATIVE TECHNOLOGY IN MITIGATION OF IMPACTS:**
	State/UT Governments shall endeavor to encourage user agencies to use innovative technologies and modern scientific tools while prescribing mitigation measures and monitoring the impact of developmental activities on wildlife habitats.
	***

ANNEXURE-41

GUIDELINES FOR DECLARATION OF ECO-SENSITIVE ZONES AROUND NATIONAL PARKS AND WILDLIFE SANCTUARIES



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS

Government of India
Ministry of Environment and Forests
(Wildlife Division)

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi -110003.

F. No. 1-9/2007 WL-I(pt)
Dated: 9th February, 2011

To,
The Chief Wildlife Warden
All States/Union Territories

Sub: Guidelines for Declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries.

Sir

In pursuance to the decision taken by the National Board for Wildlife, all the States/Union Territory, Governments were requested for forwarding site specific proposals for declaration of Eco Sensitive Zones around National Parks and Wildlife Sanctuaries. Several reminders in this connection were also sent. Hon'ble Supreme Court had also take note of this decision had directed States/ Union Territory, Governments to forward proposals this Ministry. However, only very few States have forwarded proposals in this regard.

This Ministry after careful consideration, has therefore, decided to frame guidelines to facilitate the States/Union Territory, Governments for declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries. Kindly find enclosed a copy of the said Guidelines. It is requested to kindly take necessary action in this regard at the earliest

Yours faithfully,

(Prakriti Srivastava)
Deputy Inspector General (WL)
Telefax: 01-24360704
E-mail:digwl-mef@nic.in

Encl: As above

Copy to:

1. Principal Secretary (Forests), all States/Union Territories.
2. Principal Chief Conservator of Forests, all States/ Union Territories.
3. NIC Cell- with a request to upload the enclosed guidelines on the official website of MoEF.

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3	Purpose for declaring Eco-Sensitive Zones	5
4	Extent of Eco-Sensitive Zones	5
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GUIDELINES FOR DECLARATION OF ECO-SENSITIVE ZONES AROUND NATIONAL PARKS AND WILDLIFE SANCTUARIES

******

1. Background:

1.1. IBWL Decision:

1.1.1 During the XXI meeting of the Indian Board for Wildlife held on 21st January 2002, a 'Wildlife Conservation Strategy-2002' was adopted wherein point no.9 envisaged that " lands falling within 10 Kms of the boundaries of National Parks and Sanctuaries should be notified as eco-fragile zones under section 3 (v) of the Environment (Protection) Act and Rule 5 Sub rule (viii) & (x) of the Environment (Protection) Rules.".

1.1.2 The Additional Director General of Forests (WL), vide letter dated 6th February 2002, had requested all the Chief Wildlife Wardens for listing out such areas within 10 Kms of the boundaries of National Parks and Sanctuaries and furnish detailed proposals for their notification as eco-sensitive areas under the Environment (Protection) Act, 1986.

1.1.3 In response, some of the State Governments had raised concern over applicability of the 10 Kms range from the Protected Area boundary and informed that most of the human habitation and other areas including important cities in these States would come under the purview of eco-sensitive zone and will adversely affect the development.

1.2. National Wildlife Action Plan (2002-2016)

1.2.1 The National Wildlife Action Plan (NWAP) 2002-2016 indicates that *"Areas outside the protected area network are often vital ecological corridor links and must be protected to prevent isolation of fragments of biodiversity which will not survive in the long run. Land and water use policies will need to accept the imperative of strictly protecting ecologically fragile habitats and regulating use elsewhere."*

1.2.2 The Action Plan also indicates that *"All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act, 1986."*

1.3. Decision of National Board for Wildlife:

1.3.1 Considering the constraints communicated by the states, the proposal was re-examined by the National Board for Wildlife in its 2nd meeting held on 17th March 2005 and it was decided that the '**delineation of eco-sensitive**

zones would have to be site specific and relate to regulation, rather than prohibition, of specific activities'. The decision was communicated to all the State Governments for compliance vide letter dated 27th May 2005. Thereafter, it was further communicated with subsequent reminders.

1.4. Hon'ble Supreme Court's decision:

1.4.1 A Public Interest Litigation was also filed by the Goa Foundation vide their Writ Petition No. 460/2004 before the Hon'ble Supreme Court regarding the issue of declaration of eco-sensitive zones.

1.4.2 Vide their order dated 4th December 2006, Hon'ble Supreme Court had directed the Ministry of Environment & Forests to give a final opportunity to all States/Union territories to respond to the letter dated 27.5.2005 and that the State Governments send their proposals within four weeks, to the Ministry. It was also directed that all cases where environmental clearances were granted where activities are within 10 Kms zone, be referred to Standing Committee of NBWL.

2. Statutory Provisions

2.1 Section 5 C(1) of the Wildlife (Protection)Act, 1972 states that it shall be the duty of the National Board for Wildlife to promote the conservation and development of Wildlife and forests by such measures as it thinks fit.

2.2 *Section 3 of the Environment (Protection) Act 1986 (EPA) gives power to the Central Government i.e. the Union Ministry of Environment and Forests to take all measures that it feels are necessary for protecting and improving the quality of the environment and to prevent and control environmental pollution. To meet this objective, the Central Government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards [Section 3(2)(v)]*

2.3 *Section 5(1) of the Environment (Protection) Rules, 1986 (EPR), states that the central government can prohibit or restrict the location of industries and carrying on certain operations or processes on the basis of considerations like the biological diversity of an area (clause v) maximum allowable limits of concentration of pollutants for an area (clause ii) environmentally compatible land use (clause vi) proximity to protected areas (clause viii).*

3. Purpose for declaring Eco-Sensitive Zones:

The purpose of declaring Eco-sensitive Zones around National Parks and Sanctuaries is to create some kind of "Shock Absorber" for the Protected Areas. They would also act as a transition zone from areas of high protection to areas involving lesser protection. As has been decided by the National Board for Wildlife, the activities in the Eco-sensitive zones would be of a regulatory nature rather than prohibitive nature, unless and otherwise so required.

4. Extent of Eco-Sensitive Zones:

4.1 Many of the existing Protected Areas have already undergone tremendous development in close vicinity to their boundaries. Some of the Protected Areas actually lying in the urban setup (Eg. Guindy National Park, Tamil Nadu, Sanjay Gandhi National Park, Maharashtra, etc). Therefore, defining the extent of eco-sensitive zones around Protected Areas will have to be kept flexible and Protected Area specific. The width of the Eco-sensitive Zone and type of regulations will differ from Protected Area to Protected Area. However, as a general principle the width of the Eco-sensitive Zone could go upto 10 Kms around a Protected Area as provided in the Wildlife Conservation Strategy-2002.

4.2 In case where sensitive corridors, connectivity and ecologically important patches, crucial for landscape linkage, are even beyond 10 kms width, these should be included in the Eco-sensitive Zone.

4.3 Further, even in context of a particular Protected Area, the distribution of an area of Eco-sensitive Zone and the extent of regulation may not be uniform all around and it could be of variable width and extent.

5. Need for guidelines:

5.1 As has been indicated vide para 1.4 above, Hon'ble Supreme Court has vide their order dated 4th December 2006 directed all the State/Union Territory Governments to forward proposals for declaration of eco-sensitive zones around its Protected Areas. However, only States like Haryana, Gujarat, Mizoram, Meghalaya, Assam, Goa have forwarded proposals. However, several other States/Union Territories have not come forward, perhaps for want of guidelines in this regard.

5.2 In this context, it is pertinent to note here that Hon'ble Supreme Court vide their judgment dated 3rd December 2010 in the case relating to the construction of park at NOIDA near Okhla Bird Sanctuary filed by Shri Anand Arya & Anr vs. Union of India (I.A. Nos 2609-2610 of 2009) in Writ Petition (Civil) No. 202/1995, had noted that the State Government of Uttar Pradesh had not

declared Eco-sensitive zones around its Protected Areas as the Government of India had not issued any guidelines in this regard.

5.3 The Ministry of Environment & Forests had set up a committee under the Chairmanship of Shri Pronab Sen for identifying parameters for designating Ecologically Sensitive Areas in India. The said Committee had identified parameters for declaration of specific units of land/water etc as Ecologically Sensitive Zones based on parameters like richness of flora& fauna; slope; rarity & endemism of species in the area; origins of rivers etc. However, these parameters do not basically apply to the Eco-sensitive zones in the instant context, i.e around Protected Areas. In the instant case, the Eco-sensitive zones are meant to act as a "Shock absorbers"/ "transition zone" to the Protected Areas by regulating and managing the activities around such Protected Areas.

6. The procedure to be adopted :

6.1 As has been indicated in the forgoing paras, the basic aim is to regulate certain activities around National Park and Wildlife Sanctuary so as to minimize the negative impacts of such activities on the fragile ecosystem encompassing the Protected Area. As a first step towards achieving this goal, it is a pre-requisite that an inventory of the different land use patterns and the different types of activities, types and number of industries operating around each of the Protected Area (National Parks, Sanctuaries) as well as important Corridors be made. The inventory could be done by the concerned Range Officers, who can take a stock of activities within 10 km of his range.

6.2 For the above purpose, a small committee comprising the concerned Wildlife Warden, an Ecologist, an official from the Local Self Government and an official of the Revenue Department of the concerned area, could be formed. The said committee could suggest the:

(i) Extent of eco-sensitive zones for the Protected Area being considered.
(ii) The requirement of such a zone to act as a shock absorber
(iii) To suggest the best methods for management of the eco-sensitive zones, so suggested.
(iv) To suggest broad based thematic activities to be included in the Master Plan for the region.

6.3 Based on the above, the Chief Wildlife Warden could group the activities under the following categories (an indicative list of such activities is attached as **ANNEXURE-1**):-

(i) Prohibited
(ii) Restricted with safeguards.
(iii) *Permissible*

6.4 Once the proposal for Eco-sensitive zones has been finalized, the same may be forwarded to the Ministry of Environment and Forests for further processing and notification. Here, it may be noted that, the State/Union Territory Forest Department could forward the proposals to the respective authority in the State Government with copy to the Ministry of Environment and Forests, as and when the proposals(even if it is for single Protected Area) are complete. An indicative list of details that need to be submitted along with the proposals is at **ANNEXURE-2.**

6.5 It is to mention here that in cases where the boundary of a Protected Area abuts the boundary of another State/Union Territory where it does not form part of any Protected Area, it shall be the endeavour of both the State/Union Territory Governments to have a mutual consultation and decide upon the width of the eco-sensitive zone around the Protected Area in question.

6.6 The State Government should endeavour to convey a very strong message to the public that ESZ are not meant to hamper their day to day activities, but instead, is meant to protect the precious forests/Protected Areas in their locality from any negative impact, and also to refine the environment around the Protected Areas. A copy of the notification of the Sultanpur Eco-sensitive Zone issued by the Ministry is attached herewith at **ANNEXURE-3** for reference and guidance.

7. These guidelines are indicative in nature and the State / Union Territory Governments may use these as basic framework to develop specific guidelines applicable in the context of their National Parks, Wildlife Sanctuaries, important corridors, etc. with a view to minimizing and preferably eliminating any negative impact on protected areas.

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ANNEXURE-1

Identification of Activities

While some of the activities could be allowed in all the eco-sensitive areas, others will need to be regulated / prohibited. However, which activity can be regulated or prohibited and to what extent, would have to be PA specific. A broad list of activities (this may need supplementation) which could be allowed, promoted, regulated or prohibited is given in the table below:

Sl. No.	Activity	Prohibited	Regulated	Permitted	Remarks
1.	Commercial Mining	Y			Regulation will not prohibit the digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal consumption
2.	Felling of trees		Y		With permission from appropriate authority
3.	Setting of saw mills	Y			
4.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.)	Y			
5.	Establishment of hotels and resorts		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals
6.	Commercial use of firewood	Y			For hotels and other business related establishment

Prohibited Regulated Permitted

7.	Drastic change of agriculture systems		Y		
8.	Commercial use of natural water resources including ground water harvesting		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.
9.	Establishment of major hydroelectric projects	Y			
10.	Erection of electrical cables		Y		Promote underground cabling
11.	Ongoing agriculture and horticulture practices by local communities			Y	However, excessive expansion of some of these activities should be regulated as per the master plan
12.	Rain Water harvesting			Y	Should be actively promoted
13.	Fencing of premises of hotels and lodges		Y		
14.	Organic farming			Y	Should be actively promoted
15.	Use of polythene bags by shopkeepers		Y		
16.	Use of renewable energy sources			Y	Should be actively promoted
17.	Widening of roads		Y		This should be done with proper EIA

					and mitigation measures
18.	Movement of vehicular traffic at night		Y		For commercial purpose
19.	Introduction of exotic species		Y		
20.	Use or production of any hazardous substances	Y			
21.	Undertaking activities related to tourism like over-flying the National Park area by any aircraft, hot-air balloons	Y			
22.	Protection of hill slopes and river banks		Y		As per the master plan
23.	Discharge of effluents and solid waste in natural water bodies or terrestrial area	Y			
24.	Air and vehicular pollution		Y		
25.	Sign boards & hoardings		Y		As per the master plan
26	Adoption of green technology for all activities			Y	Should be actively promoted.

ANNEXURE-2

GENERIC INFORMATIONS TO BE INCORPORATED IN THE PROPOSALS FOR DECLARATION OF ECO-SENSITIVE ZONE AROUND PROTECTED AREAS

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(i) Delineation of the physical boundaries on a topo-sheet with precise description in geographic terms together with a description of the significant features/attributes that would potentially qualify the area as eco-sensitive zone. A description of the boundaries alongwith the list of villages with exception and exemption in the delineated buffer zone area.

(ii) An inventory of the existing legal status of rights, entitlements, privileges and obligations of the local communities.

(iii) A description of bio-diversity values including bio-geographical representatives, endemism, species richness, geo-morphological characteristics, and unique land use practices including aesthetic and cultural values.

(iv) A description of the resource base indicating the economic potential and livelihood implication for the people residing in and around the proposed eco-sensitive area.

(v) An inventory of activities to be regulated and/ or prohibited in the proposed eco-sensitive zone.

(vi) List of the protected areas for declaring eco-sensitive zone.

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ANNEXURE-42

FC-11/119/2020-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Prayavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003

Dated: 17th May, 2022

OFFICE MEMORANDUM

Subject: Clarification on Requirement of Various Environmental and Forest Clearances for Project/Activity in Eco-Sensitive Zone and Other Such Areas outside Protected Area – regarding.

Ministry has been receiving communications from States/Union Territories, Project Proponents, associated organizations and other stakeholders seeking clarifications regarding requirement of various statutory clearances viz. Environmental Clearance (EC), Forest Clearance (FC) and consideration by the National Boar for Wild Life/Standing Committee of the National Board for Wild Life (NBWL/SCNBWL) for Project/Activity falling in Eco Sensitive Zones (ESZ)/ Eco Sensitive Area (ESA) and other such ecologically significant areas around Protected Areas (PAs) as defined in Wild Life (Protection) Act, 1972.

2. In this reference, it is imperative to take note of some of the important related court judgements, which are as enumerated below:

i. The Hon'ble Supreme vide Court Order dated 4.12.2006 in Writ Petition No. 460 of 2004 in the matter of Goa Foundation Vs. Union of India, *inter-alia* directed that *"(MoEF) would also refer to the Standing Committee of the National Board for Wild Life, under Section 5(b) & 5(c) (ii) of the Wild Life (Protection) Act, 1972, the cases where Environmental Clearances have already been granted where activities are within 10km zone of the boundaries of the Sanctuaries and National Parks".*

ii. Many of developmental activities are prohibited /regulated in ESZs *inter-alia* including mining operations to be carried out in accordance with the Order of the Hon'ble Supreme court dated 4.08.2006 in the T.N. Godavarman Thirumulpad vs UOI matter in WP(C) No. 202 of 1995 and Order dated 21.04.2014 in the matter of Goa Foundation Vs. UOI in WP(C) No. 435 of 2012.

3. Taking cognizance of conservation need of ecologically rich area outside notified PAs and aforesaid Court Orders, Ministry has issued clarifications in reference to the subject matter in the past vide OM No. 22-43/2018-IA.III dated 08.08.2019 followed by OM No. 6-60/2020WL Part (I) dated 16.07.2020.

4. The matter has been further examined in detail in the Ministry with reference to various recent communications received seeking further clarifications w.r.t. applicability of EC, FC and WC in ESZ/ESA and other ecologically significant areas outside PAs.

5. Accordingly, in supersession of Ministry's previous OM No. 22-43/2018-IA.III dated 08.08.2019 and OM No. 6-60/2020WL Part (I) dated 16.07.2020, the following procedure is

17/05/22

prescribed w.r.t. applicability of EC, FC and WC in ESZ/ESA and other ecologically significant areas outside PA:

Clearance Category	Project/Activity in Notified ESZ Around PA or in notified ESA	Project/Activity outside PA wherein ESZ is not notified or ESZ Notification is at draft stage	Project/Activity outside PA in area which is part of Tiger Reserve or linking one PA or Tiger Reserve to another PA or Tiger Reserve
Environmental Clearance (EC)	Project/Activity shall be regulated and governed by the concerned ESZ/ESA Notification. Accordingly, activities prohibited under the ESZ/ESA Notification cannot be undertaken. Whereas, for regulated and other activities in ESZ/ESA Notification covered under the Schedule of EIA Notification, 2006; prior EC as per the prescribed procedure is mandatory.	For Project/Activity covered under the Schedule of EIA Notification, 2006; prior EC as per the prescribed procedure is mandatory, anywhere outside the PA.	For Project/Activity covered under the Schedule of EIA Notification, 2006; prior EC as per the prescribed procedure is mandatory anywhere outside the PA.
Forest Clearance (FC)	Projects shall be regulated and governed by the concerned ESZ/ESA Notification. Accordingly, activities prohibited under the ESZ Notification cannot be undertaken. Whereas, for regulated and other activities; Forest Clearance will be required, only if forest land is involved and proposed activity is for non-forestry use, as per provisions of Forest (Conservation) Act, 1980 and Rules and guidelines made there under.	Forest Clearance will be required anywhere outside the PA, only if forest land is involved and proposed activity is for non-forestry use, as per provisions of Forest (Conservation) Act, 1980 and Rules and guidelines made there under, irrespective of the notified limits/default limits of ESZ/ESA.	Forest Clearance will be required anywhere outside the PA, only if forest land is involved and proposed activity is for non-forestry use, as per provisions of Forest (Conservation) Act, 1980 and Rules and guidelines made there under, irrespective of the notified limits/default limits of ESZ/ESA.
Consideration by the National Board of Wild Life/Standing	Projects/activities proposed to be located within notified ESZ/ESA shall be regulated and	Project/Activity covered under the Schedule of EIA Notification, 2006 and located within 10 km	Approval of NBWL/SCNBWL is mandatory if the project/activity is

17/05/12

Committee of the National Board for Wild Life (NBWL/SCNBWL)	governed by the concerned ESZ Notification. Accordingly, activities prohibited under the ESZ Notification shall not be undertaken. Whereas, regulated and other activities proposed within notified ESZ around National Park or Sanctuary shall require consideration by the NBWL/SCNBWL, if such activity is covered under the Schedule of EIA Notification, 2006.	of National Park or Sanctuary shall require consideration by the NBWL/SCNBWL.	proposed to be located in an area which forms part of a Tiger Reserve or area linking one PA or Tiger Reserve with another PA or Tiger Reserve as per section 38O(1)(g) of the Wild Life (Protection Act, 1972.

6. In all such cases, the project proponent may submit the application simultaneously for grant of Terms of Reference under EIA Notification as well as for FC and consideration by the NBWL/SCNBWL.

7. In addition, mining operations shall be carried out in accordance with the Order of the Hon'ble Supreme court dated 4.08.2006 in the T.N. Godavarman Thirumulpad vs UOI matter in WP(C) No. 202 of 1995 and Order dated 21.04.2014 in the matter of Goa Foundation Vs. UOI in WP(C) No. 435 of 2012.

This issues with the approval of Competent Authority.

13/10/14

(Suneet Bhardwaj)
Assistant Inspector General of Forest (FC)

To:

1. The Chief Secretary, All States/UTs
2. Chairman, CPCB
3. The Addl Chief Secretary/Principal Secretary/Secretary, Environment & Forest Department, All States/UTs.

Copy to:

i. Principal Chief Conservator of Forests, All State Governments/ UT Administrations
ii. Chief Wild Life Wardens, All State Governments/ UT Administrations
iii. All Integrated Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India
iv. All ADGFs/Addl. Secretaries/IGFs/ JSs/ Advisors in MoEF&CC, GoI, New Delhi.
v. Member Secretary, National Tiger Conservation Authority, New Delhi
vi. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
vii. PPS to Secretary (EF&C C)/DGF&SS, MoEF&CC, New Delhi.

ANNEXURE-43

F. No. 3-70/2020-IA.III [141127]
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

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

Dated: 28th March, 2024

OFFICE MEMORANDUM

Subject: **Compliance of the Judgement dated 21/03/2024 of Hon'ble Supreme Court in Civil Appeal Nos 1628-1629 of 2021, Noble M. Paikada Vs Union of India – reg.**

The Ministry vide Notification S.O. 1224 (E) dated 28/03/2020 amended Appendix-IX to the EIA Notification, 2006 which *inter-alia* provided exemption from prior Environmental Clearance for the following:

> *"6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.*
>
> *7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management."*

2. Thereafter, Ministry vide Notification S.O. 3840 (E) dated 30/08/2023 amended the aforesaid provisions of item 6 & 7 of Appendix-IX to the EIA Notification, 2006 as given below:

> *"6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc. shall be subject to the compliance of standard operating procedures and environmental safeguards issued in this regard from time to time.*
>
> *7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management shall be subject to the compliance of environmental safeguards issued in this regard from time to time."*

3. The Hon'ble Supreme Court vide its judgment dated 21/03/2024 in Civil Appeal Nos 1628-1629 of 2021 titled Noble M. Paikada Vs Union of India has struck down item 6 of the substituted Appendix-IX forming part of the Notification S.O. 1224 (E) dated 28/03/2020 and S.O. 3840 (E) dated 30/08/2023.

4. The copy of the judgement which is self-explanatory is enclosed herewith for compliance.

5. This is issued with the approval of the Competent Authority.

28/3/2024

(Sundar Ramanathan)
Scientist 'E'

Encl: as above.

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman and Member Secretaries of SEIAA/ SEACs
3. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
4. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS(TK)/Sr.PPS to JS (SKB)
6. Website, MoEF&CC/Guard file
7. Ministry of Mines
8. Ministry of Petroleum and Natural Gas
9. Ministry of Road Transport and Highways

F. No. 7-9/2010-NTCA (Part)
Government of India
Ministry of Environment, Forest and Climate Change
National Tiger Conservation Authority
***

B-1, Wing, 7th Floor,
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
Email: Email: dig-ntca-mef@nic.in
Tel. (EPABX) 011-24367837-39
Fax: 011-24367836.
Dated: 28.11.2018

To,

The Chief Wildlife Warden (s),
All Tiger Range States

Sub: Compliance of the statutory provisions in context of Infrastructure Development Projects – reg.

Sir,

Reference is invited to the subject cited above. In respect of infrastructure development projects, especially in context of linear development, the statutory role of this Authority is clearly outlined in the Wildlife (Protection) Act, 1972 which is **re-iterated** as follows:

1. **Section 38 (O) (1) (b) of the Wildlife (Protection) Act, 1972:**
   The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:-
   "Evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserve;"

2. **Section 38 (O) (1) (g) of the Wildlife (Protection) Act, 1972:**
   The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:-
   "ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wildlife and on the advice of the Tiger Conservation Authority;"

Accordingly, the "flow" of obtaining clearance in respect of the aforesaid sections is re-iterated as under:

1. Project proposal involving area falling within a Tiger Reserve:

In respect of projects falling within a notified tiger reserve, be it core or buffer, irrespective of area involved, the project proposal needs wildlife clearance. Therefore, the project proponent shall have to submit proposal to the Chief Wildlife Warden of the concerned State and if found sustainable, the proposal shall be placed before the State Board for Wildlife (SBWL). The proposal, if agreed upon shall be forwarded for consideration of the Standing Committee (SC) of the National Board for Wildlife (NBWL). The Standing Committee of NBWL shall refer it to the National Tiger Conservation Authority for its advise as per provisions of section 38 (O) (1) (b) of the Wildlife (Protection) Act, 1972. The NTCA shall after due scrutiny advice the SC of NBWL for allowing or disallowing the project. There may be areas within the buffer where legal status of the land can be other than forest. Herein too, section 38 (O) (1) (b) shall be invoked and the Chief Wildlife Warden can refer the matter directly to the NTCA.

Contd...../-

2. Project proposal involving corridor / linking area, irrespective of legal status of land:

In such projects, the project proponent may have to seek wildlife or forest clearance or both. The latter clearance shall be necessitated in case legal status of the land is forest.

In respect of wildlife clearance, the project proponent shall have to submit proposal to the Chief Wildlife Warden of the concerned State and if found sustainable, the proposal shall be placed before the State Board for Wildlife (SBWL). The proposal, if agreed upon shall be forwarded for consideration of the Standing Committee (SC) of the National Board for Wildlife (NBWL). The Standing Committee of NBWL shall refer it to the National Tiger Conservation Authority for its advise as per provisions of section 38 (O) (1) (g) of the Wildlife (Protection) Act, 1972. The NTCA shall after due scrutiny advice the SC of NBWL for allowing or disallowing the project.

I am directed to request you to follow the above statutory provisions in letter and spirit particularly in respect of all projects falling within the notified tiger reserves and its corridors for wildlife clearance irrespective of area involved and requirements of obtaining forest clearance or not.

This issues under section 38 (O) (2) of the Wildlife (Protection) Act, 1972 and approval of the Competent Authority.

Yours faithfully,

28/11/13

(Nishant Verma)
Deputy Inspector General of Forests (NTCA)

Copy to:

1. The Field Director (s), All Tiger Reserves.
2. The Inspector General of Forests (WL), MoEF&CC, New Delhi
3. The IGF/ AIGF, NTCA Regional Offices, Guwahati, Nagpur & Bangalore.
4. PS to ADG (PT) & MS (NTCA).

OLC
30/11/13

भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण
National Tiger Conservation Authority
****

F. No. 7-9/2010-NTCA (Part) **New Delhi, the December 30, 2019**

CORRIGENDUM

Sub: Compliance of the statutory provisions in context of infrastructure Development Projects -reg.
Ref: This Authority letter of even number dated 28.11.2018 (copy enclosed).

Sir,

Reference is invited to the subject & reference mentioned above. I am directed to inform that the earlier letter issued of even no. dated 28.11.2018 by this Authority is hereby amended only to the extent provided as under:-

- In the para titled ***'Project Proposal involving area falling within a Tiger Reserve-*** In 3rd line ***'if found sustainable'*** is to be deleted and in the 4th line ***' if agreed upon'*** is to be deleted.
- In the para titled ***'Project proposal involving corridor/ linking area, irrespective of legal status of land-*** in the 4th line, ***'if found sustainable'*** is to be deleted and in the 5th line ***' if agreed upon'*** is to be deleted.

This issues under Section 38 (O) (2) of the Wildlife (Protection) Act, 1972 and approval of the Competent Authority.

Encl: As above.

Nishant Verma 30

(Nishant Verma)
Deputy Inspector General of Forests (NTCA)
E-mail: dig2-ntca@nic.in
Tel. No. +91 11 2436 7837-39
Fax: +91 11 2436 7836

Distributions:

1. The Chief Wildlife Warden(s), All Tiger Range States.
2. The PCCF (HoFF), All Tiger Range States.
3. The Field Director (s), All Tiger Reserves.
4. The Inspector General of Forests (WL), MoEF&CC, New Delhi.
5. The IGF/ AIGF, NTCA Regional Offices, Guwahati, Nagpur and Bangalore.

Copy for information to:

1. PPS to ADG (WL), MoEF&CC, New Delhi
2. PS to ADG (PT) & MS (NTCA)

ANNEXURE-45

National Tiger Conservation Authority

(Statutory Body under the Ministry of Environment and Forest, Govt. of India)

Member Secretary

Annexe No. 5, Bikaner House,
Shahjahan Road, New Delhi-11.
Telefax: 2338 4428
E-mail: dirpt-r@nic.in

No. PS-MS (NTCA)/2009-Miscle.

Dated the 28th April, 2009

To,

The Field director(s)
(All Tiger Reserves)

Sub: Plying of diesel vehicles/mini-trucks / canters inside core/ critical tiger habitats.

Sir,

As you are aware, the core /critical tiger habitats of tiger reserves notified under section 38 V of the Wildlife (Protection) Act, 1972, are required to be kept inviolate for tiger conservation. However, tourism infrastructure is present in many core areas, and visitors are permitted in such tourism zones, and guidelines have been issued from this end for phasing out the tourism activities from such areas to the outer buffer zones. Till the desired tranquillity is achieved in the core /critical tiger habitat, every care should be taken to ensure that minimum noise pollution is caused in such areas due to plying of canters / mini-trucks, another diesel vehicles transporting tourists. In this context, it is suggested that every effort should be made for promoting CNG run vehicles using Bio-fuel, while reducing the use of diesel / other polluting vehicles. It is pertinent to add that the Hon'ble Apex Court has also strongly recommended the use of CNG vehicle in our urban landscape to reduce pollution.

Yours sincerely

Sd/-
Member Secretary (NTCA)

Copy to:

The Chief Wildlife Warden, All Tiger Reserve States.

PENCH-SATPURA-MELGHAT

Figure 2.27:

Potential habitat connectivity for tiger movement between Pench-Satpura-Melghat as depicted by CIRCUITSCAPE model

1. Pench-Satpura

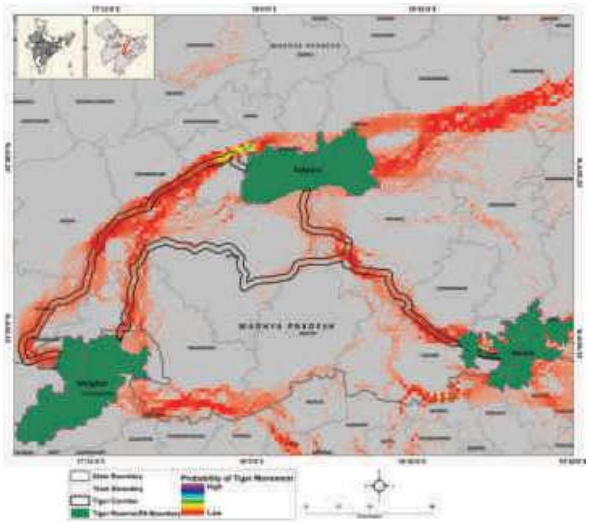
The habitat connectivity between Pench and Satpura is through fragmented forests interspersed with agriculture, human habitation , industrial development and mines. Yet genetic studies show that gene flow of tigers between Satpura and Pench still occurs. To safeguard this corridor for long term survival of both Pench and Satpura tiger populations restorative inputs and retrofitting of infrastructural development within this corridor is required. Part of this corridor near Satpura passes through the coal belt and is under intense pressure for mining . Infrastructure in the form of roads and railway lines that connect coal bearing region with industries need to have mitigative structures like over and under passes in the corridor habitat so as not to form linear barriers. Development of any sort should be discouraged within the corridor habitat.

2. Satpura-Melghat

This corridor is mostly through forested landscape of Hoshangabad, Betul and East Nimar and currently has low intensity agriculture and human density .It would be timely to safeguard this corridor and further development projects within this region should only be permitted with appropriate safeguards so as to maintain the functionality of the habitat as a viable corridor permitting gene flow of wild species between Satpura and Melghat.

3. Pench-Satpura

Part of this corridor is common with that of Pench-Satpura, which consists of degraded forest dispersed with various forms of human land uses like agriculture and mining. The habitat patch near Nawagaon is the weakest link in the corridor and would benefit from restorative inputs. Western part of the corridor is again through patchy ridge top forests but current landuse is not likely to be a barrier to tiger movement. Future development in this area should build in appropriate safeguards.



Pench-Satpura-Melghat	
Habitat size	30687 Km^2
Source Population	Pench, Satpura and Melghat Tiger Reserve
Size of Source	(53-78) Pench (42-46) Satpura (30-39) Melghat
Protected Areas	Pench Satpura Melghat
Corridors	Pench-Satpura Satpura-Melghat

ANNEXURE-46

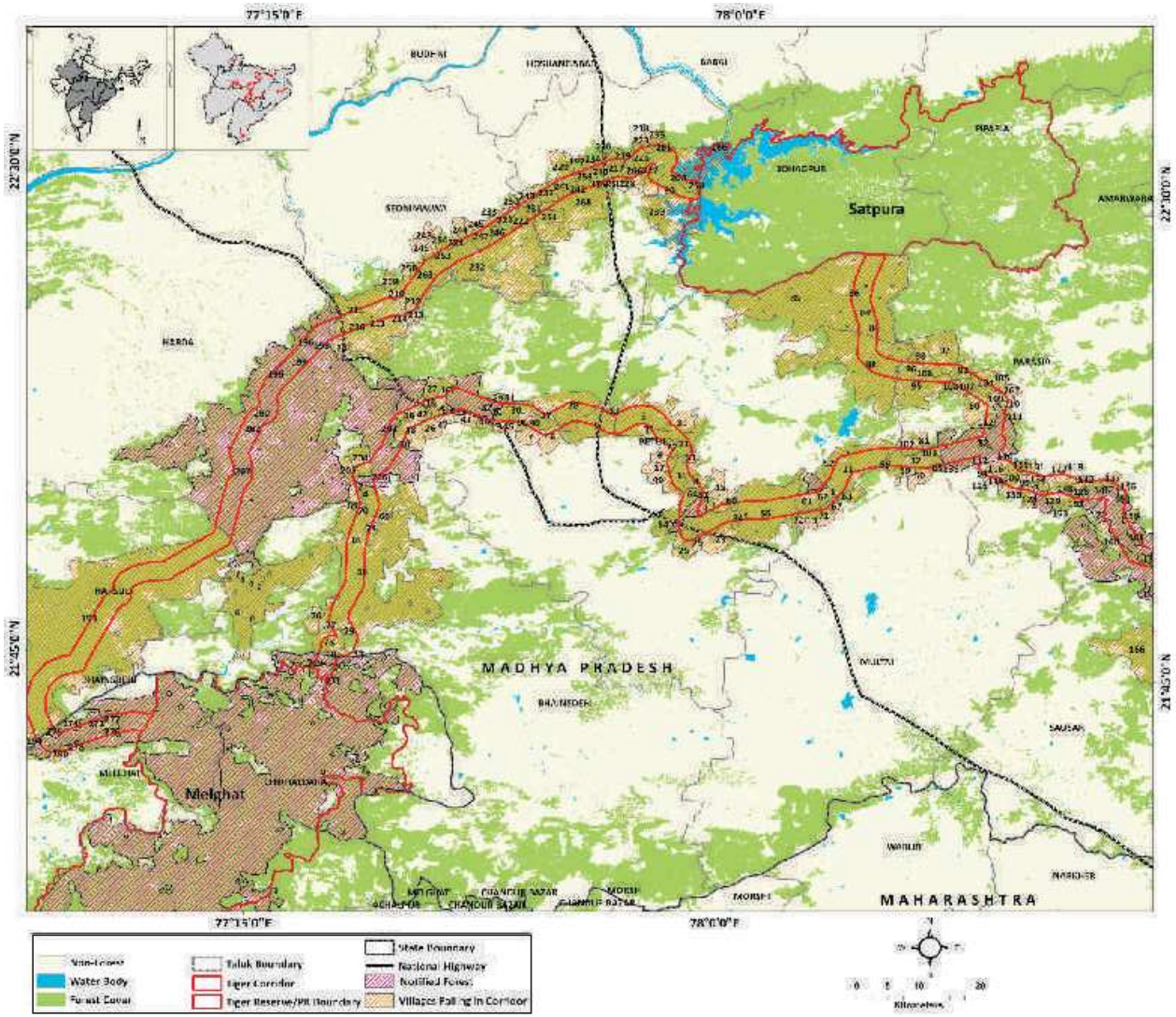
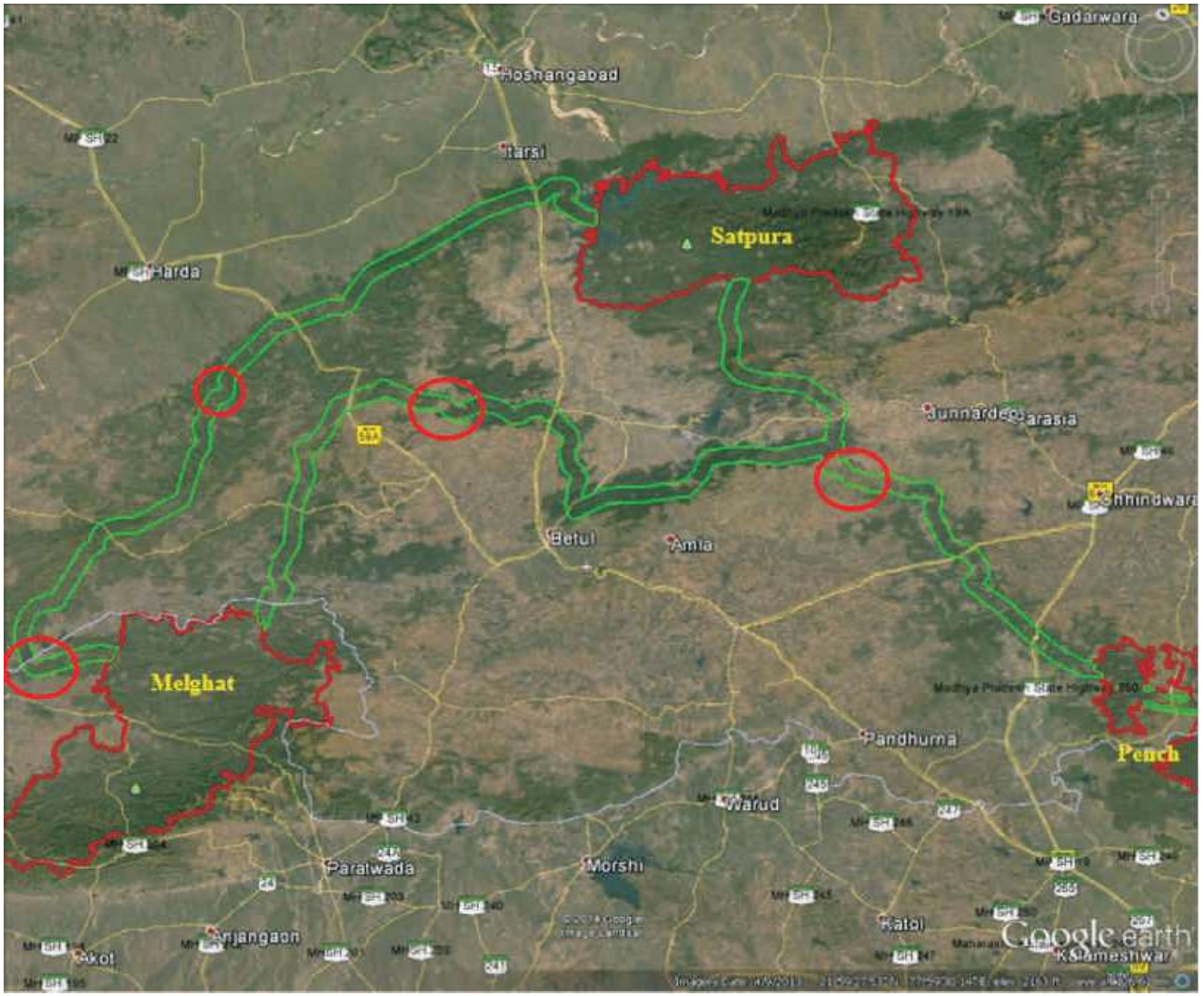


Figure 2.28:

Least Cost Pathway corridor for Tiger movement between Pench-Satpura-Melghat overlaid with village map (the village numbers are referenced in Table 2.7)

Figure 2.30:

Potential bottlenecks, obstacles and weak links within the Least Cost Pathway corridor connecting Pench-Satpura-Melghat



STATUS OF TIGERS 2022



Citation: Qamar Qureshi, Y.V. Jhala, S.P. Yadav and A. Mallick (eds) 2023. Status of Tigers in India - 2022: Photo-captured Tigers, Summary Report. National Tiger Conservation Authority and Wildlife Institute of India, Dehradun. TR. No./2023/03.

Cover photo: © Dr. Sanjay Shukla

In 1973, the Project Tiger was established with the objective of utilizing the tiger's functional role and charisma to garner public support and resources for preserving representative ecosystems. Since its inception, the project has expanded from nine tiger reserves covering 18,278 km^2 to 53 reserves covering 75,796 km^2, which account for 2.3% of India's land area. Despite this, most tiger reserves and protected areas in India are similar to small islands in a vast sea of ecologically unsustainable land uses, and many tiger populations are confined to small protected areas. Although some habitat corridors exist that allow tiger movement between them, most of these habitats are not protected areas, and continue to detriorate due to unsustainable human use and developmental projects, and thereby not conducive to animal movement.

The information generated from the past four cycles has resulted in major changes in policy and the management of tiger populations. It has also provided scientific data to fully implement provisions of the Wildlife (Protection) Act 1972, in letter and spirit. The major outcomes that were a direct or indirect consequence of information generated by the monitoring exercises were: 1) tiger landscape conservation plans, 2) designation and notification of inviolate critical core and buffer areas of tiger reserves, 3) identification and declaration of new tiger reserves, 4) recognition of tiger landscapes and the importance of the corridors and their physical delineation at the highest levels of governance, 5) integrating tiger conservation with developmental activities using the power of a reliable information system, 6) planning reintroduction and supplementation strategies for tigers and ungulates, and 7) prioritizing conservation investments to target unique vulnerable gene pools (Qureshi et al. 2014, Kolipakam et al. 2019, Jhala et al. 2021). All of these provide an opportunity to incorporate conservation objectives supported with sound science-based data, on equal footing with economic, sociological, and other values in policy and decision-making for the benefit of society.

Despite efforts to conserve tigers, there are still several challenges that need to be addressed. One of the major challenges is aligning the aspirations of large-scale economic development while safeguarding forests and their wildlife and mitigating human-tiger conflict. Other silent and surmounting threats are climate change-related impacts on habitats and the loss of the quality of forests over time. Out of the approximately 400,000 square kilometers of forests in tiger states, only one-third are in relatively healthier condition. Another significant challenge is the illegal wildlife trade. Even though poaching is illegal, the demand for tiger products remains high, and poachers continue to kill tigers for profit. To combat this, the Indian government has implemented strict laws and increased surveillance to prevent poaching and illegal trade. The increase in the tiger population is a positive sign, but we must not become complacent and there is a need to continue our efforts to ensure the survival of this magnificent animal and safeguard our forested ecosystems in their entirety. Tigers are not just a part of India's wildlife heritage but also a symbol of the country's ecological richness and economic well-being.



2. Central Indian Highlands and Eastern Ghats Landscape

The Central Indian landscape has played a prominent role in the history of wildlife in the region and this is intrinsically entwined to its cultural and ecological evolution. Evidence of human habitation in this landscape dates back to the Stone Age. Today, the region is home to a diverse range of wildlife, and tiger conservation efforts have been successful. However, the region also has the highest level of conflict between tigers and humans, requiring appropriate policies to be developed. Conservation efforts continue to be a top priority, balancing with the needs of the growing human population, and the region has received significant investment in green infrastructure to reduce the impact of roads.

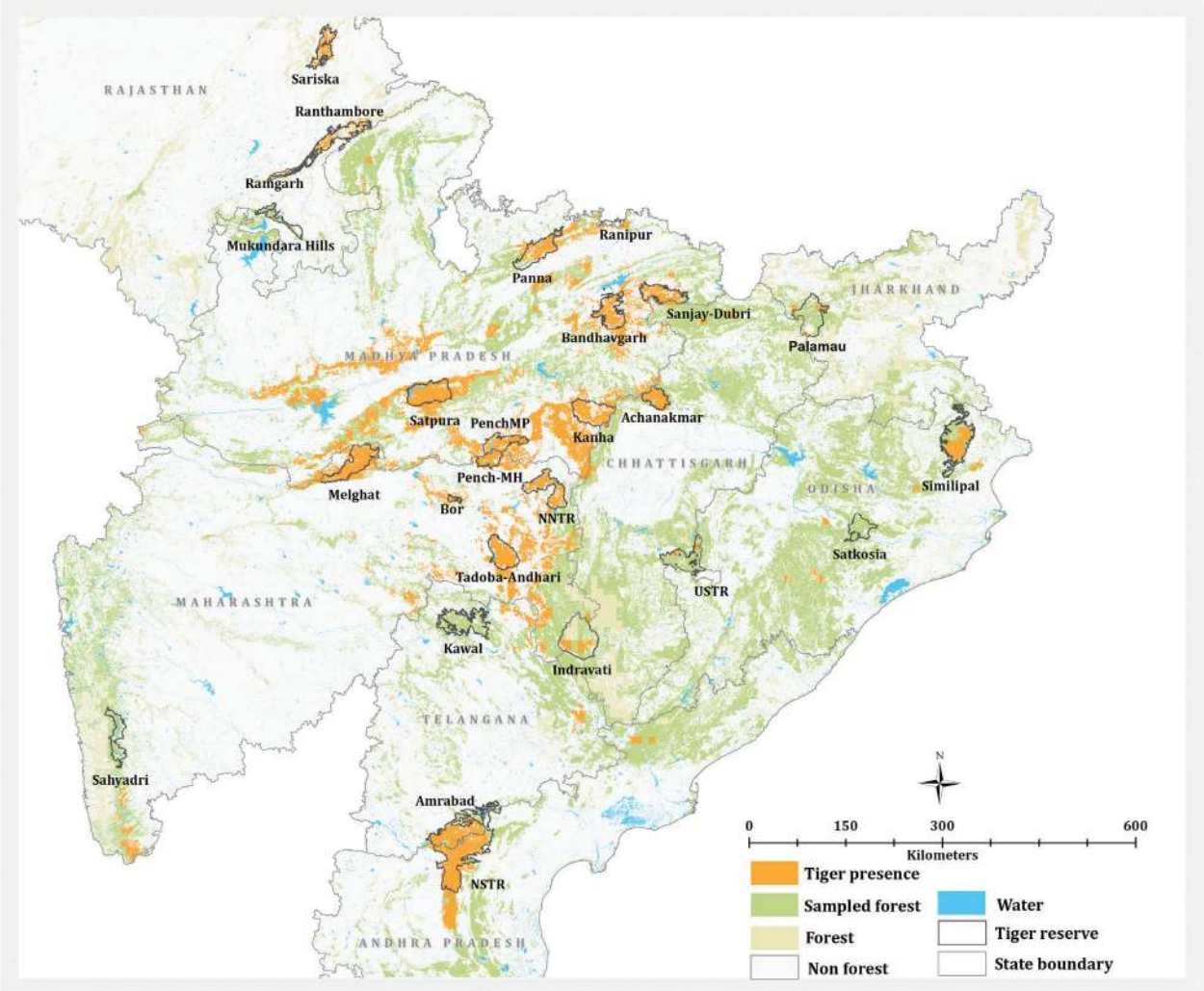
The landscape of Central India and the Eastern Ghats includes the semi-arid areas of Rajasthan, the central Indian plateau, and portions of the Eastern Ghats in Telangana, Andhra Pradesh, and Odisha. The Aravalli Range borders the northwest, the Satpura Range borders the south, the Chota Nagpur plateau borders the northeast, and the Odisha hills border the southeast. The Sahyadri Mountains in the north connect the Western Ghats and the Central Highlands. The Eastern Ghats had historic continuity with Central India forests, but this is now almost lost. The Central India landscape is a vast network of protected areas, with around half (25) of the total notified tiger reserves in India and numerous other protected areas that contain extensive tiger occupied forests. The region encompasses diverse habitats, ranging from moist to dry deciduous forests, and from valleys to hilly terrains, supporting a rich biodiversity. This region has also been the site of numerous reintroduction plans for large mammals. Successful reintroduction of tigers has been done in Panna and Sariska, while gaur was reintroduced in Bandhavgarh and Barasingha in Satpuda and Bandhavgarh tiger reserves. Cheetahs were introduced in Kuno National Park. Gandhisagar and Nauradehi Wildlife Sanctuary have been identified as potential relocation sites for the cheetahs.



The region is home to the largest population of scheduled tribes who rely on forest lands and it also has some of the best tiger habitats in India. Conservation efforts by the forest departments of Odisha, Maharashtra, and Madhya Pradesh have been successful in protecting the core areas of tiger reserves through incentivized village relocations. However, the high concentration of mining activity poses a significant challenge to conservation. The region contains five biosphere reserves and is home to the largest number of tigers and contains the largest tiger-occupied forest in the country. The forests of this region are under threat from various activities, despite their high biodiversity and conservation significance. Two endangered subspecies, the Central Indian Wild Buffalo and Hard Ground Barasingha, are now confined to the tiger reserves in this landscape. The tiger landscape is further sub-divided in 13 smaller tiger landscapes: (i) Sariska, (ii) Ranthambore-Kuno-Shivpuri-Madhav (iii) Panna-Ranipur (iv) Bandhavgarh-Sanjay-Guru Ghasidas-Palamau, (v) Kanha-Pench-Achanamkmar, (vi) Tadoba-Navegaon-Pench-Bor, (vii) Ratapani-Bhopal-Dewas, (viii) Satpuda-Melghat (ix), Sunabeda-Udanti Sitanadi, (x) Indravati-Adilabad-Gadhchiroli (xi) Amrabad- Nagarjunsagar Srisailam, (xii)Sahyadri-Radhanagari, and (xiii) Simlipal-Satkosia.

In 2022, tiger signs were detected in 1049 grids **(Fig 2.1)** and 1,161 unique tigers were photo-captured **(Table 2)**.

Figure 2.1: Tiger distribution in Central India and Eastern Ghats landscape in 2022



ANNEXURE-48

THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

ACT NO. 14 OF 1981

[29*th March,* 1981.]

An Act to provide for the prevention, control and abatement of air pollution, for the establishment, with a view to carrying out the aforesaid purposes, of Boards, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held in Stockholm in June, 1972, in which India participated, to take appropriate steps for the preservation of the natural resources of the earth which, among other things, include the preservation of the quality of air and control of air pollution;

AND WHEREAS it is considered necessary to implement the decisions aforesaid in so far as they relate to the preservation of the quality of air and control of air pollution;

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement.—(*1*) This Act may be called the Air (Prevention and Control of Pollution) Act, 1981.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "air pollutant" means any solid, liquid or gaseous substance [2][(including noise)] present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment;

(*b*) "air pollution" means the presence in the atmosphere of any air pollutant;

(*c*) "approved appliance" means any equipment or gadget used for the bringing of any combustible material or for generating or consuming any fume, gas of particulate matter and approved by the State Board for the purposes of this Act;

(*d*) "approved fuel" means any fuel approved by the State Board for the purposes of this Act;

(*e*) "automobile" means any vehicle powered either by internal combustion engine or by any method of generating power to drive such vehicle by burning fuel;

(*f)*"Board" means the Central Board or a State Board;

(*g*) "Central Board" means the [3][Central Pollution Control Board] constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(*h*) "chimney" includes any structure with an opening or outlet from or through which any air pollutant may be emitted;

(*i*) "control equipment" means any apparatus, device, equipment or system to control the quality and manner of emission of any air pollutant and includes any device used for securing the efficient operation of any industrial plant;

1.16th May, 1981,*vide* notificationNo. G.S.R. 351(E), dated 15th May, 1981, *see* Gazette of India, Extraordinary, Part II, sec. 3 (*i*).

2. Ins. by Act 47 of 1987, s. 2 (w.e.f. 1-4-1988).

3. Subs. by s. 2,*ibid*., for "Central Board for the Prevention and Control of Water Pollution" (w.e.f. 1-4-1988).

Ministry of Environment, Forest and Climate Change

Biological Diversity Act

Posted On: 07 AUG 2023 4:15PM by PIB Delhi

The Government of India has taken several steps for conservation of biodiversity which includes survey, inventorization, taxonomic validation and threat assessment of floral and faunal resources; assessment to develop an accurate database for planning and monitoring as well as conservation and protection of forests; establishment of a protected area network of National Parks, Wildlife Sanctuaries, conservation and community reserves; designating Biosphere Reserves for conservation of representative ecosystems; undertaking of species oriented programmes, such as Project Tiger, Project Elephant, Project Dolphin; complemented with ex-situ conservation efforts.

A total of 1,02,718 species of fauna and 54,733 species of flora have been documented in the 10 biogeographic zones of the country. For ensuring protection of flora and fauna within protected areas, management plans are prepared by State Forest Departments which inter alia include a schedule of activities to be take-up over a period of ten years. The Wild Life (Protection) Amendment Act, 2022 provides for diligence to be taken before approval of any activity is accorded by the State Government within a protected area to ensure conservation and protection of biodiversity.

As per Section 37 (1) of the Biological Diversity Act,2002 the State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as Biodiversity Heritage Sites.

So far forty four (44) Biodiversity Heritage Sites have been notified by sixteen (16) states. The details of these sites are at **ANNEXURE**.

The Government of India is creating awareness on conservation of plant genetic resources including seeds of farmers' varieties and landraces through the schemes like Tribal Sub-Plan, North-Eastern Hill Region and Scheduled Caste Sub Plan. A total of 233 most potential varieties of different crops identified by farmers are being conserved through on-farm cultivation, value chain and marketing involving Self

Sl. No.	Name of Biodiversity Heritage Site (BHS)	Location	Area (Ha)	Date of Notification
10.	Majuli	Majuli, Assam	87500	29.03.2017
11.	Dialong Village	Tamenglong, Manipur	1135	23.05.2017
12.	Chilkigarh Kanak Durga	Jhargram, West Bengal	22.62	21.05.2018
13.	Khlaw Kur Syiem Kmielng	Ri Bhoi, Meghalaya	16.05	13.12.2018
14.	Mandasaru	Kandhamal, Odisha	528	12.03.2019
15.	Asramam	Kollam, Kerala	57.33	19.06.2019
16.	Naro Hills	Satna, Madhya Pradesh	200	31.10.2019
17.	Patalkot	Chhindwara, Madya Pradesh	8367.49	31.10.2019
18.	Purvatali Rai	North Goa, Goa	0.73	21.12.2019
19.	Baneswar Shiva Dighi	Cooch Behar-II, West Bengal	0.667	14.08.2020
20.	Ganeshkhind Garden	Pune, Maharashtra	33.01	31.08.2020
21.	Landorkhori	Jalgaon, Maharshtra	48.08	31.08.2020

ANNEXURE-50

THE ENVIRONMENT (PROTECTION) RULES, 1986

(The Principal rules were published in the Gazette of India vide number S.O. 844(E), dated 19.11.1986 and subsequently amended vide:
(i) S.O. 32(E), 16.2.87
(ii) S.O. 64(E), 18.1.88
(iii) G.S.R. 931(E), 27.10.89
(iv) S.O. 23(E), 16.1.91
(v) G.S.R. 95(E), 12.2.92
(vi) G.S.R. 329(E), 13.3.92
(vii) G.S.R. 562(E), 22.5.92
(viii) G.S.R. 636(E), 25.6.92
(ix) G.S.R. 386(E), 22.4.93
(x) G.S.R. 422(E), 19.5.93
(xi) G.S.R. 801(E), 31.12.93
(xii) G.S.R. 7, 22.12.98)

Ministry of Environment and Forests
(Department of Environment, Forest and Wildlife)

Notification
New Delhi, the 19th November, 1986

S.O. 844(E) - In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1906 (29 of 1986), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement

(i) These rules may be called the Environment (Protection) Rules, 1986.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires,-

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(aa) "areas" means all areas where the hazardous substances are handled;[1]

(b) "Central Board" means the Central Pollution Control Board constituted under section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(c) "Form" means a form set forth in Appendix A to these rules;

(d) "Government Analyst" means a person appointed or recognized as such under section 13;

(ii) delivered at its registered office or at the principal office or place of business;

(b) where the person to be served is an officer serving Government, if the document is addressed to the person and a copy thereof is endorsed to this Head of the Department and also to the Secretary to the Government, as the case may be, in-charge of the Department in which for the time being the business relating to the Department in which the officer is employed is transacted and is either-

(i) sent by registered post, or

(ii) given or tendered to him;

(c) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building, if any, to which it relates, or

(iii) is sent by registered post to that person;

Explanation.-For the purpose of this sub-rule,-

(a) "company" means any body corporate and includes a firm or other association of individuals;

(b) "a servant" is not a member of the family.

5. Prohibitions and restrictions on the location of industries and the carrying on processes and operations in different areas

(1) The Central government may take into consideration the following factors while prohibiting or restricting the location of industries and carrying on of processes and operations in different areas-

(i) Standards for quality of environment in its various aspects laid down for an area.

(ii) The maximum allowable limits of concentration of various environmental pollutants (including noise) [or an area.

(iii) The likely emission or discharge of environmental pollutants from an industry, process or operation proposed to be prohibited or restricted.

(iv) The topographic and climatic features of an area.

(v) The biological diversity of the area which, in the opinion of the Central Government needs to be preserved.

(vi) Environmentally compatible land use.

(vii) Net adverse environmental impact likely to be caused by an industry, process or operation proposed to be prohibited or restricted.

(viii) Proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a sanctuary, National Park, game reserve or closed area notified as such under the Wild Life (Protection) Act, 1972 or places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international confcrcnce1 association or other body.

(ix) Proximity to human settlements.

(x) Any other factor as may be considered by the Central Government to De relevant to the protection of the environment in an area.

(2) While prohibiting or restricting the location of industries and carrying on of processes and operations in an area, the Central Government shall follow the procedure hereinafter laid down.

(3) (a) Whenever it appears to the Central Government that it is expedient to impose prohibition or restrictions on the locations Of an industry or the carrying on of processes and operations in an area, it may by notification in the Official Gazette and in such other manner as the Central government may deem necessary from time to time, give notice of its intention to do so.

(b) Every notification under clause (a) shall give a brief description of the area, the industries, operations, processes in that area about which such notification pertains and also specify the reasons for the imposition of prohibition or restrictions on the locations of the industries and carrying on of process or operations in that area.

(c) Any person interested in filing an objection against the imposition of prohibition or restrictions on carrying on of processes or operations as notified under clause (a) may do so in writing to the Central Government within sixty days from the date of publication of the notification in the Official Gazette.

(d) The Central Government shall within a period of one hundred and twenty days from the date of publication of the notification in the Official Gazette consider all the objections received against such notification and may [10] [within one hundred and [11] [eighty] days from such day of publication] impose prohibition or restrictions on location of such industries and the carrying on of any process or operation in an area.

6. Procedure of taking samples

The Central Government or the officer empowered to take samples under section 11 shall collect the sample in sufficient quantity to be divided into two uniform parts and effectively seal and suitably mark the same and permit the person from whom the sample is taken to add his own seal or mark to all or any of the portions so sealed and marked. In case where the sample is made up in containers or small volumes and is likely to deteriorate or be otherwise damaged if exposed, the Central Government or the officer empowered shall take two of the said samples without opening the containers and suitably seal and mark the same. The Central Government or the officer empowered shall dispose of the samples so collected as follows:-

(i) One portion shall be handed over to the person from whom the sample is taken under acknowledgement; and

(ii) the other portion shall be sent forthwith to the environmental laboratory or analysis.[12]

7. Service of notice

The Central Government or the officer empowered shall serve on the occupier or his agent or person in charge of the place a notice then and there in Form I of his intention to have the sample analyzed.

8. Procedure for submission of samples for analysis, and the form of laboratory report thereon

(1) Sample taken for analysis shall be sent by the Central Government or the officer empowered to the environmental laboratory by registered post or through special messenger along with Form II.

(2) Another copy of Form II together with specimen impression of seals of the officer empowered to take samples along with the seals/marks, if any, of the person from whom the sample is taken shall be sent separately in a sealed cover by registered post or through a special messenger to the environmental laboratory.

(3) The findings shall be recorded in Form III in triplicate and signed by the Government Analyst and sent to the officer from whom the sample is received for analysis.

ANNEXURE-51

MINISTRY OF ENVIRONMENT & FORESTS

The Noise Pollution (Regulation and Control) Rules, 2000;

(As amended till 10/08/2017 vide S.O. 2555(E))

S.O.123 (E).- Whereas the increasing ambient noise levels in public places from various sources, inter-alia, industrial activity, construction activity, *(fire crackers, sound producing instruments)*[1], generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people, it is considered necessary to regulate and control noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas a draft of Noise Pollution (Control and Regulation) Rules, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 528 (E) dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public-,

And whereas copies of the said Gazette were made available to the public on the 1st day of July, 1999.

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government-,

Now therefore, In exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:

The Noise Pollution (Regulation and Control) Rules, 2000

1. Short title and commencement.

(1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

---

1. In the said rules, in the opening para/portion after the words 'construction activity" additional words as at **(1)** above have been inserted vide **S.O.50 dated 11/01/2010.**

[(c) "authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;][2]

[(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by a judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

(e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;][3]

[(g) "person" shall include any company or association or body of individuals, whether incorporated or not;][4]

(h) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution.

[(i) *"public place" means any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and*

(j) "night time" means the period between 10.00 p.m. and 6.00 a.m.][6]

3. <u>Ambient air quality standards in respect of noise for different areas/zones.</u>

(1) <u>The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules</u>.

(2) The State Government (shall categorize)[5] <u>the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas</u>.

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2. In rule 2 for clause *"(c) "authority" means any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;"* has been substituted with a new clause as at **(2)** above vide **S.O.1046 (E) dated 22/11/2000.**

3. In rule 2, after Clause (c) new clause (d) (e) & (f) have been inserted as at **(3)** above vide **S.O.1046 dated 22/11/2000.**

4. In rule 2, clause (d) & (e) have been re-numbered as clauses (g) and (h) respectively and for (g) as so renumbered *"(g) "person" in relation to any factory or premises means a person or occupier or his agent, who has control over the affairs of the factory or premises;"* has been substituted as at **(4)** above **vide S.O. 1046 (E) dated 22/11/2000.**

5. In sub-rule (2) of rule 3 of the said rules, for the words "may categorize", the words "shall categorize" has been substituted as at **(5)** above vide **S.O.1046 dated 22/11/2000**

6. In the said rules, in rule 2, after clause (h), the following clauses (i) & (j) have been inserted as at **(6)** above vide **S.O. 50 dated 11/01/2010**.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, *(blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments*)[9] and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 metres around hospitals, educational institutions and courts may be declared (by the State Government)[14] as silence area/zone for the purpose of these rules.

→ {Provided that, an area shall not fall under silence area or zone category, unless notified by the State Government in accordance with sub-rule(2).}[14]

4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

[(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.][8]

5. Restrictions on the use of loud speakers/public address system *(and sound producing instruments)*.[10]

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

[(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls or during a public emergency.][11]

[(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or public address systems and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasion of a limited duration not exceeding fifteen days in all during a calender year and the concerned State Government or District Authority in respect of its jurisdiction as authorized by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation.- For the purposes of this sub-rule, the expressions-

(i) *"festive occasion" shall include any National function or State function as notified by the Central Government or State Government; and*

(ii) *"National function or State function" shall include"-*

(A) *Republic Day;*
(B) *Independence Day;*
(C) *State Day; or*
(D) *such other day as notified by the Central Government or the State Government.]*[15]

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7. In rule 5 after sub-rule (2) new rule 3 has been inserted as at **(7)** above vide **S.O. 1088 (E) dated 11/10/2002.**

8. In rule 4 after sub-rule (2) new sub-rule (3) has been inserted as at **(8)** above vide **S.O. 1569 (E) dated 19/09/2006.**

9. In the said rules, in rule 3, in sub-rule (3) after the words "noise emanating from vehicular movements, the additional words as at **(9)** above have been inserted vide **S.O. 50 dated 11/01/2010.**

10. In rule 5, for heading after the words "public address system" new words has been inserted as at **(10)** vide **S.O.50 dated 11/01/2010.**

11. In rule 5, sub-rule (2) has been substituted by new sub-rule as at **(11)** above vide **S.O. 50 dated 11/01/2010.**

12. In rule 5, in sub-rule (3) for the words "public address systems during night hours" has been substituted by new words as at **(12)** above vide **S.O. 50 dated 11/01/2010.**

13. In rule 5, in sub-rule (3) after the words "a limited duration……a calendar year" new sentence has been added as at **(13)** above vide **S.O. 50 dated 11/01/2010.**

14. In rule 3, in sub-rule (5) after the words "may be declared" the words "by the State Government" shall be inserted and there after new proviso is inserted as at (a) above vide **S.O. 2555 dated 10/08/2017.**

15. In rule 5, for the existing sub-rule *"(3) Not withstanding anything contained in sub-rule (2), the State Government may subject to such items and conditions as are necessary to reduce noise pollution permit use of loudspeakers or (public address system and the like during night hours)*[12] *(between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.]*[7] *(The concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative)*[13]*."* a new para is inserted as at (b) above vide **S.O. 2555 dated 10/08/2017.**

[*(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower;*

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5dB (A) the ambient noise standards specified for the area on which it is used.][16]

[5A. <u>Restrictions on the use of horns, sound emitting construction equipments and bursting of fire crackers.</u>

(1) No horn shall be used in silence zones or during night time in residential areas except during a public emergency.

(2) Sound emitting fire crackers shall not be burst in silence zone or during night time.

(3) *Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]*[17]

6. <u>Consequences of any violation in silence zone/area.</u>

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

[*(iv) whoever, bursts sound emitting fire crackers; or*

(v) whoever, uses a loud speaker or a public address system.][18]

7. <u>Complaints to be made to the authority.</u>

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone *(or, if there is a violation of any provision of these rules regarding restrictions imposed during night time,)*[19] make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

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16. In rule 5, after sub-rule (3) new sub-rules (4) & (5) have been inserted as at **(16)** above vide **S.O. 50 dated 11/01/2010.**

17. In the said rules, after rule 5, new rule 5A has been inserted as at **(17)** above vide **S.O.50 dated 11/01/2010.**

18. In the said rules, in rule 6, after the clause (iii) new clauses (iv) & (v), as at **(18)** above have been inserted vide **S.O. 50 dated 11/01/2010**.

19. In the said rules, in rule 7 in sub-rule (1), after the words "in corresponding columns…… & ending with……area/zone", new sentence as at **(19)** above has been inserted vide **S.O.50 dated 11/01/2010.**

8. <u>Power to prohibit etc. continuance of music sound or noise</u>.

(1) If the authority is satisfied from the report of an officer in-charge of a police station or other information received by him (including from the complainant)[20] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of -

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, *(public address systems, horn, construction equipment, appliance or apparatus)*[22] or contrivance which is capable of producing or re-producing sound, or

[*(iii) sound caused by bursting of sound emitting fire crackers, or*][23]

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant (and to the original complainant, as the case may be)[21] an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

20.In rule 8, in sub-rule (1) after the words *"received by him"* the words *" including from the complainant"* has been inserted as at **(18)** above vide **S.O. 1569 (E) dated 19/09/2006**

21. In rule 8, in sub-rule (2) in the proviso, after the words *"afford to the applicant"*, the words *"and to the original complainant, as the case may be",* has been inserted as at **(19)** above vide **S.O. 1569 (E) dated 19/09/2006**

22.In the said rules, in rule 8, in sub-rule (1), in clause (a)in sub-clause (ii), for the words, "public address systems, appliance or apparatus" new words have been substituted as at **(20)** above vide **S.O. 50 dated 11/01/2010.**

23.In the said rules, in rule 8, in sub-rule (1), in clause (a)after sub-clause (ii) new sub-clause (iii) as at **(21)** above has been inserted vide **S.O. 50 dated 11/01/2010**.

SCHEDULE
(see rule 3(l) and 4(l)

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq *	
		Day Time	NightTime
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.

2. Night time shall mean from 10.00 p.m. to 6.00 a.m.

3. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq : It is an energy mean of the noise level, over a specified period.

---

24. In the schedule to the said rules, for the note 3 and the entries thereto. *"Silence zone is defined as an area comprising not less than 100 metres around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority."* has been substituted as at **(22)** above vide **S.O. 1046 (E) dated 22/11/2000.**

25. In the schedule to the said rules, in the note, paragraph *("3. Silence zone is an area comprising not less than 100 meters around hospitals, educational institutions and courts, religious places or any other area which is declared as such by the competent authority ")[22]* has been omitted as may be seen above vide **S.O. 2555 (E) dated 10/08/2017.**

****

Note: **The Principal rules were published in the Gazette of India vide Notification number S.O. 123(E) dated 14 February, 2000 and subsequently amended vide**

1) **S.O.1046(E) dated 22/11/2000;**
2) **S.O.1088(E) dated 11/10/2002;**
3) **S.O.1569(E) dated 19/09/2006;**
4) **S.O.50(E) dated 11/01/2010;**
5) **S.O.2555(E) dated 10/08/2017;**

ANNEXURE-52

जहाँ है हरियाली ।
वहाँ है खुशहाली ।।

Ministry of Environment & Forests
GOVERNMENT OF INDIA, NEW DELHI

Environmental Impact Assessment Guidance Manual for AIRPORTS



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February 2010

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ABBREVIATIONS

ATC - Air Traffic Control
ARP - Aerodrome Reference Point
ASCI - Administrative Staff College of India
ATF - Aviation Turbine Fuel
AAQ - Ambient Air Quality
BSI - Botanical Survey of India
BLEVE - Boiling Liquid Expanding Vapour Explosion
CAEP - Committee of Aviation Environmental Protection
CPCB - Central Pollution Control Board
CRZ - Coastal Regulation Zone
CSR - Corporate Social Responsibility
EAC - Expert Appraisal Committee
EIA - Environmental Impact Assessment
EC - Environmental Clearance
ETP - Effluent Treatment Plant
EMP - Environmental Management Plan
FEDTI - Fire-Explosion and Toxicity Index
DMP - Disaster Management Plan
IA - Impact Asssessment
ICAO - International Civil Aviation Organization
IMD - Indian Meteorological Department
UTPCC - Union Teritory Pollution Control Centre
MoEF - Ministry of Environment and Forests
MCAA - Maximum Credible Accident Analysis
POL - Petrol / Paint Oil Lubricant
PCU - Passenger Car Units
RHP - Rain water Harvesting Plant
R&R - Rehabilitation and Resettlement
SPCBs - State Pollution Control Boards
STP - Sewage Treatment Plant
TOR - Terms of Reference
VOC - Volatile Organic compounds
VCE - Vapour Cloud Explosion
WG - Working Groups
WII - Wildlife Institute of India
ZSI - Zoological Survey of India

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(c) Airport operation, including air traffic and associated noise & emissions, and
(d) Cargo handling & storage, and land transport

1.2 Environmental Clearance Process

In terms of the 14th September 2006, as amended Dec 2009 notification of the MoEF, all airport projects are categorized under Category A in the Schedule, including expansion and modernization of existing projects or activities, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

Project or Activity	Category with Threshold Limit	
Airports	**Category - A** **All Projects**	**Category - B** **-**
General Condition shall apply "Any project or activity specified in Category 'B' will be treated as Category 'A' if located in whole or in part within 10 km from the boundary of: i. Protected areas notified under the Wildlife (Protection) Act, 1972; (ii) Critically polluted areas as notified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleswar Panchangi, Matheran, Pachmarhi, Dahanu, Doon Valley and (iv) inter-state boundaries and international boundaries Provided that the requirement regarding distance of 10km of the inter-state boundaries can be reduced or completely done away with by an agreement between the respective states or U.Ts sharing the common boundary in the case the activity does not fall within 10 kilometers of the areas mentioned at item (i), (ii) and (iii) above		

The environmental clearance process for new projects will comprise of a maximum of three stages. These three stages in sequential order are:

Stage (1)- Scoping

'Scoping' refers to the process by which the EAC in the case of Category 'A' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive TOR addressing all relevant environmental concerns for the preparation of an EIA report in respect of the project or activity for which prior environmental clearance is sought. The EAC concerned should determine the ToR on the basis of information furnished in the prescribed application Form 1 including ToR proposed by the applicant, a site visit by a sub-group of EAC concerned only if considered necessary by the EAC concerned and other information that may be available with the EAC concerned.

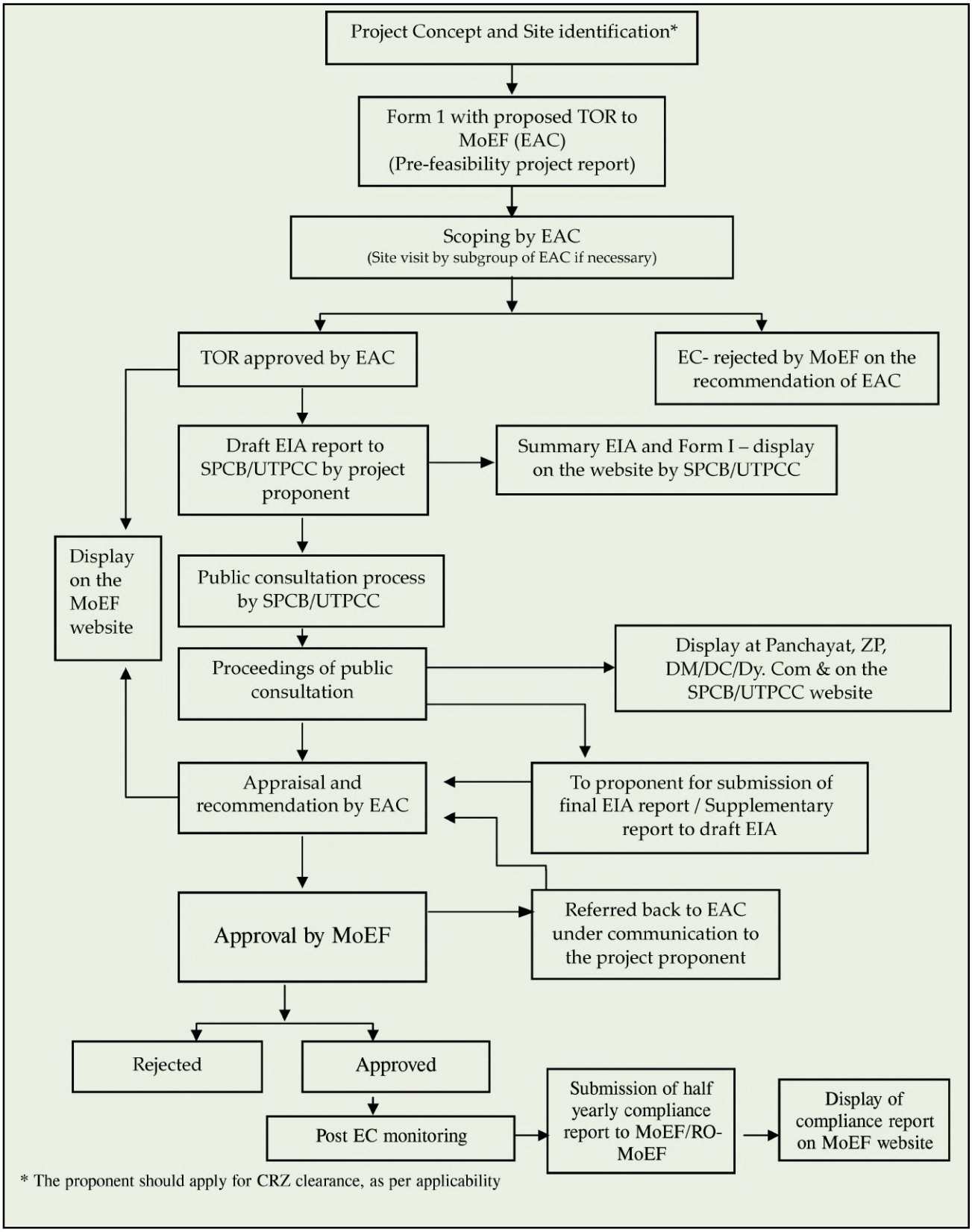


Figure 1.1: Prior Environmental clearance process for category A projects

- The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a CRZ map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be take to obtain the requisite clearance under the provisions of the CRZ notification, 1991 for the activities to be located in the CRZ
- The projects to be located within 10km of the National parks, Sanctuaries, Biosphere reserves, Migratory corridors of wild animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)
- All correspondence with the Ministry of Environment & Forests including submission "of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project"

  (Reference: S.O 3067 (E) dated 1st December 2009)

1.3 Regulatory Compliance Requirement

The operational and geographic impact associated with airport development are covered by policy drives (both strategies and legislation) at global, regional and national levels.

The International Civil Aviation Organisation (ICAO), which oversees the level and direction of effort involved in addressing the environmental impact of the sector, also deals with the emissions from aircrafts.

ICAO: The ICAO agenda is focussed on the Committee of Aviation Environmental Protection (CAEP), whose 18 member states make recommendations through five groups:

- WG1-reducing noise (noise stringency limits engines);(www.icao.int)
- WG2 - land use planning and management, operating restrictions and other issues associated with noise such as modelling; (www.caa.co.uk)
- WG3-reducing emissions at source (emission limits); (www.caa.co.uk)
- WG4 - operational mechanism for reducing aviation emissions; (www.icao.int/icao/en/m.html) and
- WG5-market based options (legal & administrative issues surrounding emissions permit trading, environmental charges and voluntary agreements as a means to limit or reduce emissions) (www.icao.int).

The work of the CAEP is more technical in nature. The process of securing consensus in ICAO is lengthy, not least because membership is voluntary. Though the members are responsible for enacting certain standards and practices, they are not legally bound to do so. They are only honour bound to implement the resolution on environmental policies and practices.

Essential Toposheets / Maps to be provided

- A map of the study area (project area and area 10 km around its boundary) delineating the major topographical features such as land use, drainage, a location of habitats is to be given. Major constructions including roads, railways, pipelines, major industries if any in the area are to be marked clearly.
- A map of the study area covering aerial distance of 15 km from the proposed project boundary delineating environmental sensitive areas as specified in Form I of EIA notification 2006 as amended 2009 is to be shown.
- Land use map of the study area to 1: 25,000 scale, based on recent satellite imagery of the study area delineating the cropping pattern, waste land, forest area and built up area need to be prepared.
- Contour map at sufficient or acceptable intervals as available or as required for the study of project area and site plan of the area showing the proposed break-up of the land may be prepared.
- Layout plan of proposed airport development should be submitted to a scale of 1:5000. Description of covered and open facilities, landscape and other civil works such as under ground / over head water tanks; Sewage Treatment Plant(STP); Effluent Treatment Plant (ETP); Petrol / Paint, Oil, Lubricants(POL)stores; Aviation Turbine Fuel(ATF) store; Cargo storage and other maps and utilities (water & power) are to be shown in the layout (Table 2.1). Based on the terrain slope and drainage pattern of the region; perimeter boundary wall is to be planned for security of the site without allowing the storm waters to stagnate or enter project area. Key features are to be given as indicated in Table-2.2.
- Description of the project site its geology, hydrology, topography, and climate, connectivity by road/rail, demographic aspects, socio-cultural and economic aspects, villages, and settlements are to be identified.
- Details of environmentally sensitive places, land acquisition and rehabilitation of communities/ villages with their present status should be mentioned. The Siting criteria delineated by MoEF should be discussed. Notified restrictions and limitations from Environmental considerations etc., if any should be discussed.
- Historical and climatic data such as climatic conditions, rainfall, wind pattern, history of cyclones, storms surges, visibility etc. for the last 25 years are to be mentioned.
- In case of expansion/ modernization of the project, the environmental compliance status for the existing project should be explained. If the potential impact on environment exceed the existing project limits, fresh EIA process may be initiated before starting the project.
- Technologies involved for design, construction, equipment and operation should be brought out clearly in the document.
- Requirement of natural resources for construction along with their sources, technologies involved in the design, construction, equipment and operation should be furnished in the report by the proponent. Water requirement during the construction and operational phases should be covered along with the identified sources. Water balance flow chart should be prepared considering phases of construction and operation. Rainwater harvesting provisions should be explored. Utilization of solar energy for lighting etc may be explored. The resources requirement for the construction may be quantified.

4

DESCRIPTION OF ENVIRONMENT

4.0 General

Airport development may create a wide range of impact on the environment by construction work, reclamation, landfills, noise and emissions from aircraft effecting air quality and ground sources, cargo operations, and other airport related activities. Environment facets to be considered in relation to airport development can be categorized into seven groups: (a) land use (b) water quality (c) air quality (d) noise pollution (e) biological changes (f) socio-economic changes and occupational health and (g) solid waste management. Hence it is necessary to ascertain the baseline data of these environmental facets.

4.1 Study Area

Primary data through measurements and field surveys; and secondary data from secondary sources are to be collected in the study area within 10 km radius from Aerodrome Reference Point (ARP). Primary data should cover one season other than monsoon and secondary data is to cover one full year. The basis for selection of these criteria is that the aircraft gains a height of 1000ft in this area below which noise and air pollution are generated maximum during its take off stage. Secondary data should be collected within 15 km aerial distance for the parameters as specifically mentioned at column 9 (III) of Form I of EIA Notification, 2006. Details of secondary data, the method of collection of secondary data, should be furnished. Similarly the proposed locations of monitoring stations of water, air, soil and noise etc should be shown on the study area map.

The study areas mentioned in this document should be considered for guidance purpose but the exact study area for different environmental attributes (water, air, noise and soil etc.) is to be submitted considering the proposed activities and location, along with proper reasoning, for review and approval by the Expert Appraisal Committee.

Baseline data of various environmental parameters envisaged to be effected by airport activities are collected from secondary sources and through primary monitoring in the study area. This baseline data helps in evaluation of the predicted impact on various environmental attributes in the study area by using scientifically developed and widely accepted environmental impact assessment methodologies. This further helps in preparing an Environmental Management Plan (EMP) outlining the measures for improving the environmental quality and scope for future expansions for environmentally sustainable development. The baseline environmental study also helps to identify the critical environmental attributes, which are required to be monitored after implementation of the project.

The methodology involves analysis of secondary data including satellite imagery, to describe the existing environmental status in the study area of the project referring to the source of the data in each case. The primary data on the other hand describes the existing environmental status in an area of 10km radial distance from ARP through scientifically designed monitoring network. The methods defer from one parameter to the other. The basis for this depends on the relevance of the parameter and the impact of the airport activity on it.

sensitive places etc., is to be undertaken by employing remote sensing techniques and ground truthing. Ecological features of forest area; agricultural land; grazing land; wildlife sanctuary land & national parks; migratory routes of fauna; water bodies; and drainage pattern including the orders of the drain and water sheds are to be described. Settlements in the study area may be delineated with respect to ARP on the site map. High rise buildings, industrial areas and zones, slaughter houses and other features of flight safety importance may also be marked on the map. Secondary data from Central Water Board GOI; State ground water department, State Irrigation Department is to be obtained. Geomorphology of the region is to be clearly delineated. Study of land use patterns, habitation, cropping pattern, and forest cover data is undertaken. Information on the location of water bodies, drainage, forests, surface travel routes with respect to the project site is obtained within the study area and plotted on a map. This map will show the natural slopes and the drainage patterns, which give a guideline while planning the drains in the airport project. The drains help in discharge of storm water from the airport to avoid flooding and water logging in the project area.

4.3 Water Environment

Ground water quality is important, as change in its chemical parameters will affect the water quality. Airport activities during construction / operation may have impact on ground water quality. Due to airport construction existing low areas may be reclaimed with dredged spoil. The pollutants from dredged spoil are likely to enter into the ground water. This is likely to increase sedimentation of pollutants in airport area, which may migrate in time to the neighbouring ground water. Also runoff from solid waste if any, may percolate into the ground and may contaminate the ground water. Hence, they need to be studied through primary surveys and secondary sources. Monitoring locations are to be finalized as per CPCB norms which can represent the baseline conditions.

Ground water, surface water and waste water within study area are examined for physico-chemical, heavy metal and bacteriological parameters. The samples are collected and analysed as per procedures prescribed (Annexure 3). Baseline data on location sources of surface water like water bodies, lakes, their dimensions, present quality and their utility are to be provided. The location of sampling stations is to be provided as shown in Table 4.3. Similarly baseline data on the groundwater, surface water is to be provided. Water Table contour map for the pre monsoon months are made for the study area based on secondary data collected from state ground water board. Criteria for raw water used for organized community water supplies (surface and ground water) primary parameters are given in Annexure 4.

4.4 Air Environment:

Ambient air quality (AAQ) is important for the airport projects. The significance of aviation's impact on air quality will vary depending on many other factors such as, background pollution levels, other sources of pollution, weather and proximity of residential areas. Around many airports some large emission sources already exist (power stations, factories) that are not related to the airport at all. Also local roads and motorways, even roads associated with an airport, may be heavily used by non-airport traffic.

Aircraft engines produce emissions that are similar to other emissions resulting from any oil based fuel combustion. These, like any exhaust emissions, can affect local air quality at ground level. It is emissions from aircraft below 1,000ft, above the ground (typically around 3km from departure or, for arrivals, around 6km from touchdown) that are chiefly involved in influencing

local air quality. These emissions disperse with the wind and blend with emissions from other sources such as emissions from domestic sources , emissions from industries and from surface transport.

Important sources of emissions from airport include:

- airside and landside ground transport
- aircraft emissions from takeoff, approach and landing, engine testing and taxiing
- use of auxiliary power units to provide energy to stationary aircraft and ground power units.
- Fuel spillages, fire training, and construction activities

The local air quality relevant emissions attributed to aircraft operations at airports are oxides of nitrogen (NOx), carbon monoxide (CO), Hydrocarbons (HC), sulphur dioxide(SO2), particulate matter (PM10 and PM2.5). Aircraft engines, auxiliary power units, apron vehicles, de- icing, and apron spillages of fuel and chemicals that emit these pollutants. Local factors influence the significance of individual emissions for each airport, but often NOx is by far the most abundant and is considered the most significant pollutant from an air quality stand point. Standard emission factors, for various operation types for a range of common civil aircraft engine types maybe obtained from International Civil Aviation Organization (ICAO) database. Annexure 5.1 to 5.3.

The ambient air quality in area with radial distance 10km. from Aerodrome Reference Point (ARP), forms the baseline information. For new airport development, the sources of air pollution, for baseline studies are vehicular traffic, dust arising from unpaved village roads, domestic fuel burning and nearby industrial air emissions. For expansion / modernisation projects, additional pollutants include the airside and geographic sources in the airfield.

Meteorological Data

The methodology adopted for collection of micro meteorological data specific to the site is to compile the Mean monthly normals of atmospheric parameters, from previous 10yrs data recorded by the nearest IMD station. The parameters selected are atmospheric pressure in (mb) and relative humidity in percentage both recorded at 0830hrs & 1730hrs IST of each day. Maximum and minimum temperatures in 0C of each day; 24hrly rainfall in millimetres (mm) recorded at 0830hrs IST and 1730hrs of each day. The normals for each month are to be calculated and shown in a tabular form. Wind Roses for each month giving the wind direction, speed and percentage frequency; as per key Index and scale should be given. Most probable wind speed class and wind direction at the nearest IMD site is to be estimated from this. Sunshine duration, cloud cover "normal values" is to be compiled from secondary data for getting the monthly "normals".

The methodology adopted for monitoring surface observations is to be as per the standard norms. Onsite monitoring will be undertaken for one season except monsoon season for recording various meteorological variables in order to generate the site - specific data (Annexure 3). This data is then compared with the meteorological data of IMD for judging its reliability and consistency with regional meteorology.

The Central Monitoring Station (CMS) equipped with continuous monitoring equipment to record wind speed, direction, temperature (2m & 10m levels) and solar radiation is to be set up at the project site. Relative humidity and atmospheric pressure are recorded manually daily at 0830hr, and 1730hrs. Data on cloud cover and storms is recorded by visual observation. Rainfall is

monitored daily by rain gauge. Hourly averages of maximum and minimum values of wind speed, direction, solar radiation and temperature are recorded continuously at the site.

Upper air climatic data is useful in locating ground and elevated inversions and computing hourly mean mixing heights ,which are required for use in air dispersion models. They can be procured from nearest IMD station and other secondary sources. The air quality monitoring stations should be given as shown in Table 4.4 and the data is to be measured and recorded as shown in Table 4.5. The standards are given in Annexure 5.4.

4.5 Noise Environment

The effect of noise on population depends on the characteristics of the source, the time of its existence and the location with respect to the noise sensitive land use. Noise can cause Noise Induced Hearing Loss (NIHL) to annoyance depending on its loudness. The effects of noise from proposed airport, construction activity, and vehicular traffic can cause potential damage to hearing, physiological responses, annoyance and general community responses. The ambient noise measurement frequencies and standards are given in Annexure 3 and Annexure 6 respectively. The existing noise levels before starting the construction of airport are to be measured for collecting baseline data. The process is to be repeated during construction and operational phases of project as well.

Baseline data on noise survey is collected in the project area on a given day during study period at a given location covering residential, commercial and silence zones continuously for 24hrs, at hourly intervals. During each hour parameters like L10, L50, L90 and Leq are directly computed by the instrument capable of measuring Sound pressure Level (SPL) , Leq and octave band frequency analysis. The description of noise levels measured over a given (Leqs) of time interval is given using statistical quantities. These are calculated as per the noise level exceeding over certain percentage of time during the study period.

L10 is the noise level exceeding 10 percent of time,

L50 is the noise level exceeding 50 percent of the time,

L90 is the noise level exceeding 90 percent of the time,

Leq is the hourly equivalent noise level value computed by the noise integrating sound level meter.

Lday is the equivalent sound level (average noise level during 6am to 10 pm).

Lnight is the equivalent sound level (average noise level during 10 pm to 6 am.)

Ldn is Day Night sound level (24 hr equivalent sound level with weighted penalty for night) for community noise from all sources. Here 10 dB (A) is added to instantaneous sound value during night before calculating 24hrs average.

Ldn= 10 log 1/24 {i=1to15 (sigma) 10 (leq i/10) + i=1to9 (sigma) 10 {(leq i+10)}] .

The data is to be presented as shown in Table 4.6.

4.6 Biological Environment

Airport operations may cause change in local ecosystems, threaten endangered species, and disturb movements and breeding patterns of local wildlife. Airports are located within a variety of settings (both urban and rural), which support habitats and species of their own, some of which will have direct interaction with those located on the airport and vice versa. Some local areas will also be

designated for their nature conservation value. The biological environment of the airport should hence be seen as an integral component of the wider landscape scale ecological network. To accomplish this,

- Baseline data from field observations for various terrestrial and aquatic systems are to be generated.
- Comparison of the data with authentic past records to understand changes is undertaken.
- Environmental components like land, water, flora and fauna are characterised and,
- The impact of airport development on vegetation structure in and around project site is to be understood.

Data on sensitive habitats, wild or endangered species in the project area also is to be collected from Zoological Survey Of India (ZSI), Botanical Survey of India (BSI), Wildlife Institute of India (WII) and Ministry of Earth Sciences. Wildlife symbolizes the functioning efficiency of the entire eco system. Just as wild flora needs special treatment for preservation and growth, wild fauna as well deserves specific conservatory pursuits for posterity. As per Wildlife Act (1972), the various wild animals are enlisted in the schedules of wildlife Act based on the intensity of threat to them as rare, endangered, threatened, vulnerable etc. Primary data on survey of the wild animals and birds in the study area is collected and identified with the classification into various schedules taken from secondary data.

In case water bodies are located in the study area plantation analysis for one season is to be undertaken (Annexure 3)

4.7 Socio- Economic Environment

Airport development may often require relocation of the local community, which, sometimes causes ethnic, cultural, tribal or religious conflicts with local people. Industrialization and modernization may change the cultural traditions of the local community. To study the socio-economic aspects of people in the study area around proposed airport, baseline data on demographics, land used patterns, water resources for agricultural and industrial use, human settlements, health status of the communities, infrastructure facilities and economic conditions in the existing and relocated area, cultural and archaeological assets within the project area should be catalogued and presented.

Baseline data is collected from various secondary sources, such as District Census Statistical Handbooks -1991, and records of National Informatics Centre, New Delhi and supplemented by the primary data generated through process of a limited door to door socio-economic survey during the study period and during other stages of the project. Results are to be compiled and presented as in Table 4.7 and Table 4.8.

4.8 Solid Waste

Solid waste generation, in airport development is in three stages namely, site preparation, construction and operation. The types of waste, which are generated, can be classified into 4 categories namely, construction or demolition waste; municipal waste, i.e., biodegradable and recyclable waste; hazardous waste and E- waste.

Details of authorized municipal solid waste disposal facilities, biomedical treatment facilities and hazardous waste disposal facilities in the area are highlighted. The adequacy of these measures vis a vis waste generated is to be assessed and alternate measures need to be initiated.

- Ensure adequate vehicle maintenance,
- Energy management in buildings and for air field systems,
- Fugitive emission controls.

All these can contribute to reducing air quality related emissions, whilst at the same time, deliver in other economy benefits. For operational measures however, there may also be trade - offs with environmental capacity and noise which is described in the "Alternative's "analysis.

Air Quality Modelling for Surface Traffic Outside Airport Area

The baseline study on traffic volume outside the airport area and the observed speed is to be carried out. The anticipated increase in traffic due to project in terms of PCU (Passenger Car Units) / day is also shown in table, as per Indian Road Congress (IRC) conventions. The IRC recommendations are,

Road category	Max PCU / day
2-Lane Roads (7-m) with earthen shoulders	15000
4-Lane Highway with earthen shoulders	35000

Based on above, the existing peak hour traffic (in PCUs) is added to the proposed peak hour traffic (PCUs) to arrive at the total traffic in PCUs. This is verified for the adequacy of road capacity and suitable decisions are taken for widening the roads.

Mitigation measures include the increase in use of public transport and thereby reduce the emissions from vehicular transport. Review of the use of and fuels to power airside vehicles is to be undertaken at regular intervals.

5.7 Noise Environment

Anticipated Impact

Noise sources associated with airports are

- Aircraft noise - generated by aircraft in the air and during takeoff and landing
- Ground noise - ground based activities due to taxiing of aircraft, ground running of engines, auxiliary power units, ground service vehicles etc.

Noise Level Prediction: Noise during operational phase is generated by aircrafts, DG Sets and vehicular traffic. However, the latter two are localised while the aircraft noise is significant due to its movement over wide area. Suitable model may be chosen (Table 5.8). The model should calculate changes in noise impact resulting from new or extended runways, new traffic demand and fleet mix, revised routings and airspace structures, alternative flight profiles and modifications, and other operational procedures like reverse thrust. Noise contours showing the areas and the number of dwellings exposed to various aircraft noise levels are to be shown clearly.

Precise information on number of aircraft, types of aircraft, distribution of flights during the day and night are to be considered. In the absence of this information, the data is taken from peak traffic forecast of aircraft movement as per format in Table 5.8. Night time values are to be computed with additional penalty of 10 dB (A)

Lmax values are considered because it measures maximum sound pressure level occurring during a certain period of time during a single noise event. In practice, Lmax can identify serious noise

- The design consideration should be as per maximum fuel storage planned. The Dyke wall should be constructed as per standard norms for the capacity of tank keeping in view the meteorological and local factors within the airfield.

7.6 Disaster Management Plan

Emergency planning is an essential part of overall loss control programme for effective management of an accident / incident to minimise losses to people and property both in and out side the airfield.

Prevention Measures

These include formulation of technical and organisational measures for

- Controlling leakage of hazardous materials out of the facility
- Implementing proactive and reactive measures against threats to the safety of personnel and property.

Standard Operational Procedures(SOPs) & Action Plans and Resources

The preventive measures can be implemented successfully, provided the organisation is aware of the plan of action, the responsibilities and the requirement of resources. Hence, standard operational procedures, Action plans highlighting what is to be done and by whom and inventory of the resources required are important. These also include the discussion of role of Government organisations and those agencies under Mutual Aid Scheme.

7

Emergency Planning at Airport:

The objectives of Emergency plans are to,

- Rapidly control or contain hazardous situation.
- Minimise the risk and impact of accident
- Rescue and rehabilitate affected persons and prevent damage to property.

To action this, the following are required:

- Accurate and early detection of emergency,
- Command, co-ordination and response of organisational structures along with efficient trained personnel.
- Resource availability
- Appropriate Emergency response actions,
- Effective communication facilities,
- Regular review and update of plan,
- Proper training of concerned personnel.

Organisational Structure

- Airport in-charge is responsible for maintaining distribution and control of the plan and for review and revision of procedures,
- Safety in-charge is responsible for training of personnel on the drills and their adequacy,
- All employees and occupants are responsible for carrying out their responsibilities as per the plan.

Emergency Response at Airport

This includes:

- Accident initiation and raising the Alarm by Emergency control centre,
- Accident evaluation and classification of on site emergency by the Airport Director.
- Declaration by the Director to initiate action for mitigation and taking over from ATC Sr. Manager for control operations.
- Off site and External Agency Notification by Director,
- Implementation of on site response actions,
- Protective actions and evaluation, co-ordination of Response Actions with External agencies, Management of emergency resources by Emergency Operations centre located at ATC through various action addressees specified in SOPs.

Recovery

After termination of the emergency, the Director in conjunction with facility activities to normal management, establishes a Recovery organisation to manage those activities necessary to return to normalcy.

7.7 Rehabilitation and Resettlement (R&R) Plan

Impact on Economy & Environment:

Rehabilitation and Resettlement covers total families displaced due to project construction and villages affected. Impact assessment and mitigation measures proposed are to be tabulated.

Detailed R&R plan with data on the existing socio-economic status of the population in the study area and broad plan for resettlement of the displaced population is to be given. The site for the resettlement colony is to be earmarked. Alternative livelihood concerns/employment are to be addressed. Rehabilitation of the displaced people, civil and housing amenities being offered and the schedule of the implementation of the project specific R&R Plan may be prepared. Details of provisions (capital & recurring) for the project specific R&R Plan may be given. These include the financial help, employment; vocational training etc; due to loss of land, jobs, profession and livelihood. The commitment of project proponent in this regard may be recorded and expenditure may be budgeted.

In addition to the benefits derived during construction phase as per implementation of R&R plan, the population will get more employment during operational phase, mainly skilled and semi- skilled jobs. The environment 5km around airport may be more urbanised with cost of living going up. However, with increase in income this is off set. All the project-affected persons should be counselled to use the 'Rehabilitation Grant' received carefully, for future settlement. Settlements may increase due to influx of people in search of employment from outside. Civic amenities will improve in terms of power, drinking water, health care, education, communication and other infrastructures.

On the other hand flight safety hazard sources such as, slaughterhouses, which promote bird activity in airport vicinity and high-rise buildings, which form obstructions for aircraft operations, may develop. New small-scale industries may crop up in the surroundings, affecting the ambient air and water quality. Awareness of these hazards " and their role in aviation will make the population realise their social responsibilities.

Annexure 1
Terms of Reference (TOR) for environmental impact assessment of AIRPORTS

Objectives

Terms of Reference (TOR) for preparation of Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) for Airport Development / Expansion / Modernization are prerequisites for obtaining Environmental clearance as per the EIA notification of September 2006 as amended December 2009 by Ministry of Environment and Forests (MoEF) GOI. They have been devised to improve the quality of the reports and make decision-making process transparent and easy. TOR will help the project proponents and consultants to prepare the report with relevant project specific data, which are precise, concise and easy to comprehend. TOR for Airport Development/ Expansion/ Modernization is expected to cover all environmental related features.

General Information

Airports are classified as international, domestic with customs facilities and domestic airports. Aviation compared to any other mode of transport, has grown rapidly and made significant contribution to the economic development of countries world over. Development / expansion / modernisation of airport facilities (referred as Project) are a right step towards meeting that end. Associated with the economic benefits, they may also create adverse impact on the surrounding environment during construction, operational and post operational phases of the project. These include pollution in land, air, water, noise, biological, socio-economic and health environments. The project development and operation should therefore be planned with careful consideration of their environmental impact. To minimise these adverse effects that may be caused by the project and to identify suitable alternate methods /sites; techniques of Environmental Impact Assessment became necessary.

1.0 Introduction

Airport development / expansion / modernisation is listed at Para 7 (a) of the schedule of list of projects dealing with physical infrastructure in MoEF notification as amended December 2009. It is a category 'A' project as stipulated in the EIA notification 2006. Prior environmental clearance before starting any Construction work or preparation of land except for security the land is mandatory for this project.

This chapter shall cover purpose of the project, details of project proponent, brief description of the project; name, nature, size, location of the project and its importance to the region.

Profile of the Project Proponent, name and contact address, Implementing Organization, Organizational Chart, Project consultants etc., should be mentioned clearly.

Land description/ plot/ survey / khasra nos, village, tehsil, district, state & extent of the land must be mentioned clearly.

Description of existing National/State environmental laws/ regulations on the proposed activity with annexure giving their references is to be brought out clearly.

4.1 Land Environment

Physiography and Drainage Patterns:

Land farms, terrain, may get affected due to construction of airport. It may require large scale quarrying, dredging and reclamation, which may cause changes in the topography. This in turn may affect the drainage pattern of the land / terrain.

Baseline data to be given on description of existing land area situation at the proposed project area including description of terrain hill slopes terrain features, slope and elevation. Study of land use pattern, habitation, cropping pattern, forest cover, environmental sensitive places etc., by employing remote sensing techniques and ground truthing is to be carried out.

Ecological features of forest area; agricultural land, grazing land, wildlife sanctuary land and national parks, migratory routes of fauna, water bodies, and drainage pattern including the orders of the drain and water sheds are to be shown clearly. Settlements in the study area may be delineated with respect to ARP on the site map. High rise buildings, industrial areas and zones, slaughter houses and other features of flight safety importance may also be marked on the map.

Soil

Land is one of the important and rare resources. Airport projects require considerable land area for development of activity areas, operational and non- operational buildings, areas for ancillaries, utilities including townships. Sometimes acquisitions of large stretches of land and areas being used by the local habitat may be necessitated requiring rehabilitation measures. Availability of land for earmarking for the airport without causing undue hardship to local habitat and their socio cultural and economic aspects is very important. Site suitability for developing airport is also to be approved by aerodrome standards, directorate in the DGCA, Ministry of Civil Aviation in accordance with Para (xi) of the Aircraft Rules 1937. Baseline data of the land and its availability is to be ascertained from local authorities, revenues records etc., Justification for the proposed quantum of the area to be given.

Soil data including type, classification, characteristics, properties, etc are important from engineering considerations for structures etc. Changes in soil parameters may also affect plantation and vegetation which in turn may endanger the health of habitat.

Baseline data consisting of soil analysis and land use pattern of agriculture lands within the project area is to be collected to assess its fertility. Data pertaining to coverage of land for other purposes and general slope of the terrain within the study area is collected to assess the trends in the land use patterns and the natural runoff patterns.

4.2 Water Environment

Ground water

Baseline data of ground water including data of pH, dissolved solids, suspended solids, BOD, DO, coliform bacteria, oil, fluorides, chlorides, heavy metals etc., to determine the quality of the ground water is to be estimated.

Surface water

Baseline data on location sources of surface water like water bodies, lakes, their dimensions, present quality and their utility to be provided.

Annexure 5.1

Aircraft Emission Standards for Subsonic Engines Manufactured on or after 01-01-1983. (Ref: ICAO Annex 16 Vol-II PartIII, Chapt-2)

	(Sub sonic engines) before 01-01 - 1983	(ICAO Annex 16, Vol II Part III, Chap 2)
Serial Number	Parameter	Values
1	Hydrocarbons (HC) gm/KN	$Dp/F\infty = 19.6$
2	Carbon Monoxide (CO) gm/KW	$Dp/F\infty = 118$
3	Oxides of Nitrogen (NO_x) gm/KN	$Dp/F\infty = 40+2\pi\infty$, $32+1.6\pi\infty$ HC - Total Hydrocarbon compounds of all classes and molecular wax hts contained in a gas sample,calculated as if they were in the form Methane. NO_x - The sum of the amounts of Nitric Oxide and Nitrogen dioxide contained in a gas sample as if Nitric odixe were in the form of Nitrogen dioxide
4	Smoke Number (SN)	$83.6 (F\infty)^{-0.274}$ or 50 which ever is lower

. as if the nitric oxide is in the form nitrogen dioxide

SN - The dimensionless term quantifying smoke emissions.

Dp - Mass (in gms) of gaseous pollutants (HC, CO, NOx) emitted during the reference emissions (LO) Cycle.

$F\infty$ - Rated output of the engine (in kilo newtons) in Max Thrust available for take-off under normal operating conditions at ISA sea level static conditions without use of water injections as certified.

- Pressure ratio i.e. ratio of Mean Total pressure at the last compressor discharge plan of the compressor to the mean total pressure at the compressor entry plane when the engine is developing take off thrust rating in ISA Sea Level static conditions (to which all engine performance should be corrected).

Annexure 5.2

Time and Thrust Setting for Reference L to (Landing, Take Off) Cycle

Phase	Time in Operating Mode (Mts)	Thrust Setting
Take Off	0.7	100% F
Climb	2.2	85% F
Approach	4.0	30% F
Taxi/Ground idle	26.0	7% F

Annexure 5.3

Emissions From Large/Medium/Small Aircrafts

Parameter	Units	Value		
Type of aircraft	-	B 747 - 400 (Large)	B767 - 400 (Medium)	A 330 - 300 (Small)
Engine Type	-	CF6-80C2B5F	CF6-80C2	CF6-80 EI
No of Engines	-	4	4	2
Rated output F				
Max Thrust				
	Kilo Newton	276	283	320
Smoke Number	-	17.9	17.8	17.2
TOTAL EMISSIONS (gm/Sec)				
Dp (HC)	gm/Sec	170.6	175.0	197.8
Dp)CO)	gm/Sec	1027.3	1053.4	1191.1
Dp (Nox)	Gm/Sec	609.4	624.9	706.6

Source: Emission Data Calculation based on ICAO Standard
(Ref: ICAO Annexure 16,Volume II part III, Chapter-2)

Annexure 5.4

National Ambient Air Quality Standards

S. No	Pollutants	Time Weighted Average	Concentration in Ambient Air		
			Industrial, Residential, Rural and Other Areas	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
1.	2.	3.	4.	5.	6.
1	Sulphur Dioxide (SO_2), µg/m³	Annual*	50	20	Improved west & Gaeke
		24 hours**	80	80	Ultraviolet fluorescence
2	Nitrogen Dioxide (NO_x), µg/m³	Annual*	40	30	- Modified Jacob & Hochhieser (Na - Arsenite) - Chemiluminescence
		24 hours**	80	80	
3	Particulate Matter (size less than 10 µm) or PM_{10}, µg/m³	Annual*	60	60	- Gravimetric - TOEM - Beta Attenuation
		24 hours**	100	100	
4	Particulate Matter (size less than 2.5 µm) or $PM_{2.5}$, µg/m³	Annual*	40	40	- Gravimetric - TOEM - Beta Attenuation
		24 hours**	60	60	
5	Ozone (O_3), µg/m³	8 hours**	100	100	- UV Photometric - Chemiluminescence - Chemical method

6	Lead (Pb), µg/m^3	Annual*	0.50	0.50	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper - ED-XRF using Teflon filter
		24 hours**	1.0	1.0	
7	Carbon Monoxide (CO), mg/m^3	8 hours**	02	02	- Non-Dispersive Infra Red (NDIR) Spectroscopy
		1 hour**	04	04	
8	Ammonia (NH_3), µg/m^3	Annual*	100	100	- Chemiluminescence - Indophenol blue method
		24 hours**	400	400	
9	Benzene (C_6H_6), µg/m^3	Annual*	05	05	- Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10	Benzo(O)Pyrene (BaP) – Particulate phae only, ng/m^3	Annual*	01	01	- solvent extraction followed by HPLC/GC analysis
11	Arsenic (As), ng/m^3	Annual*	06	06	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12	Nickel (Ni), ng/m^3	Annual*	20	20	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 8 hourly or 1 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note: Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limit specified above for the respective category, it shall be considered adequate reason to institute regular/continuous monitoring and further investigations.

(Source: As notified by CPCB in the Gazette vide No. b- 29016/20/90/PCI-I, dated. 18th November, 2009)

Annexure 6

Ambient Air Quality Standards in Respect of Noise

Area code	Category of area	Limits in db (A) Leq	
		Day time	Night time
A	Industrial area	75	70
B	Commercial area	65	55
C	Residential area	55	45
D	Silence zone	50	40

Note:

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Silence zone is an area comprising not less than 100 meters around hospitals, educational institutions, courts, religious places or any other area, which is declared as such by the competent authority.
4. Mixed categories of areas may be declared as one of the four above-mentioned categories by the competent authority.

* dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) L_{eq}, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

L_{eq}: It is an energy mean of the noise level over a specified period.

(Source: Noise pollution (Regulation and control) Rules, 2000)

ANNEXURE-53

सत्यमेव जयते

STANDARD TERMS OF REFERENCE [TOR] FOR EIA / EMP REPORT FOR PROJECTS/ ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE UNDER EIA NOTIFICATION, 2006



पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

इंदिरा पर्यावरण भवन, जोर बाग, अलीगंज, नई दिल्ली–110003

Ministry of Environment, Forest and Climate Change

Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003

www.moef.nic.in

April, 2015

7(a): STANDARD TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR AIRPORTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

1) Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental angle, resources sustainability associated with selected site as compared to rejected sites. The analysis should include parameters considered along with weightage criteria for short-listing selected site.

2) Details of the land use break-up for the proposed project. Details of land use around 10 km radius of the project site. Examine and submit detail of land use around 10 km radius of the project site and map of the project area and 10 km area from boundary of the proposed/existing project area, delineating project areas notified under the wild life (Protection) Act, 1972/critically polluted areas as identified by the CPCB from time to time/notified eco-sensitive areas/inter state boundaries and international boundaries.. Analysis should be made based on latest satellite imagery for land use with raw images.

3) Submit the present land use and permission required for any conversion such as forest, agriculture etc. land acquisition status, rehabilitation of communities/ villages and present status of such activities. Check on flood plain of any river.

4) Examine and submit the water bodies including the seasonal ones within the corridor of impacts along with their status, volumetric capacity, quality likely impacts on them due to the project.

5) Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area, any obstruction of the same by the airport.

6) Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/ villages and present status of such activities.

7) Examine the impact of proposed project on the nearest settlements.

8) Examine baseline environmental quality along with projected incremental load due to the proposed project/activities

9) Examine and submit details of levels, quantity required for filling, source of filling material and transportation details etc. Submit details of a comprehensive Risk Assessment and Disaster Management Plan including emergency evacuation during natural and man-made disaster integrating with existing airport

10) Examine road/rail connectivity to the project site and impact on the existing traffic network due to the proposed project/activities. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.

11) Submit details regarding R&R involved in the project

12) Examine the details of water requirement, use of treated waste water and prepare a water balance chart. Source of water vis-à-vis waste water to be generated along with treatment facilities to be proposed.

टिप्पण 2: निकट क्षेत्र के मॉनिटर एंटेना के साथ प्रणाली, वाहनों को एल ओ सी/जी पी और मॉनिटर एंटेना के बीच प्रवेश नहीं करना चाहिए।

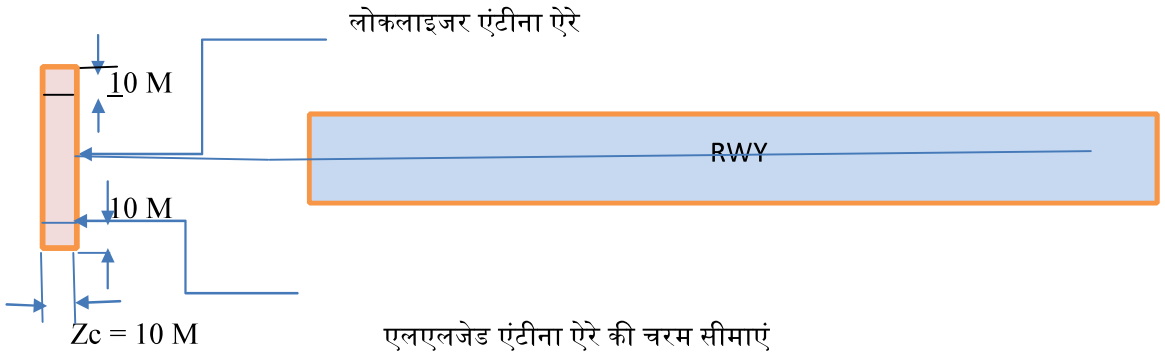
टिप्पण 3: एल एल ज़ेड एंटीना एपर्चर आकार; मध्यम- 12 से 15 तत्व; बड़े- 16 तत्व या अधिक.

ANNEXURE-54

टिप्पण 4: **के** = (थ्रेसहोल्ड दूरी / 3300 मीटर) ½

टिप्पण 5: वाई सी, को स्थानीयता एंटिना सरणी के वास्तविक भौतिक आयाम से कम से कम 10 मीटर बाद में (दोनो तरफ) स्थानीयकरण एंटिना सरणी और आरडब्ल्यूवाई के अंतिम पड़ाव के बीच बाग में होना चाहिए।

<u>लोकलाईज़र क्रिटिकल एरिया एंटीना ऐरे के पीछे के लिए</u>



----------".

[फा. सं. एवी-24011/28/2017-एएआई-एमओसीए]

रूबीना अली, संयुक्त सचिव

नोट : मुख्य नियम भारत के राजपत्र में प्रकाशित किए गए थे, अधिसूचना संख्या जी.एस.आर 751(ङ) दिनांक 30.09.2015 और अंतिम संशोधन जीएसआर 610 (ङ) दिनांक 14 जून, 2016 को भारत के राजपत्र, असाधारण, भाग II खंड 3, उप खंड (i) में प्रकाशित हुई थी।

MINISTRY OF CIVIL AVIATION

NOTIFICATION

New Delhi, the 17th December, 2020

G.S.R.770 (E).—In exercise the powers conferred by sub-section (1) and clause (o) and clause (r) of sub-section (2) of section 5 read with section 9A and proviso to section 14 of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following rules further to amend the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015, namely:-

1. Short title and commencement.-(1) <u>These rules shall be called the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Amendment Rules, 2020.</u>

(2) They shall come into force on the date of their publication in the Official Gazette.

32	OSMANABAD	MAHARASHTRA	181637N 0760311E	698	04/22	1218X30	PVT
33	SATIVATA(PADAMPUR)	ORISSA	830236E 210218N	211.4	11/29	1583X30	S.G.(RCS)
34	PITHORAGARH	UTTARAKHAND	293535N 0801419E	1514	14/32	1568x30	S.G.(RCS)
35	PUTTAPARTHY	ANDHRA PRADESH	140853N 0774726E	478.24	09/27	2224x45	PVT
36	RAIGARH (JINDAL AIRSTRIP)	CHATTISGARH	215607N 832101E	242	10/28	2000X30	S.G.(RCS)
37	RANGEILUNDA (BERHAMPUR)	ORISSA	191753N 845237E	35.90	18/36	894X15	S.G.(RCS)
38	ROURKELA	ORISSA	221522N 0844852E	205.2	09/27	1820x30	PVT.(RCS)
39	SHIRDI	MAHARASHTRA	19 41 27 N 74 22 18 E	590.80	09/27	2500x45	MADC
40	SHRAVASTI	U.P.	2730 05N 820149E	111.6	12/30	1351x23	S.G.(RCS)
41	UTKELA	ORISSA	200551N 08311E	205.7	04/22	913x30	S.G.(RCS)
42	VIJAYNAGAR	KARNATAKA	151029.8N 0763805.8E	508.10	13/31	1589x30	PVT
43	YAVATMAL	MAHARASHTRA	202344.27N 0781226.32E	429	08/26	1218X30	PVT

SCHEDULE IV, PART-2

→ **AERODROMES OPERATED BY THE STATE GOVERNMENTS AND PRIVATE OWNERS**

(AERODROMES NOT LICENSED BY DGCA)

S. No.	Airport	State	ARP Coordinates	Aerodrome Elevation In Meters	Runway	Dimension In Meters	Owner/ Operator
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	ABU ROAD	RAJASTHAN	242940N 0724652E	255	09/27	1219X23	S.G.
2	AKBARPUR	U.P.	2627N 08234E	101	11/29	1829X45	S.G.
3	AMBARI	WESTBENGAL	263430N 883230E	107	18/36	1219X24	PVT.
4	AMLA	M.P.	2156N 78078E	746	08/26	1067X30	S.G.
5	AMRAVATI	MAHARASHTRA	204848N 0774303E	341	08/26	1372X30	S.G.
6	AMRELI	GUJARAT	2137N 07113E	137	13/31	914X45	S.G.
7	BANGALORE (IIS)	KARNATAKA	130125N 773413E	933	09/27	655X30	PVT.

54	LONAVALA (AMBY VALLEY)	MAHARASHTRA	183634N 732242E	689	14/32	1199X30	PVT.
55	LALGARH	RAJASTHAN	295100N 740100E	176	L/A	1005X174	S.G.
56	MANDLA	M.P	2230N 8020E	489	09/27	1800X36	S.G
57	MADHAIGANJ	WESTBENGAL	233830N 872037E	NA	15/33 05/23	1800X50 1400X50	NA
58	MANDVI	GUJARAT	225022N 691817E	5	08/26	1400X30	S.G.
59	MACKEBPUR	ASSAM	2651N 09446E	67	14/32	1005X91	PVT.
60	MADHUBANI	BIHAR	261945N 860338E	47	18/36	914X45	S.G.
61	MANTALAI	J & K	330013N 752121E	3389	15/33	488X30	PVT.
62	MATHANIA	RAJASTHAN	2626N 07306E	251	05/23	1737X45	S.G.
63	MEHSANA	GUJARAT	233612N 0722230E	85	05/23	914X45	S.G.
64	MUNGER	BIHAR	252047N 862859E	41	L/A	732X91	S.G.
65	NAGAUR	RAJASTHAN	2712N 07343E	281	05/23	1170X30	S.G.
66	NARNAUL	HARYANA	2805N 07612E	295	09/27	914X23	S.G.
67	NEEMUCH	M.P.	2425N 07452E	497	14/32	1700X30	CRPF
68	NEWLANDS	WESTBENGAL	2639N 08948E	122	11/29	1076X90	PVT.
69	NAGARJUNA SAGAR	ANDHRA PRADESH	1632N 07919E	259	NA	1654X30	S.G.
70	NARIA SEE SAHARSA	BIHAR	255332N 863500E	40	L/A	457X91	S.G.
71	NAWAPARA	ORISSA	2052N 08230E	322	05/23	1002X18	S.G.
72	ONDAL AIRPORT	WESTBENGAL	233719N 831435E	82	14/32 04/22	1829X45 1463X45	S.G.
→ 73	PACHMARHI	M.P.	2227N 07824E	1085	04/22	1200X61	S.G.
74	PANNERI	ASSAM	2643N 09154E	91	18/36	1060X90	PVT.
75	PATIALA	PUNJAB	3019N 07622E	250	15/33	1097X45	S.G.
76	PILANI	RAJASTHAN	282100N 753500E	335	05/23	914X45	PVT.

(Disclaimer: This document has incorporated subsequent amendments of the principal notification issued up to August 2023 and status before Courts / Tribunal. However, various Office Memoranda have also been issued, the provisions of which have not been incorporated in this document. In case there is a discrepancy, then the principal notification read along with the amendment issued in the gazette of India shall prevail)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION 2006 AND SUBSEQUENT AMENDMENTS

New Delhi, the 14th September, 2006

S.O. 1533(E).-Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India[1], unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) *vide* number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above-mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by

[1] includes territorial waters

the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the said Schedule,[2] before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7[3].

3. State Level Environment Impact Assessment Authority: -

(1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union Territory Administration concerned.

(2) The Member-Secretary shall be a serving officer of the concerned State Government or Union Territory administration familiar with environmental laws.

(3) The Chairman shall be an expert in terms of eligibility criteria given in APPENDIX VI in one of the specified fields, with sufficient experience in environmental policy or management.[4]

(4) The other member shall be an expert fulfilling the eligibility criteria given in APPENDIX VI in one of the specified fields.[4]

(5) The State Government or Union Territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.

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[2] Words inserted *vide* S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

[3] Para substituted *vide* notification number S.O.980 (E), dated the 2nd March, 2021

[4] Para substituted *vide* S.O. 1737(E), dated the 11th October, 2007

from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.

(10) The members of the DEAC who are serving officers of the concerned State Government or the Union Territory Administration shall be *ex-officio* members except the expert members.

(11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.

(12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.

(13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavour to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.

4. Categorization of projects and activities: -

(i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man-made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union Territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union Territory Level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project[8];

(iiia) [9] [10] Such Category 'B' projects, relating to the National defence or strategic or security importance or those as notified by the Central Government on account of exigencies such as pandemics, natural disasters or to promote environmentally friendly activities under National Programmes or Schemes or Missions or such projects which are inordinately delayed beyond the

[8] Words substituted *vide* S.O. 3067(E), dated the 1st December, 2009
[9] Inserted vide S.O. 2339(E), dated the 16th June, 2021
[10] Substituted vide S.O. 1886(E) dated 20th April,2022

SCHEDULE
(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
(1)	(2)	(3)	(4)	(5)
1	**Mining, extraction of natural resources and power generation (for a specified production capacity)**			
1(a)[46] [47][48]	(i) Mining of minerals	>250 ha mining lease area in respect of major mineral mining lease other than coal > 500 ha of mining lease area in respect of coal mine lease Asbestos mining irrespective of mining area.	All mining lease area in respect of minor mineral mining leases and ≤ 250 ha mining lease area in respect of major mineral mining lease other than coal ≤ 500 ha of mining lease area in respect of coal mine lease.	**General Conditions** shall apply except: "General Conditions shall apply except for mining of minor minerals."[49] Note: (1) Mineral prospecting is exempted; (2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI; (3)[50] The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made there under.
	(ii)Slurry pipelines (coal, lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	All projects.		
1(b)[51]	Off-shore and onshore oil and gas exploration, development and production	All projects in respect of off-shore and onshore oil and gas development and production with or without exploration		**Note 1**: Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey Note 2: All project in respect of off-shore and onshore oil and gas exploration are categorized as 'B2' projects"
1(c)[52][53]	"(i) River Valley and	(i) ≥ 100 MW hydroelectric	(i) ≥ 25 MW and < 100	**General Condition shall apply.**

[46] Entries in col.5 substituted vide S.O. 1737(E), dated the 11th October, 2007; Entries in col.5 substituted vide S.O.695(E), dated the 4th April, 2011; Entries in col.5 substituted vide S.O. 2896(E), dated the 13th December, 2012; Entries in col.5 inserted vide S.O. 674(E), dated 13th March, 2013;Entries in col.5,renumbered and para inserted vide S.O. 2269(E) dated the 1st July, 2016.

[47] All entries against 1(a) substituted vide S.O. 3067(E), dated the 1st December, 2009 and thereafter by S.O. 2731(E), dated the 9th September, 2013; S.O. 2601(E), dated the 7th October, 2014; S.O.141(E) dated the 15th January, 2016; S.O. 3977(E), dated the 14th August, 2018.

[48] Substituted in col.3 & 4vide S.O. 1886(E) dated 20th April,2022

[49] Substituted in col.5 vide S.O. 2163(E) dated 09th May,2022

[50] Inserted vide S.O. 1224 (E), dated the 28th March, 2020

[51] Substituted vide S,O 1737(E) dated 11th Oct,2007, All entries substituted vide S.O. 236(E), dated the16th January, 2020, Substituted in col 3 vide S.O. 2163(E) dated 09th May,2022.

[52] Entries in col.5 substituted vide S.O. 3067(E), dated the 1st December, 2009, all entries substituted vide S.O. 1599(E), dated the 25th June, 2014; S.O. 3977(E), dated the 14th August, 2018.

6(b)[76]	Isolated storage & handling of hazardous chemicals (as per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 200) **(Omitted)**			
7	**Physical Infrastructure including Environmental Services**			
7(a)[77][78]	Air ports	All New projects including airstrips, which are for commercial use	- All expansions projects, including airstrips, which are for commercial use	Note: (i) Air strips which do not involve bunkering / refueling facility and or Air Traffic Control, are exempted. "(ii) Only expansion of terminal buildings and allied buildings within the existing Airport premises >20,000 shall require Environmental Clearance, and such expansion up to 1,50,000 sqm shall be appraised as per provisions of item 8(a) of the Schedule of this notification provided there is no increase in the existing area of the Airport";[79]
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)[80]	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area> 500 ha. and not housing any industry belonging to Category A or B.	General as well as specific conditions shall apply Note: 1.Industrial Estate of area below 500 ha. and not housing any industry of category 'A' or 'B' does not require clearance. 2.If the area is less than 500 ha. but contains building and construction projects > 20,000 sq. mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply
7(da)[81]	Bio-Medical Waste Treatment Facilities	-	All projects	-

[76] All entries pertaining to 6(b) were omitted vide S.O. 1960(E) dated 13th June, 2019.
[77] Entries in col.3&5 substituted vide S.O. 3067 (E) dated 1st December, 2009
[78] Substituted and inserted in col. 3& 4 vide S.O. 1886(E) dated 20th April,2022
[79] Inserted in col.5 vide S.O. 3194 (E) dated 14th July, 2022
[80] Entries in Col.5 substituted vide S.O. 3067 (E) dated 1st December, 2009
[81] Inserted vide S.O. 1142(E) dated 17th April, 2015

Note:-

General Condition (GC)[92]:

Any project or activity specified in Category 'B' will be appraised at the Central Level as Category 'A', if located in whole or in part within 5 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972 (53 of 1972); (ii) Critically Polluted areas as identified by the Central Pollution Control Board[93] constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986, and (iv) inter-State boundaries and international boundaries; provided that for River Valley Projects specified in item 1(c), Thermal Power Plants specified in item 1(d), Industrial Estates/ parks/complexes/areas, export processing zones (EPZ), Special Economic Zones (SEZs), biotech parks, leather complexes specified in item 7 (c) and common hazardous waste treatment, storage and disposal facilities (TSDFs) specified in item 7 (d), the appraisal shall be made at Central level even if located within 10 km.

Provided further that the requirement regarding distance of 5 km or 10 km, as the case may be, of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or the Union Territories sharing the common boundary in case the activity does not fall within 5 km or 10 km, as the case may be of the areas mentioned at item (i), (ii), and (iii) above.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre –defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[92] GC substituted vide S.O. 3067(E) dated 1st December, 2009; substituted all entries substituted vide S.O. 1599(E) dated 25th June, 2014

[93] Amended vide S.O. 1939 dated 13th November, 2006

4) डॉ. जे.आर. भट्ट, सदस्य

5) सुश्री बानुमति जी, सहायक वन महानिरीक्षक, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय- सदस्य सचिव

3. समिति के सदस्य उनकी निजी क्षमता में नियुक्त किए जाएंगे और यह समिति दिल्ली-स्थित अपने मुख्यालयों सहित पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में केंद्र सरकार के प्रशासनिक नियंत्रण के अधीन कार्य करेगी।

4. अध्यक्ष और सदस्यों को देय वेतन, भत्ते और अन्य अनुलाभ तथा सेवा के नियम और शर्तें ऐसी होंगी जो निर्धारित की जा सकती हैं, बशर्ते कि अध्यक्ष या सदस्य के न तो वेतन, भत्ते और न ही अनुलाभ और सेवा के अन्य नियम और शर्तों में ऐसा अंतर होगा जिससे उनकी नियुक्ति के बाद उन्हें किसी प्रकार की हानि हो।

5. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय समिति के लिए उपयुक्त और पर्याप्त कार्यालय का स्थान और समिति को सौंपे गए कार्यों और शक्तियों के निर्वहन के लिए आवश्यक कार्यबल, बजटीय सहायता और बुनियादी ढांचा प्रदान करेगा।

6. सदस्यों और सहायक कर्मचारियों के वेतन या पारिश्रमिक सहित समिति के कामकाज पर होने वाले व्यय का वहन पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा किया जाएगा।

7. समिति का क्षेत्राधिकार पूरे भारत में होगा।

[फा. सं. 13-12/2022-एसयू]

बिभाष रंजन, अपर वन महानिदेशक

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th December, 2023

S.O. 5238(E).—In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1988) (hereinafter referred to as the said Act) and in supersession of the Notification S.O. 1008 (E) dated 17th September 2002, the Central Government has vide Notification No S.O. 3946 (E) dated 5th September,2023 constituted a permanent authority to be known as the Central Empowered Committee, (hereinafter referred to as the Committee) for the purposes of monitoring and ensuring compliance of the orders of the Hon'ble Supreme Court in the matter Writ Petitions (Civil) No. 202/1995 and 171/1996, covering the subject matters of Environment and Forest & Wildlife, and related issues arising out of the said orders and to suggest measures and recommendations generally to the State as well as Central Government, for the more effective implementation of the Act and other orders of the Court.

2. Accordingly, following are hereby appointed to this committee with immediate effect for a period of three years or till they attain the age of Sixty-Six years or till any other order of the Central Government, whichever is earlier:

1) Sri Siddhant Das, Chairman

2) Sri Chandra Prakash Goyal, Member

3) Sri Sunil Limaye, Member

4) Dr J.R. Bhatt, Member

5) Ms Banumathi G, Assisstant Inspector General of Forests, Minsitry of Environment, Forest & Climate Change- Member Secretary

3. The members of the Committee are appointed in their personal capacity and the Committee shall function under the administrative control of the Central Government in the Ministry of Environment, Forest & Climate Change with its headquarters at Delhi.

4. The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members, will be prescribed separately, provided that neither the salary nor perks and the other allowances nor the other terms and conditions of service of the Chairperson or a Member shall be varied to his disadvantage after his appointment.

5. The Ministry of Environment, Forest & Climate Change shall provide suitable and adequate office accommodation for the Committee and requisite manpower, budgetary support and infrastructure to discharge the functions and powers delegated to the Committee.

6. The expenditure incurred on the working of the Committee including salary or remuneration to the members and supporting staff, will be met by Ministry of Environment, Forest & Climate Change.

7. The jurisdiction of the Committee shall extend to the whole of India.

[F. No. 13-12/2022-SU]

BIVASH RANJAN, Addl. Director General of Forests

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भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

ANNEXURE-57

THROUGH ONLINE RTI PORTAL/
SPEED POST

ORDER

Passed by:
Executive Director [RCS] &
First Appellate Authority,
Airports Authority of India,
'C' Block, Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi 110003

In the matter of:
Capt. Brajesh Kumar Bharadwaj
Yellow Bungalow Shubhalay colony,
Narsinghpur road, Chhindwara,
Madhya Pradesh - 480001
brijii100@gmail.com

Order No: 03/Appeal/ED [RCS]/2023/1992

27th July, 2023
2nd Aug 23

1.0 PREAMBLE

1.1 This Order is made under Section-19 of the Right to Information Act, 2005.

1.2 An appeal against this order lies with the Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067.

1.3 The appeal may be filed within 90 days from the date on which this order should have been made or is actually received.

2.0 FACTS

2.1 Shri Capt. Brajesh Kumar Bharadwaj vide an online RTI application (Registration Number No.AAOIN/R/E/23/00804 dated 06.06.2023) has requested to provide the information under RTI Act, 2005. The information sought by the applicant & the information provided by the CPIO on 03.07.2023 is given below:

S. N	Information sought	Information provided by CPIO on 03.07.2023
1	Certified copy of the clearance issued by RCS Directorate/Airports Authority of India AAI for the ongoing Pachmarhi Airstrip expansion project in District Narmadapuram Madhya Pradesh. The Pachmarhi Airstrip was chosen under RCS scheme. The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco sensitive Zone ESZ and is in the UNESCO Biosphere.	You may refer to the Letter of Award available at AAI website, the link is as under: https://www.aai.aero/sites/default/files/rcs_udan/LOA_4.2_Big_Charter.pdf

2.2 The appellant preferred an online appeal Registration Number AAOIN/A/E/23/00134 03.07.2023 stating, "Provided Incomplete, Misleading or False Information" and requested to provide the information on all points as sought in the online RTI application dated 26.04.2023.

FINDINGS/ORDER

3.1 Having gone through the matter, it is observed that CPIO, GM(RCS) provided the information on 03.07.2023, whereby the CPIO, GM (RCS) has provided the link of "Letter of Award" dated 14.12.2022 issued to M/s Big Charters Pvt. Ltd. to operate the RCS flight from Pachmarhi under UDAN 4.2. CPIO, GM(RCS) has also provided a copy of letter dated 09.06.2023 in connection with the

राजीव गांधी भवन
Rajiv Gandhi Bhawan
सफदरजंग हवाई अड्डा नई दिल्ली–110003
Safdarjung Airport, New Delhi-110003
दूरभाष : 24632950
Phone : 24632950

expansion of Pachmarhi airport addressed to the Secretary, Aviation Department, Govt. of Madhya Pradesh for taking necessary action for developing & operationalization of Datia & Pachmarhi airports with the request to provide the status of readiness and inform about any support required from Ministry of Civil Aviation and AAI for operationalization of RCS flights from these airports. The letter dated 09.06.2023 was provided in response to another RTI application (Reg. No.AAOIN/R/E/23/00866 dated 19.06.2023). Furthermore, it is also informed that RCS, AAI does not issue clearance with respect to development of airports identified under the RCS-UDAN scheme.

3.2 It would be pertinent to mention here that a citizen has the right to seek information from a public authority held by the public authority or under its control. It is important to note that only such information can be supplied under the Act that is available and existing and is held by the public authority. Non-existing information is no information. Hence, the reply provided by the CPIO is as per the RTI Act, 2005.

3.3 Accordingly, the online appeal dated 03.07.2023 stands disposed of.

(Anil Gupta)
Executive Director [RCS] &
First Appellate Authority

Capt. Brajesh Kumar Bharadwaj
Yellow Bungalow Shubhalay colony,
Narsinghpur road, Chhindwara,
Madhya Pradesh - 480001
brijii100@gmail.com

- General Manager (RCS)

Order No. 03/Appeal/ED(RCS)/2023/992 dt 2/8/23

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To
Capt. Brajesh Kumar Bhardwaj
Yellow Bungalow, Shubhalay
Colony, Narsinghpur Road
Chhindwara
Madhya Pradesh - 480001.

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सफदरजंग हवाई अड्डा, नई दिल्ली-110003, Safdarjung Airport, New Delhi-110003
दूरभाष/Telephone : 011-24632950

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Final Status of AAOIN/R/T/23/00389

ANNEXURE-58

Applicant Name	Capt Brajesh Kumar Bharadwaj
Date of receipt	25/07/2023
Request Filed With	Airports Authority of India
Text of Application	Under the RTI Act 2005, please provide the following information: 1. Kindly provide a list of all airports, aerodromes, airstrips and helipads that are located inside the Sanctuaries, National Parks, Eco Sensitive zones and Tiger Reserves in India.
Request document *(if any)*	document not provided
Status	**REQUEST DISPOSED OF** as on 28/07/2023
Date of Action	28/07/2023
Remarks	**Reply :-** The specific information sought is not available. However, airports considered operational as on 15.06.2023 is attached as Annexure. The above list is subject to continuous updates and dynamic in nature. This list is maintained for academic purposes only.
Reply Document	

Print

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ANNEXURE-59

RTI Matter
Most Immediate/Time Bound

No. AV-34010/280/2023-AAI (243306)
Government of India
Ministry of Civil Aviation
****

"B" Block, Rajiv Gandhi Bhawan
Safdarjung Airport, New Delhi 110003
Dated 03.08.2023

To

Capt. Brajesh Kumar Bhardwaj,
R/o 632, Yellow Bungalow Shubhalay Colony,
Narsinghpur Road, Chhindwara, Pin: 480001 (Madhya Pradesh) |
Email id: brijii100@gmail.com

Sub: Information sought under the RTI Act, 2005 - reg.

Sir,

Please refer to your RTI application bearing Registration No. MOCAV/R/E/23/00409/1 dated 25.07.2023 vide which you had sought information regarding airports at Sanctuaries, National Parks, Eco Sensitive zones and Tiger Reserves in India.

2. In so far as the CPIO, AAI Section is concerned, it is to stated that requisite information is not available in the records of the answering CPIO. However, list of 148 operational airports as available in records with the answering CPIO is attached herewith (5 pages).

3. Appeal against this reply, if any, lies with Shri Joyanta Chakraborty, Director & 1st Appellate Authority, Ministry of Civil Aviation 'B' Block, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi-110003 within 30 days from the receipt of this letter.

Encl.: As above (5 pages)

Yours faithfully,

Signed by
Narendra Singh
Date: 03.08.2023 11:54:25

(Narendra Singh)
CPIO / Deputy Secretary to the Govt. of India
Tel: 011-24642145

Copy to:

- RTI Cell, MoCA
- PA to the CPIO/DS (NS), MoCA.

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List of Airports

S. No	STATE	Name of Airport	Airport Owner	Airport Operator
AAI INTERNATIONAL AIRPORTS (12 NOS.)				
1	**ANDHRA PRADESH**	TIRUPATI	AAI	AAI
2	**ANDHRA PRADESH**	VIJAYAWADA	AAI	AAI
3	**KERALA**	CALICUT	AAI	AAI
4	**MANIPUR**	IMPHAL	AAI	AAI
5	**ORISSA**	BHUBANESWAR	AAI	AAI
6	**PUNJAB**	AMRITSAR	AAI	AAI
7	**TAMIL NADU**	CHENNAI	AAI	AAI
8	**TAMIL NADU**	COIMBATORE	AAI	AAI
9	**TAMIL NADU**	TIRUCHIRAPPALLI	AAI	AAI
10	**UTTAR PRADESH**	KUSHINAGAR	AAI	AAI
11	**UTTAR PRADESH**	VARANASI	AAI	AAI
12	**WEST BENGAL**	KOLKATA (NSCI)	AAI	AAI
AAI INTERNATIONAL AIRPORTS UNDER JVC (2 NOS.)				
1	**DELHI (UT)**	DELHI (DIAL), IGI AIRPORT	AAI	DIAL (GMR)
2	**MAHARASHTRA**	MUMBAI (MIAL),CSMI AIRPORT	AAI	MIAL(ADANI)
AAI INTERNATIONAL AIRPORTS UNDER LONG TERM LEASE (6 NOS.)				
1	**ASSAM**	GUWAHATI (LGBI)	AAI	PRIVATE (ADANI)
2	**GUJARAT**	AHMEDABAD (SVBPI)	AAI	PRIVATE (ADANI)
3	**KARNATAKA**	MANGALURU	AAI	PRIVATE (ADANI)
4	**KERALA**	THIRUVANANTHAPURAM	AAI	PRIVATE (ADANI)
5	**RAJASTHAN**	JAIPUR	AAI	PRIVATE (ADANI)
6	**UTTAR PRADESH**	LUCKNOW	AAI	PRIVATE (ADANI)
AAI INTERNATIONAL CIVIL ENCLAVES (3 NOS.)				
1	**A&N ISLAND (UT)**	PORT BLAIR	INDIAN NAVY	AAI
2	**GOA**	GOA	INDIAN NAVY	AAI
3	**JAMMU & KASHMIR (UT)**	SRINAGAR	INDIAN AIR FORCE	AAI

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AAI CUSTOMS AIRPORTS (6 NOS.)				
1	**BIHAR**	GAYA	AAI	AAI
2	**BIHAR**	PATNA	AAI	AAI
3	**GUJARAT**	SURAT	AAI	AAI
4	**MADHYA PRADESH**	INDORE	AAI	AAI
5	**MAHARASHTRA**	AURANGABAD	AAI	AAI
6	**TAMIL NADU**	MADURAI	AAI	AAI

AAI CUSTOMS CIVIL ENCLAVES (3 NOS.)				
1	**ANDHRA PRADESH**	VISAKHAPATNAM	INDIAN NAVY	AAI
2	**MAHARASHTRA**	PUNE (IAF)	INDIAN AIR FORCE	AAI
3	**WEST BENGAL**	BAGDOGRA	INDIAN AIR FORCE	AAI

AAI CUSTOMS CIVIL ENCLAVES UNDER JVC (1 NO.)				
1	**CHANDIGARH (UT)**	CHANDIGARH	INDIAN AIR FORCE	CHIAL

AAI DOMESTIC AIRPORTS (OPERATIONAL) (55 NOS.)				
1	**ANDHRA PRADESH**	KADAPA	AAI	AAI
2	**ANDHRA PRADESH**	RAJAHMUNDRY	AAI	AAI
3	**ARUNACHAL PRADESH**	TEZU	AAI	AAI
4	**ARUNACHAL PRADESH**	DONYI POLO (ITANAGAR)	AAI	AAI
5	**ASSAM**	DIBRUGARH (MOHANBARI)	AAI	AAI
6	**ASSAM**	LILABARI (NORTH LAKHIMPUR)	AAI	AAI
7	**ASSAM**	RUPSI	AAI	AAI
8	**CHHATTISGARH**	RAIPUR	AAI	AAI
9	**DAMAN & DIU (UT)**	DIU	AAI	AAI
10	**DELHI (UT)**	SAFDARJUNG	AAI	AAI
11	**GUJARAT**	BHAVNAGAR	AAI	AAI
12	**GUJARAT**	KANDLA	AAI	AAI
13	**GUJARAT**	KESHOD (JUNAGARH)	AAI	AAI
14	**GUJARAT**	PORBANDAR	AAI	AAI
15	**GUJARAT**	RAJKOT	AAI	AAI
16	**GUJARAT**	VADODARA	AAI	AAI
17	**HIMACHAL PRADESH**	KANGRA (GAGGAL)	AAI	AAI
18	**HIMACHAL PRADESH**	KULLU MANALI (BHUNTAR)	AAI	AAI

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19	**HIMACHAL PRADESH**	SHIMLA	AAI	AAI
20	**JHARKHAND**	RANCHI	AAI	AAI
21	**KARNATAKA**	BELAGAVI	AAI	AAI
22	**KARNATAKA**	HUBBALLI	AAI	AAI
23	**KARNATAKA**	KALABURAGI	AAI	AAI
24	**KARNATAKA**	MYSURU	AAI	AAI
25	**LAKSHDWEEP (UT)**	AGATTI	AAI	AAI
26	**MADHYA PRADESH**	BHOPAL	AAI	AAI
27	**MADHYA PRADESH**	JABALPUR	AAI	AAI
28	**MADHYA PRADESH**	KHAJURAHO	AAI	AAI
29	**MAHARASHTRA**	AKOLA	AAI	AAI
30	**MAHARASHTRA**	GONDIA	AAI	AAI
31	**MAHARASHTRA**	JALGAON	AAI	AAI
32	**MAHARASHTRA**	JUHU	AAI	AAI
33	**MAHARASHTRA**	KOLHAPUR	AAI	AAI
34	**MAHARASHTRA**	SHOLAPUR	AAI	AAI
35	**MEGHALAYA**	BARAPANI (SHILLONG)	AAI	AAI
36	**NAGALAND**	DIMAPUR	AAI	AAI
37	**ORISSA**	JHARSUGUDA	AAI	AAI
38	**PUDUCHERRY (UT)**	PUDUCHERRY	AAI	AAI
39	**PUNJAB**	LUDHIANA	AAI	AAI
40	**RAJASTHAN**	KISHANGARH	AAI	AAI
41	**RAJASTHAN**	KOTA	AAI	AAI
42	**RAJASTHAN**	UDAIPUR	AAI	AAI
43	**SIKKIM**	PAKYONG	AAI	AAI
44	**TAMIL NADU**	SALEM	AAI	AAI
45	**TAMIL NADU**	TUTICORIN	AAI	AAI
46	**TELANGANA**	HYDERABAD (BEGUMPET)	AAI	AAI
47	**TRIPURA**	AGARTALA	AAI	AAI
48	**UTTAR PRADESH**	AYODHYA (FAIZABAD)	AAI	AAI
49	**UTTAR PRADESH**	KANPUR (CIVIL)	AAI	AAI
50	**UTTAR PRADESH**	MEERUT	AAI	AAI
51	**UTTAR PRADESH**	MORADABAD	AAI	AAI
52	**UTTARAKHAND**	DEHRADUN	AAI	AAI
53	**UTTARAKHAND**	PANTNAGAR	AAI	AAI
54	**WEST BENGAL**	BEHALA	AAI	AAI
55	**WEST BENGAL**	COOCH BEHAR	AAI	AAI

AAI DOMESTIC AIRPORTS (OPERATIONAL) UNDER JVC (1 NO.)				
1	**JHARKHAND**	DEOGHAR	AAI	DAL

AAI DOMESTIC CIVIL ENCLAVES (OPERATIONAL) (21 NOS.)

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1	**ASSAM**	JORHAT	INDIAN AIR FORCE	AAI
2	**ASSAM**	SILCHAR	INDIAN AIR FORCE	AAI
3	**ASSAM**	TEZPUR	INDIAN AIR FORCE	AAI
4	**BIHAR**	DARBHANGA	INDIAN AIR FORCE	AAI
5	**GUJARAT**	BHUJ	INDIAN AIR FORCE	AAI
6	**GUJARAT**	JAMNAGAR	INDIAN AIR FORCE	AAI
7	**JAMMU & KASHMIR (UT)**	JAMMU	INDIAN AIR FORCE	AAI
8	**LADAKH (UT)**	LEH	INDIAN AIR FORCE	AAI
9	**MADHYA PRADESH**	GWALIOR	INDIAN AIR FORCE	AAI
10	**PUNJAB**	ADAMPUR (JALANDHAR)	INDIAN AIR FORCE	AAI
11	**PUNJAB**	BHATINDA	INDIAN AIR FORCE	AAI
12	**PUNJAB**	PATHANKOT	INDIAN AIR FORCE	AAI
13	**RAJASTHAN**	BIKANER	INDIAN AIR FORCE	AAI
14	**RAJASTHAN**	JAISALMER	INDIAN AIR FORCE	AAI
15	**RAJASTHAN**	JODHPUR	INDIAN AIR FORCE	AAI
16	**UTTAR PRADESH**	AGRA	INDIAN AIR FORCE	AAI
17	**UTTAR PRADESH**	BAREILLY	INDIAN AIR FORCE	AAI
18	**UTTAR PRADESH**	GORAKHPUR	INDIAN AIR FORCE	AAI
19	**UTTAR PRADESH**	HINDON	INDIAN AIR FORCE	AAI
20	**UTTAR PRADESH**	KANPUR (CHAKERI)	INDIAN AIR FORCE	AAI
21	**UTTAR PRADESH**	PRAYAGRAJ	INDIAN AIR FORCE	AAI

STATE GOVT. OWNED AIRPORTS AND OPERATIONS (O & M) BY AAI (OPERATIONAL) (1 NO.)				
1	**ODISHA**	ROURKELA	SAIL	SAIL

NON AAI INTERNATIONAL AIRPORTS (JVC)/ STATE GOVT. (OPERATIONAL) (6 NOS.)				
1	**KARNATAKA**	BENGALURU (BIAL)	JV	PRIVATE

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2	**KERALA**	COCHIN (CIAL)	JV	PRIVATE
3	**KERALA**	KANNUR (KIAL)	JV	PRIVATE
4	**MAHARASHTRA**	NAGPUR	JV	PRIVATE (MIHAN)
5	**MAHARASHTRA**	SHIRDI	STATE	STATE
6	**TELANGANA**	HYDERABAD (HIAL)	JV	PRIVATE (GMR)
7	**Mopa, Goa**	GOA	JV	GMR

NON AAI DOMESTIC AIRPORTS (STATE GOVT. /PRIVATE) (OPERATIONAL) (16 NOS.)				
1	**ANDHRA PRADESH**	KURNOOL	STATE	STATE
2	**ARUNACHAL PRADESH**	ZIRO	STATE	STATE
3	**CHHATTISGARH**	JAGDALPUR	STATE	STATE
4	**CHHATTISGARH**	BILASPUR	STATE	STATE
5	**GUJARAT**	MUNDRA	PRIVATE	PRIVATE
6	**HARYANA**	HISAR	STATE	STATE
7	**JHARKHAND**	JAMSHEDPUR	PRIVATE	PRIVATE
8	**KARNATAKA**	BANGLORE (HAL)	HAL	HAL
9	**KARNATAKA**	JINDAL VIJAYANAGAR	PRIVATE	PRIVATE
10	**KARNATAKA**	SHIVAMOGGA	STATE	STATE
11	**MAHARASHTRA**	NANDED	PRIVATE	PRIVATE
12	**MAHARASHTRA**	NASIK (HAL OZAR)	HAL	HAL
13	**MAHARASHTRA**	SINDHUDURG	PRIVATE	PRIVATE
14	**MIZORAM**	LENGPUI (AIZWAL)	STATE	STATE
15	**ODISHA**	JEYPORE	STATE	STATE
16	**UTTARAKHAND**	PITHORAGARH	STATE	STATE
17	**WEST BENGAL**	DURGAPUR	PRIVATE	PRIVATE

NON AAI DOMESTIC CIVIL ENCLAVES (STATE GOVT. /PRIVATE) (OPERATIONAL) (2 NOS.)				
1	**ARUNACHAL PRADESH**	PASSIGHAT (CE)	INDIAN AIR FORCE	STATE
2	**KARNATAKA**	BIDAR	INDIAN AIR FORCE	STATE

HELIPORTS (OPERATIONAL) - (9 NOS.)				
1	**HIMACHAL PRADESH**	RAMPUR(H)	STATE	STATE
2	**HIMACHAL PRADESH**	MANDI(H)	STATE	STATE
3	**UTTARAKHAND**	ALMORAH (H)	STATE	STATE
4	**UTTARAKHAND**	CHINYALI SAUR (H)	STATE	STATE

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5	**UTTARAKHAND**	GAUCHER (H)	STATE	STATE
6	**UTTARAKHAND**	NEW TEHRI(H)	STATE	STATE
7	**UTTARAKHAND**	SAHASTRADHARA(H)	STATE	STATE
8	**UTTARAKHAND**	SRINAGAR(H)	STATE	STATE
9	**UTTARAKHAND**	HALDWANI(H)	STATE	STATE

WATER AERODROMES (OPERATIONAL) - (2 NOS.)				
1	**GUJARAT**	SABARMATI RIVER FRONT	STATE	STATE
2	**GUJARAT**	STATUE OF UNITY	STATE	STATE

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ANNEXURE-60

Note:Fields marked with * are Mandatory.

Enter Registration Number	DGOCA/R/E/24/00006
Name	Brajesh Kumar Bharadwaj
Received Date	03/01/2024
Public Authority	Director General of Civil Aviation
Status	REQUEST DISPOSED OF
Date of action	29/01/2024
Reply :- No such approval granted by Aerodrome Standards Directorate,DGCA for Pachmarhi(Madhya Pradesh).Hence No information available with CPIO.	
CPIO Details :-	Manoj Kumar Garg (Aerodrome Standards) Phone: 01124654507 manojgarg[dot]dgca[at]gov[dot]in
First Appellate Authority Details :-	M T Bokade Phone: 011-24622499 mtbokade[dot]dgca[at]nic[dot]in
Nodal Officer Details :-	
Telephone Number	011-24622500
Email Id	bharat[dot]dgca[at]nic[dot]in

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Online RTI Request Form Details

RTI Request Details :-

RTI Request Registration number	DGOCA/R/E/24/00006
Public Authority	Director General of Civil Aviation

Personal Details of RTI Applicant:-

Name	Brajesh Kumar Bharadwaj
Gender	Male
Address	632, Yellow Bungalow Shubhalay colony , Narsinghpur road, Chhindwara MP
Country	India
State	Madhya Pradesh
Status	Urban
Educational Status	Literate
Phone Number	+91-9810670991
Mobile Number	+91-9810670991
Email-ID	brijii100[at]gmail[dot]com

Request Details :-

Citizenship	Indian
Is the Requester Below Poverty Line ?	No

(Description of Information sought (upto 500 characters)

Description of Information Sought
Under the RTI act 2005, please provide the following information: 1. Certified copy of site suitability approval granted to Pachmarhi in Madhya Pradesh by the Aerodrome Standards Directorate of the DGCA, Ministry of Civil Aviation in accordance with Paragraph (xi) of the Aircraft Rules 1937.

Concerned CPIO	Manoj Kumar Garg (Aerodrome Standards)
Supporting document ***(only pdf upto 1 MB)***	Supporting document not provided

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ANNEXURE-61

Select Language: English

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An Initiative of Department of Personnel & Training, Government of India

Final Status of MOENF/R/E/23/00618

Applicant Name	Capt Brajesh Kumar Bharadwaj
Date of receipt	06/06/2023
Request Filed With	Ministry of Environment, Forest and Climate Change
Text of Application	Standing Committee National Board of wildlife. Sir, Please supply the following information in accordance with the RTI Act of 2005. A certified copy of the WL Wildlife clearance issued to the project proponent/Govt of Madhya Pradesh seeking recommendation/approval from standing committee of National Board of Wildlife NBWL for the ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh. The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco sensitive Zone ESZ and is in the UNESCO Biosphere. Thanks
Request document *(if any)*	document not provided
Status	**REQUEST DISPOSED OF** as on 31/07/2023
Date of Action	31/07/2023
Remarks	**Reply :-** Nil information is available wrt to the application

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प्रगति भवन, भोपाल विकास प्राधिकरण, तृतीय तल, एम.पी.नगर, भोपाल
दूरभाष : 0755–2674318, 2674337, फैक्स : 0755–2766315
E-mail : pccfwl@mp.gov.in

ANNEXURE-62

क्रमांक / व.नि.स. / सू.अ. / 2023 / 26 / 6442 भोपाल, दिनांक 13.7.2023

प्रति,

श्री ब्रजेश भारद्वाज,
यलो बंगलो, शुभलय कॉलोनी
नरसिंहपुर रोड,
छिन्दवाड़ा, मध्यप्रदेश।
मो. नं. – 9810670991

विषय :– सूचना के अधिकार अधिनियम 2005 के तहत आवेदन पत्र का अंतरण – श्री ब्रजेश भारद्वाज (MPRTI-2306/341420 **एवं** MPRTI-2306/341421)

संदर्भ :– लोक सूचना अधिकारी, मध्यप्रदेश शासन, वन विभाग का पत्र क्रमांक / F-3/2/1/0025 / 2023/10-2 दिनांक 30.06.2023 एवं कार्यालय को प्राप्त दिनांक 04.07.2023 कार्यालयीन अशासकीय पत्र क्रमांक / 501 दिनांक 05.07.2023

———

विषयांतर्गत संदर्भित द्वारा चाही गई जानकारी के संबंध में लेख है कि सूचना का अधिकार अधिनियम 2005 के अंतर्गत जानकारी चाही गई है। चाही गई जानकारी कार्यालय में उपलब्ध न होने के कारण वांछित जानकारी उपलब्ध कराने में असमर्थ हैं। सूचनार्थ प्रेषित।

RRathur 13/7/23

(रमेश राठौर)
लोक सूचना अधिकारी
कार्या. प्रधान मुख्य वन संरक्षक (वन्यप्राणी),
मध्यप्रदेश, भोपाल

क्रमांक / व.नि.स. / सू.अ. / 2023 / 26 / 6443 भोपाल, दिनांक 13.7.2023

प्रतिलिपिः– लोक सूचना अधिकारी, मध्यप्रदेश शासन, वन विभाग, मंत्रालय, वल्लभ भवन की ओर उनके संदर्भित पत्र के तारतम्य में सूचनार्थ प्रेषित।

RRathur 13/7/23

लोक सूचना अधिकारी
कार्या. प्रधान मुख्य वन संरक्षक (वन्यप्राणी),
मध्यप्रदेश, भोपाल

6442

प्रेषक :
कार्यालय प्रधान मुख्य वन संरक्षक (वन्यप्राणी)
एवं मुख्य वन्यप्राणी अभिरक्षक म.प्र.
प्रगति भवन, तृतीय तल, जोन–1, एम.पी. नगर, भोपाल।

From :
Principal Chief Conservator of Forest (wildlife)
& Chief wildlife Warden M.P.
Pragati Bhawan, 3rd Floor, Zone-1, M.P. Nagar, Bhopal

भारत शासन सेवार्थ

EI458059765IN

EMS SPEED POST

Speed Post



बाघ (Panthera Tigris)

25

To/ प्रति,

श्री प्रवेश मरुडाल
चलो कालो प्रधानाध्यापक कालोनी
नरसिंहपुर रोड छिन्दवाड़ा म0प्र0
M.No - 9826670669
Pin- 480001

मध्यप्रदेश शासन
वन विभाग
मंत्रालय, वल्लभ भवन, भोपाल

क्रमांक/F-3/2/1/0025/2023/10-2, भोपाल,दिनांक 30.06.2023

प्रति,

लोक सूचना अधिकारी
कार्यालय प्रधान मुख्य वन संरक्षक (वन्यप्राणी)
मध्यप्रदेश, भोपाल।

विषयः सूचना का अधिकार अधिनियम, 2005 के तहत आवेदन पत्र का अंतरण-श्री ब्रजेश भारद्वाज (MPRTI/2306/341420 एवं MPRTI/2306/341421).

विषयांतर्गत सूचना का अधिकार अधिनियम 2005 के तहत मध्यप्रदेश के ई-सर्विसेज (जन सेवा) पोर्टल के द्वारा आवेदक श्री ब्रजेश भारद्वाज से प्राप्त आवेदन पत्र क्रमांक MPRTI/2306/341420 एवं MPRTI/2306/341421, दिनांक 20.06.2023 की विषयवस्तु आपके कार्यालय से संबंधित होने के कारण सूचना का अधिकार 2005 के अधिनियम की धारा 6(3) के तहत सहपत्रों सहित आपको मूलतः अंतरित किया जाता है।

कृपया प्रकरण में आपके कार्यालय से की गई कार्यवाही की जानकारी सीधे आवेदक को अवगत कराने का कष्ट करें।

संलग्नःउपरोक्तानुसार

(अनुराग कुमार)
लोक सूचना अधिकारी
मध्यप्रदेश शासन, वन विभाग

पृ0क्रमांक/ F-3/2/1/0025/2023/10-2, भोपाल, दिनांक 30.06.2023

प्रतिलिपि: श्री ब्रजेश भारद्वारज, पता **Yellow Bungalow, Shubhalay Colony, Narsinghpur Road Chhindwara MPChhindwara, Madhya Pradesh. 9810670991** की ओर सूचनार्थ अग्रेषित कर लेख है कि आपका आवेदन पत्र सहपत्रों सहित मूलतः लोक सूचना अधिकारी, कार्यालय प्रधान मुख्य वन संरक्षक (वन्यप्राणी) मध्यप्रदेश भोपाल को अंतरित किया गया है। कृपया वांछित जानकारी हेतु उक्त कार्यालय से संपर्क कर सकते है।

लोक सूचना अधिकारी
मध्यप्रदेश शासन, वन विभाग

R-1412755/2023/10.2
27.06.2023

(1)

Printed On:- 21/06/2023
RTI - 108/2023

मध्य प्रदेश ई-सर्विसेज(जन सेवा) पोर्टल
मध्य प्रदेश शासन

सूचना का अधिकार अधिनियम, 2005

कार्यालय- वन विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश

सूचना का अधिकार हेतु आवेदन

1. आवेदन दिनांक	20/06/2023 08:57:13 PM
2. आवेदन क्रमांक	MPRTI/2306/341420
3. आवेदक का नाम	Brajesh Bharadwaj
4. पूर्ण पता	Yellow Bungalow, Shubhalay Colony, Narsinghpur Road Chhindwara MPChhindwaraMadhya Pradesh
5. मोबाइल क्रमांक	9810670991
6. ईमेल	brijii100@gmail.com
7. क्या आवेदक गरीबी रेखा के अधीन है?	नहीं
8. BPL कार्ड नंबर / समाग्रा आई.डी.	-/-
9. विभाग /कार्यालय जहाँ से जानकारी चाही गयी है	कार्यालय- वन विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश
10. आवेदन के साथ अदा किये जानेवाली प्रोसेस फी रुपये १०/- बीपीएल सूची के सदस्यों को देय नहीं)	10.00|(आवेदन शुल्क-₹10.00 + भुगतान गेटवे शुल्क-₹12) ,ट्रांसक्शन नंबर -23062046357168135444 ,ट्रांसक्शन दिनाँक-20/06/2023|Success
12. चाही गई सूचना का प्रकार	रिकॉर्ड की प्रमाणित प्रति

*** चाही गई सूचना का विवरण ***

Please supply the following information in accordance with the RTI Act of 2005.

1. A certified copy of the clearance letter issued by the MP Forest department allowing the cutting of trees surrounding the Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh, for the airstrip expansion project involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP.

Many trees have been cut for the said project.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

Thank you.

275/RTI/2023
22.6.2023

501-2
2216
A
04

(2)

आर. टी. आई. आवेदन

आवेदन विवरण कार्यवाही सूची

आवेदक का विवरण

वांछित सूचना का विवरण

आवेदन क्रमांक : MPRTI/2306/341420

आवेदन की स्थिति : लंबित (नवीन आवेदन)

आवेदन डाउनलोड करे

भुगतान विवरण देखें

आवेदन दिनांक
20/जून/2023

सूचना प्रदाय करने की अंतिम तिथि
20/जुलाई/2023

विभाग
वन विभाग

कार्यालय स्तर
मंत्रालय

कार्यालय स्थान
मध्यप्रदेश

कार्यालय का नाम
वन विभाग

चाही गई जानकारी का प्रकार
रिकॉर्ड की प्रमाणित प्रति

चाही गई जानकारी का विवरण
Please supply the following information in accordance with the RTI Act of 2005.

1. A certified copy of the clearance letter issued by the MP Forest department allowing the cutting of trees surrounding the Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh, for the airstrip expansion project involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP.

Many trees have been cut for the said project.

R-1412700/2023/10-2
27.06.2023

(3)

Printed On:- 21/06/2023

RTI-110/2023

मध्य प्रदेश ई-सर्विसेज(जन सेवा) पोर्टल
मध्य प्रदेश शासन

सूचना का अधिकार अधिनियम, 2005

कार्यालय- वन विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश

सूचना का अधिकार हेतु आवेदन

1. आवेदन दिनांक	20/06/2023 09:03:19 PM
2. आवेदन क्रमांक	MPRTI/2306/341421
3. आवेदक का नाम	Brajesh Bharadwaj
4. पूर्ण पता	Yellow Bungalow, Shubhalay Colony, Narsinghpur Road Chhindwara MPChhindwaraMadhya Pradesh
5. मोबाइल क्रमांक	9810670991
6. ईमेल	brijii100@gmail.com
7. क्या आवेदक गरीबी रेखा के अधीन है?	नहीं
8. BPL कार्ड नंबर / समाग्रा आई.डी.	-/-
9. विभाग /कार्यालय जहाँ से जानकारी चाही गयी है	कार्यालय- वन विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश
10. आवेदन के साथ अदा किये जानेवाली प्रोसेस फी रुपये १०/- बीपीएल सूची के सदस्यों को देय नहीं)	10.00|(आवेदन शुल्क-₹10.00 + भुगतान गेटवे शुल्क-₹12) ,ट्रांसक्शन नंबर -23062051710164860458 ,ट्रांसक्शन दिनाँक-20/06/2023|Success
12. चाही गई सूचना का प्रकार	रिकॉर्ड की प्रमाणित प्रति

*** चाही गई सूचना का विवरण ***

Please supply the following information in accordance with the RTI Act of 2005.

A certified copy of the Wildlife clearance issued by MP forest Department , allowing the project proposal involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, for ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

Thank you.

274/FA/2023
22/6/2023

SO-1
B
22/6

SO-12
R
04

(4)

आर. टी. आई. आवेदन

आवेदन विवरण | कार्यवाही सूची

आवेदक का विवरण

वांछित सूचना का विवरण

आवेदन क्रमांक : MPRTI/2306/341421

आवेदन की स्थिति : लंबित (नवीन आवेदन)

आवेदन डाउनलोड करे

भुगतान विवरण देखें

आवेदन दिनांक
20/जून/2023

सूचना प्रदाय करने की अंतिम तिथि
20/जुलाई/2023

विभाग
वन विभाग

कार्यालय स्तर
मंत्रालय

कार्यालय स्थान
मध्यप्रदेश

कार्यालय का नाम
वन विभाग

चाही गई जानकारी का प्रकार
रिकॉर्ड की प्रमाणित प्रति

चाही गई जानकारी का विवरण
Please supply the following information in accordance with the RTI Act of 2005.

A certified copy of the Wildlife clearance issued by MP forest Department , allowing the project proposal involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, for ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

(4)

आर. टी. आई. आवेदन

आवेदन विवरण | कार्यवाही सूची

आवेदक का विवरण

वांछित सूचना का विवरण

आवेदन क्रमांक : MPRTI/2306/341421

आवेदन की स्थिति : लंबित (नवीन आवेदन)

आवेदन डाउनलोड करे

भुगतान विवरण देखें

आवेदन दिनांक
20/जून/2023

सूचना प्रदाय करने की अंतिम तिथि
20/जुलाई/2023

विभाग
वन विभाग

कार्यालय स्तर
मंत्रालय

कार्यालय स्थान
मध्यप्रदेश

कार्यालय का नाम
वन विभाग

चाही गई जानकारी का प्रकार
रिकॉर्ड की प्रमाणित प्रति

चाही गई जानकारी का विवरण
Please supply the following information in accordance with the RTI Act of 2005.

A certified copy of the Wildlife clearance issued by MP forest Department , allowing the project proposal involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, for ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

XV—OR—107

शाकेमुभो—78—उनिशाकेमुभो—15-6-22—3 लाख.

स्पीड पोस्ट

भारत शासन सेवार्थ



छुआछूत अमानवीय
तथा असंवैधानिक है

क्रमांक .....

एफ-3/2/1/[illegible]2023/10-2



प्रति,

श्री ब्रजेश भारद्वाज

Add.-Yellow Bungalow

Shubhalay Colony

Narsinghpur Road Chhindwara

Madhya Pradesh, Chhindwara

Mob. 9810670991

अधीक्षक
कार्यालय

मध्यप्रदेश शासन
लोक निर्माण विभाग
मंत्रालय

ANNEXURE-63

क्रमांक 3328 /3960 **/2023/19/यो** **भोपाल, दिनांक** 06/07 **/2023**

प्रति,

श्री ब्रजेश भारद्वाज
यलो बंगला,सुभालय कालोनी
नरसिंगपुर रोड़, छिन्दवाड़ म0प्र0
मो न.–9810670991

विषयः सूचना का अधिकार अधिनियम 2005।

संदर्भः आवेदक श्री ब्रजेश भारद्वाज के पत्र क्रमांक–MPRTI/2306/341423 दिनांक 20.06.2023

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उपरोक्त विषयांतर्गत संदर्भित पत्र के माध्यम से आपके द्वारा सूचना के अधिकार अधिनियम 2005 के तहत चाही गई जानकारी कार्यालय अभिलेख अनुसार इस तरह की अनुमति नहीं पायी जा रही है, तदानुसार सूचना प्रेषित है एवं आवेदन निराकृत किया जाता हैं। एवं प्राप्त जानकारी से संतुष्ट नहीं होने पर आप कृप्या प्रथम अपील हेतु, प्रथम अपील अधीकारी को आवेदन कर सकते है जिसकी जानकारी निन्नानुसार है।

प्रथम अपील अधीकारी एवं सचिव
म0प्र0 शासन
लोक निर्माण विभाग, मंत्रालय
वल्लभ भवन कमांक–03
प्रथम तल, स्थित कक्ष क–03
वल्लभ भवन भोपाल म0प्र0

संलग्नः– उपरोक्तानुसार

6/7/23
(एम.के. विश्वकर्मा)
अवर सचिव
एवं सहायक लोक सूचना अधिकारी
लोक निर्माण विभाग, मंत्रालय भोपाल

मध्य प्रदेश ई-सर्विसेज(जन सेवा) पोर्टल
मध्य प्रदेश शासन

सूचना का अधिकार अधिनियम, 2005

कार्यालय- लोक निर्माण विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश

सूचना का अधिकार हेतु आवेदन

1. आवेदन दिनांक	20/06/2023 09:18:43 PM
2. आवेदन क्रमांक	MPRTI/2306/341423
3. आवेदक का नाम	Brajesh Bharadwaj
4. पूर्ण पता	Yellow Bungalow, Shubhalay Colony, Narsinghpur Road Chhindwara MPChhindwaraMadhya Pradesh
5. मोबाइल क्रमांक	9810670991
6. ईमेल	brijii100@gmail.com
7. क्या आवेदक गरीबी रेखा के अधीन है?	नहीं
8. BPL कार्ड नंबर / समाग्रा आई.डी.	-/-
9. विभाग /कार्यालय जहाँ से जानकारी चाही गयी है	कार्यालय- लोक निर्माण विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश
10. आवेदन के साथ अदा किये जानेवाली प्रोसेस फी रुपये १०/- बीपीएल सूची के सदस्यों को देय नहीं)	10.00|(आवेदन शुल्क-₹10.00 + भुगतान गेटवे शुल्क-₹12) ,ट्रांसक्शन नंबर -230620188531163727 16 ,ट्रांसक्शन दिनाँक-20/06/2023|Success
12. चाही गई सूचना का प्रकार	रिकॉर्ड की प्रमाणित प्रति

*** चाही गई सूचना का विवरण ***

Please supply the following information in accordance with the RTI Act of 2005.

1. Certified copies of the government permissions received by the PWD Department, allowing the project involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP, for executing the ongoing expansion project of Pachmarhi Airstrip in District Narmadapuram Madhya Pradesh.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

Thank you.

मध्य प्रदेश ई-सर्विसेज(जन सेवा) पोर्टल
मध्य प्रदेश शासन

सूचना का अधिकार अधिनियम, 2005

कार्यालय- लोक निर्माण विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश

सूचना का अधिकार हेतु आवेदन

1. आवेदन दिनांक	21/06/2023 06:49:08 PM
2. आवेदन क्रमांक	MPRTI/2306/341447
3. आवेदक का नाम	Brajesh Bharadwaj
4. पूर्ण पता	Yellow Bungalow, Shubhalay Colony, Narsinghpur Road Chhindwara MP ChhindwaraMadhya Pradesh
5. मोबाइल क्रमांक	9810670991
6. ईमेल	brijii100@gmail.com
7. क्या आवेदक गरीबी रेखा के अधीन है?	नहीं
8. BPL कार्ड नंबर / समाग्रा आई.डी.	-/-
9. विभाग /कार्यालय जहाँ से जानकारी चाही गयी है	कार्यालय- लोक निर्माण विभाग ,कार्यालय स्तर- मंत्रालय ,कार्यालय स्थान-मध्यप्रदेश
10. आवेदन के साथ अदा किये जानेवाली प्रोसेस फी रुपये १०/- बीपीएल सूची के सदस्यों को देय नहीं)	10.00|(आवेदन शुल्क-₹10.00 + भुगतान गेटवे शुल्क-₹12) ,ट्रांसक्शन नंबर -23062142703689371903 ,ट्रांसक्शन दिनाँक-21/06/2023|Success
12. चाही गई सूचना का प्रकार	रिकॉर्ड की प्रमाणित प्रति

*** चाही गई सूचना का विवरण ***

Please supply the following information in accordance with the RTI Act of 2005.

1. A certified copy of the total payment done by PWD department to the project contractor till 21.06.2023 for the ongoing airstrip expansion project works involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere Narmadapuram MP.

Heavy machinery earth works, felling of trees, digging the stretch and construction of cemented buildings have been done for the Pachmarhi airstrip expansion project.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere MP.

Thank you.

Speed Post

XV—OR—107

भारत शासन सेवार्थ



छुआछूत अमानवीय
तथा असंवैधानिक है

क्रमांक ..3328.....



शाकेमुभो—78—उनिशाकेमुभो

अधीक्षक
कार्यालय

प्रेषक
लोक निर्माण विभाग (राजभा
मंत्रालय, वल्लभ
पत्र

42

श्री- प्रजेश- भारद्वाज-
द्वारा- वेंगला, एनमाल पो-
कलां/मां- तवलिनेलपुर-
पिछंवाड़ा (म.प्र.)
मो.न. 9810670991

स्पीड पोस्ट से A

सूचना का अधिकार अधिनियम-2005

मध्यप्रदेश शासन.
राजस्व विभाग
मंत्रालय, वल्लभ भवन- 462004

क्रमांक 5123 / 155421 /2023/सात-(एक) भोपाल, दिनांक 8 / 5 /2023

प्रति,

श्री/श्रीमती अखेश श्रीवास्तव
ग्लो वेगाला नरसिंहपुर रोड
जिला-हिन्दवारा, (म0प्र)

विषय:- सूचना का अधिकार अधिनियम, 2005 की धारा 6(1) के तहत जानकारी प्रदाय करने बावत् ।

विषयान्तर्गत आपके द्वारा सूचना के अधिकार अधिनियम के तहत ऑनलाईन प्रस्तुत आवेदन पत्र में जो जानकारी चाही है। वह जानकारी शासन स्तर पर किसी नस्ती / प्रकरण में संधारित नहीं हैं। आवेदन में चाही गई जानकारी तहसील / अनुभाग / जिला स्तर / सम्भाग की है। ऐसी स्थिति में आपके द्वारा चाही गई जानकारी उपलब्ध कराया जाना सम्भव नहीं हो पा रहा है। आपसे अनुरोध है कि चाही गई जानकारी के संबंध में संबंधित तहसील / अनुभाग / जिला / सम्भाग के लोक सूचना अधिकारी को आवेदन पत्र प्रस्तुत करने का कष्ट करें।

(राजेश कुमार कौल)
अवर सचिव एवं सहा. लोक सूचना अधि.
म.प्र. शासन, राजस्व विभाग

XV—OR—107

भारत शासन सेवार्थ

छुआछूत अमानवीय
तथा असंवैधानिक है

स्पीड-पोस्ट

क्रमांक 5123/1554212/23/सात-1

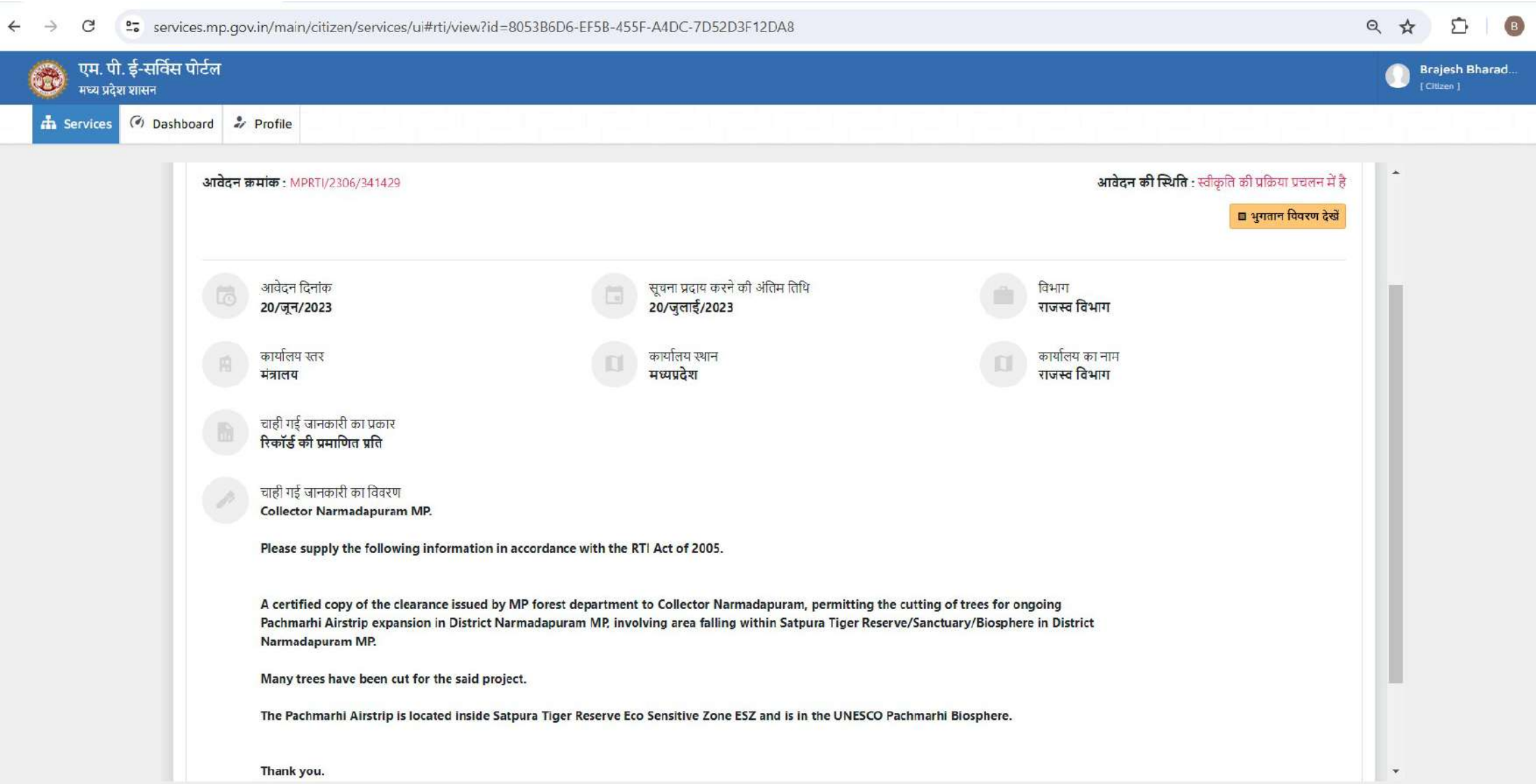
EI298476145IN

शाकेमुभो—21—उनिशाकेमुभो—2-6-21—5 लाख.

प्रेषक
अधीक्षक
राजस्व विभाग (शाखा–1)
मध्यप्रदेश मंत्रालय
कार्यालय
वल्लभ भवन, भोपाल

प्रति,
श्री राकेश भारद्वाज
मकान बंगला नरसिंहपुर रोड
जिला छिन्दवाड़ा (म.प्र.)

48001



services.mp.gov.in/main/citizen/services/ui#rti/view?id=8053B6D6-EF5B-455F-A4DC-7D52D3F12DA8

एम. पी. ई-सर्विस पोर्टल
मध्य प्रदेश शासन

Brajesh Bharad...
[Citizen]

Services | Dashboard | Profile

आवेदन क्रमांक : MPRTI/2306/341429

आवेदन की स्थिति : स्वीकृति की प्रक्रिया प्रचलन में है

भुगतान विवरण देखें

आवेदन दिनांक
20/जून/2023

सूचना प्रदाय करने की अंतिम तिथि
20/जुलाई/2023

विभाग
राजस्व विभाग

कार्यालय स्तर
मंत्रालय

कार्यालय स्थान
मध्यप्रदेश

कार्यालय का नाम
राजस्व विभाग

चाही गई जानकारी का प्रकार
रिकॉर्ड की प्रमाणित प्रति

चाही गई जानकारी का विवरण
Collector Narmadapuram MP.

Please supply the following information in accordance with the RTI Act of 2005.

A certified copy of the clearance issued by MP forest department to Collector Narmadapuram, permitting the cutting of trees for ongoing Pachmarhi Airstrip expansion in District Narmadapuram MP, involving area falling within Satpura Tiger Reserve/Sanctuary/Biosphere in District Narmadapuram MP.

Many trees have been cut for the said project.

The Pachmarhi Airstrip is located inside Satpura Tiger Reserve Eco Sensitive Zone ESZ and is in the UNESCO Pachmarhi Biosphere.

Thank you.

ANNEXURE-65

mail

कार्यालय प्रधान मुख्य वन संरक्षक (वन्यप्राणी), मध्य प्रदेश

भू–तल,सी ब्लॉक, वन भवन, लिंक रोड़ नं.–2 तुलसी नगर, भोपाल–462003
दूरभाष: 0755-2674318, 2674337, फैक्स: 0755-2766315 *E-mail : pccfwl@mp.gov.in*

क्र./व.प्रा./मा.चि./शिका.341/ 8141 भोपाल, दिनांक 14/9/2023

प्रति,

वैज्ञानिक ई/अतिरिक्त निदेशक
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
(ESZ Division), नई दिल्ली

विषय :- **Supply of information for Public Grievance - reg.**

संदर्भ :- आपका पत्र क्रमांक/2/16/2017- ESZ दिनांक 31.05.2023

उपरोक्त विषयांतर्गत संदर्भित पत्र के साथ **Public Grievance Portal** पर कैप्टन ब्रजेश भारद्वाज, जिला छिन्दवाड़ा द्वारा की गई शिकायत सतपुड़ा टाइगर रिजर्व, नर्मदापुरम् के मुख्य क्षेत्र से 01 कि.मी. के भीतर पचमढी हवाई पट्टी के विस्तार किये जाने के संबंध में शिकायत संलग्न प्रेषित करते हुये पत्र में उल्लेखित बिन्दुओ के संबंध में प्रतिवेदन चाहा गया है।

उक्त संबंध में क्षेत्र संचालक, सतपुड़ा टाइगर रिजर्व, नर्मदापुरम्, मध्यप्रदेश से उक्त शिकायत के संबंध में जांच करायी गई। उनके द्वारा पत्र दिनांक 08.08.2023 से प्रेषित प्रतिवेदन के अनुसार शिकायतकर्ता कैप्टन ब्रजेश भारद्वाज, येलो बंगलो शुभालय कॉलोनी, नरसिंहपुर रोड़, जिला छिन्दवाड़ा द्वारा की गई उक्त शिकायत का संबंध में प्रेषित प्रतिवेदन के अनुसार सतपुड़ा टाइगर रिजर्व, नर्मदापुरम्, के अंतर्गत ईको सेंसटिव जोन/बफर जोन में स्थित पचमढी हवाई पट्टी प्रश्नांश भूमि राजस्व भूमि है। सहायक संचालेक, पचमढी के जांच प्रतिवेदन अनुसार अनुविभगीय अधिकारी लोक निर्माण विभाग, उपसंभाग पचमढी द्वारा उनके पत्र क्रमांक/274/तक/पच/ दिनांक 28.06.2023 में लेख किया गया है कि विभाग द्वारा पूर्व से ही संचालित हवाई पट्टी में मैदानी भाग लम्बाई 1350 कि.मी. तथा चौड़ाई 60 मीटर में अर्थवर्क का कार्य पूर्ण किया गया है, जहां उक्त् नजूल भूमि में कोई भी वृक्ष नही काटा गया है। हवाई पट्टी निमार्ण का कार्य गत 04 माह से बंद है। पत्र की छायाप्रति संलग्न है। उक्त शिकायत के संबंध में क्षेत्र संचालक, सतपुड़ा टाइगर रिजर्व, नर्मदापुरम् द्वारा पत्र क्रमांक/4266 दिनांक 26.05.2023, 5627 दिनांक 17.07.2023 से कार्यपालन यंत्री, लोक निर्माण विभाग, नर्मदापुरम् से ईको सेंसटिव जोन की अधिसूचना में निर्धारित प्रावधान अनुसार पचमढी टाउन में हवाई पट्टी के विस्तार के संबंध में उनके द्वारा किस-किस विभाग के सक्षम अधिकारियों से अनुमति प्राप्त की गई है ? के संबंध में स्पष्ट प्रतिवेदन चाहा गया है। परन्तु लोक निर्माण विभाग, नर्मदापुरम् से प्रतिवेदन आज दिनांक तक अप्राप्त है। आज की स्थिति में हवाई पट्टी के विस्तार का कार्य मौके पर बंद है।

इस कार्यालय द्वारा क्षेत्र संचालक, सतपुड़ा टाइगर रिजर्व, नर्मदापुरम्, मध्यप्रदेश के प्रतिवेदन से सहमत होकर उक्त **Public Grievance** पर लम्बित शिकायत को नस्तीबद्ध किये जाने का अनुरोध है।

संलग्न :- उपरोक्तानुसार।

(सत्यानंद) 14/9/23

अपर प्रधान मुख्य वन संरक्षक (व.प्रा.)
मध्यप्रदेश, भोपाल 14/9/2023

पृ.क्र./व.प्रा./मा.चि./शिका. 341/ 8142 भोपाल, दिनांक

प्रतिलिपि:- 1 क्षेत्र संचालक, सतपुड़ा टाइगर रिजर्व, नर्मदापुरम्, की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित ।
2 कैप्टन ब्रजेश भारद्वाज, येलो बंगलो शुभालय कॉलोनी, नरसिंहपुर रोड़, जिला छिन्दवाड़ा की ओर सूचनार्थ प्रेषित ।

अपर प्रधान मुख्य वन संरक्षक (व.प्रा.)
मध्यप्रदेश, भोपाल

D/DM/Kalpana/s

कार्यालय क्षेत्रसंचालक, सतपुडा टाइगर रिजर्व नर्मदापुरम्, म.प्र.

Phone No. 07574-254394 (O) Fax, 07574-252133 E-mail: ddsatnp.hbd@mp.gov.in

Satpura Tiger Reserve

क्रमांक/मा0चि0/....6.2.10 नर्मदापुरम् दिनांक 8/8/23

प्रति,

प्रधान मुख्य वनसंरक्षक,
(वन्यप्राणी) मध्यप्रदेश
प्रगति भवन भोपाल

विषय :- पचमढ़ी हवाई पट्टी विस्तार–आपत्ति अभ्यावेदन।

संदर्भ :- सहायक वन महानिरीक्षक भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण नई दिल्ली का पत्र क्रमांक/फा.सं01-1/2020-एनटीसीए दिनांक 14 जुलाई 20230

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विषयांतर्गत निवेदन है कि, सहायक वन महानिरीक्षक, भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण नई दिल्ली के संदर्भित पृष्ठांकित पत्र से आवेदक कैप्टन श्री ब्रजेश भारद्वाज, निवासी छिन्दवाड़ा द्वारा दिनांक 09.07.2023 भेजे गये ई-मेंल में सतपुड़ा टाइगर रिजर्व नर्मदापुरम् के बफर जोन में स्थित पचमढ़ी टाउन में मुख्य क्षेत्र से 1.00 किमी के भीतर हवाई पट्टी के किये जा रहे विस्तार के संबंध उचित कार्यवाही कर, की गई कार्यवाही की रिपोर्ट चाही गई है।

उक्त संबंध में निवेदन है कि, सतपुड़ा टाइगर रिजर्व नर्मदापुरम् के अंतर्गत ईको सेंसिटिव जोन/बफर जोन में स्थित पचमढ़ी टाउन में हवाई पट्टी प्रश्नांश भूमि राजस्व भूमि है। सहायक संचालक, पचमढ़ी के जांच प्रतिवेदन अनुसार, अनुविभागीय अधिकारी लोक निर्माण विभाग, उपसंभाग पचमढ़ी द्वारा उनके पत्र क्र/274/तक./पच. दिनांक 28.06.2023 में लेख किया गया है कि, विभाग द्वारा पूर्व से ही संचालित हवाई पट्टी में मैदानी भाग लम्बाई 1350 मी. तथा चौडाई 60 मी. में अर्थवर्क का कार्य किया गया है, जहां पूर्व से ही कोई वृक्ष या झाड़ी नहीं है तथा विभाग द्वारा उक्त नजूल भूमि में स्थित किसी भी वृक्ष को काटा नहीं गया है। हवाई पट्टी निमार्ण का कार्य गत 04 माह से बंद है। पत्र की प्रति सलग्न है।

C.F. (W.L.) (M.P.) 2.8.2023

सहायक संचालक के प्रतिवेदन अनुसार उनके पत्र क्रमांक/1360 दिनांक 06.07.2023 एवं पत्र क्रमांक/1524 दिनांक 24.07.2023 से अनुविभागीय अधिकारी लोक निर्माण विभाग, उपसंभाग पचमढ़ी को पचमढ़ी हवाई पट्टी के विस्तार परियोजना हेतु मौका स्थल का संयुक्त निरीक्षण जांच, नजरिया नक्शा एवं अन्य अभिलेख सहित प्रतिवेदन प्रस्तुत करने हेतु लेख किया गया था। दिनांक 27.07.2023 को लोक निर्माण विभाग, उपसंभाग पचमढ़ी के सब इंजिनियर श्री कैलाश गुर्दे परिक्षेत्र अधिकारी, पश्चिम पचमढ़ी एवं अन्य स्टॉफ के साथ जाकर हवाई पट्टी के विस्तार हेतु की गई ढ़लानों की कटिंग/फिलिंग एवं कुछ काटे गये ठूंठों को दूर से सरसरी तौर पर दिखाते हुए आज शाम को आकर पूरी कार्यवाही करूंगा कहकर चले गये किन्तु वह शाम को मौक पर नहीं आने से कार्यवाही की जा सकी। पचमढ़ी हवाई पट्टी के विस्तार क्षेत्र परिक्षेत्र पश्चिम पचमढ़ी की बीट रीछगढ़ के कक्ष क्रमांक पी-309, पी-310 सीमा से बाहर है। लोक निर्माण विभाग, उपसंभाग पचमढ़ी के सब इंजिनियर श्री कैलाश गुर्दे द्वारा हवाई पट्टी के विस्तार क्षेत्र का सीमांकन/सीमाक्षेत्र नहीं बताए जाने के कारण वनक्षेत्र से हवाई पट्टी की दूरी बताई जाना संभव नहीं है। मौके पर तैयार किये गये पंचनामा की प्रति संलग्न है।

कार्यालय प्रधान मुख्य वन संरक्षक क्रमांक 4444 दिनांक 23/8/23 प्रगति भवन, भोपाल

कैप्टन श्री ब्रजेश भारद्वाज, निवासी छिन्दवाड़ा द्वारा सतपुड़ा टाइगर रिजर्व नर्मदापुरम् के अंतर्गत ईको सेंसिटिव जोन/बफर जोन में स्थित पचमढ़ी टाउन में हवाई पट्टी विस्तार के संबंध लेख किये गये बिन्दुओं पर इस कार्यालय द्वारा पत्र क्र/माचि./4266 दिनांक 26.05.2023 एवं पत्र क्र/माचि./5627 दिनांक 17.07.2023 से कार्यपालन यंत्री, लोक निर्माण विभाग, नर्मदापुरम् से ईको सेंसिटिव जोन की अधिसूचना में निर्धारित प्रावधान अनुसार पचमढ़ी टाउन में हवाई पट्टी विस्तार के संबंध उनके द्वारा किस-किस विभाग के सक्षम अधिकारियों से अनुमति प्राप्त की गई? के संबंध में स्पष्ट प्रतिवेदन चाहा गया है। इस कार्यालय द्वारा लगातार स्मरण पत्र लेख किये जाने के पश्चात भी कार्यपालन यंत्री, लोक निर्माण विभाग, नर्मदापुरम् द्वारा आज दिनांक तक किसी भी तरह का स्पष्ट प्रतिवेदन इस कार्यालय को नहीं भेजा गया है आज की स्थिति में कार्य स्थल पर हवाई पट्टी के विस्तार का कार्य बंद है। कार्यपालन यंत्री, लोक निर्माण विभाग, नर्मदापुरम् से प्रतिवेदन प्राप्त होने पर पूर्व में प्रतिवेदन भेजा जावेगा।

संलग्न :- उपरानुसार

(एल.कृष्णमूर्ति)
क्षेत्रसंचालक
सतपुड़ा टाइगर रिजर्व
नर्मदापुरम्

पृष्ठां. क्रं./मा.चि./
नर्मदापुरम, दिनांक.....

प्रतिलिपि :-
1. आयुक्त, नर्मदापुरम् की ओर उनके पत्र क्र/3967/राजस्व शाखा/2023 दिनांक 20.06.2023 के तारतम्य में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. कलेक्टर नर्मदापुरम् की ओर सूचनार्थ लेख है कि, उक्त प्रकरण के संबंध में कार्यपालन यंत्री, लोक निर्माण विभाग, नर्मदापुरम को निर्देशित करने का कष्ट करें।
3. कार्यपालन यंत्री लोक निर्माण विभाग, नर्मदापुरम् की ओर सूचनार्थ लेख है कि, आपके द्वारा उक्त प्रकरण के संबंध में इस कार्यालय के पत्र क्र/माचि./4266 दिनांक 26.05.2023 एवं पत्र क्र/माचि./5627 दिनांक 17.07.2023 के तारतम्य में तत्काल प्रतिवेदन भेजे तथा पचमढ़ी टाउन में हवाई पट्टी विस्तार का कार्य सक्षम अधिकारियों से अनुमति प्राप्त होने तक बंद रखे।

क्षेत्रसंचालक
सतपुड़ा टाइगर रिजर्व
नर्मदापुरम्

कार्यालय सहायक संचालक, सतपुड़ा टाईगर रिजर्व, पचमढ़ी

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E-mail Id – adpachmarhi.str@mp

क्र0/1585

पचमढ़ी, दिनांक : 31/07/2023

प्रति,

उपसंचालक
सतपुड़ा टाईगर रिजर्व
नर्मदापुरम (म०प्र०)

विषय :– सतपुड़ा टाइगर रिजर्व नर्मदापुरम मध्य प्रदेश के मुख्य क्षेत्र से 1 कि.मी. के भीतर पचमढ़ी हवाई पट्टी के विस्तार के संबंध में जांच प्रतिवेदन।

संदर्भ :– आपका पत्र क्रमांक/मा.चि./4422 दिनांक 01.06.2023।

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विषयांतर्गत संदर्भित पत्र के तारतम्य में निवेदन है कि इस कार्यालय के पत्र क्रमांक 1154 दिनांक 13.06.2023 (संलग्न छायाप्रति) से कार्यालय मुख्य कार्यपालन अधिकारी विशेष क्षेत्र विकास प्राधिकरण (साडा) पचमढ़ी को पचमढ़ी हवाई पट्टी के विस्तार परियोजना हेतु सतपुड़ा टाइगर रिजर्व की ईको सेंसिटिव जोन संबंधी अधिसूचना में प्रावधानित एल.ए.सी. (स्थानीय सलाहकार समिति) से ली गई अनुमति, बृक्षो की कटाई हेतु ली गई अनुमति, प्रधान मुख्य वनसंरक्षक (वन्यप्राणी) भोपाल से ली गई अनुमति, स्टेट बोर्ड आफ वाइल्ड लाइफ से ली गई अनुमति, माननीय उच्च न्यायालय जबलपुर से ली गई अनुमति, या उक्त हवाई पट्टी के विस्तार बाबत कोई अन्य अनुमति की सत्यप्रति प्रस्तुत करने हेतु लेख किया गया जिसके तारतम्य में मुख्य कार्यपालन अधिकारी विशेष क्षेत्र विकास प्राधिकरण (साडा) पचमढ़ी के पत्र क्रमांक 594/साडा/पच/2023 दिनांक 14.06.2023 (संलग्न छायाप्रति) द्वारा बताया गया कि पचमढ़ी हवाई पट्टी के विस्तार का कार्य लोक निर्माण विभाग द्वारा करवाया जा रहा है, साडा पचमढ़ी से हवाई पट्टी निर्माण संबंधी एवं बृक्षो की कटाई संबंधी कोई स्वीकृति संबंधित विभाग द्वारा नही मांगी गई थी।

इस कार्यालय के पत्र क्रमांक 1227 दिनांक 20.06.2023 (संलग्न छायाप्रति) से कार्यालय अनुविभागीय अधिकारी लोक निर्माण विभाग उपसंभाग पचमढ़ी से पचमढ़ी हवाई पट्टी के विस्तार परियोजना हेतु सतपुड़ा टाइगर रिजर्व की ईको सेंसिटिव जोन संबंधी अधिसूचना में प्रावधानित एल.ए.सी. (स्थानीय सलाहकार समिति) से ली गई अनुमति, बृक्षो की कटाई हेतु ली गई अनुमति, प्रधान मुख्य वनसंरक्षक (वन्यप्राणी) भोपाल से ली गई अनुमति, स्टेट बोर्ड आफ वाइल्ड लाइफ से ली गई अनुमति, माननीय उच्च न्यायालय जबलपुर से ली गई अनुमति, या उक्त हवाई पट्टी के विस्तार बाबत कोई अन्य वांछित अनुमति ली गई हो तो प्राप्त की गई सभी अनुमतियों की सत्यापित प्रति, यदि पचमढ़ी हवाई पट्टी के विस्तार परियोजना हेतु बृक्षो की कटाई की गई है तो कितने बृक्षो की कटाई किसकी अनुमति/अनापत्ति प्राप्त कर की गई है की सत्यापित प्रति प्रस्तुत करने हेतु लेख किया गया जिसके तारतम्य में अनुविभागीय अधिकारी लोक निर्माण विभाग उपसंभाग पचमढ़ी के पत्र क्रमांक 274/तक./पच./ दिनांक 28.06.2023 (संलग्न छायाप्रति) द्वारा बताया गया कि विभाग द्वारा पूर्व से ही संचालित हवाई पट्टी में, मैदानी भाग लम्बाई 1350 मी. तथा चौडाई 60 मी. में अर्थवर्क का कार्य किया गया है, जहॉ पूर्व से ही कोई वृक्ष या झाड़ी नही है तथा विभाग द्वारा उक्त नूजल भमि में स्थित किसी भी वृक्ष को काटा नही गया है। हवाई पट्टी निर्माण का कार्य गत 4 माह से बंद है।

इस कार्यालय के पत्र क्रमांक 1360 दिनांक 06.07.2023, 1524 दिनांक 24.07.2023 से परिक्षेत्र अधिकारी पश्चिम पचमढ़ी एवं पृ.क्र. 1361 दिनांक 06.07.2023, 1525 दिनांक 24.07.2023 (संलग्न

ाप्रतियॉ) से अनुविभागीय अधिकारी लोक निर्माण विभाग उपसंभाग पचमढ़ी को पचमढ़ी हवाई पट्टी विस्तार परियोजना हेतु पचमढ़ी हवाई पट्टी के क्षेत्र में कितने बृक्षो की कटाई की गई है, पहाडी ान नष्ट किये गये है के संबंध में मौका स्थल पर लोक निर्माण विभाग उपसंभाग पचमढ़ी के अधिकारियो के साथ संयुक्त स्थल निरीक्षण जांच कर पंचनामा, नजरिया नक्शा, अन्य आवश्यक अभिलेख सहित प्रतिवेदन प्रस्तुत करने हेतु लेख किया गया जिसके तारतम्य में परिक्षेत्र अधिकारी पश्चिम पचमढ़ी के पत्र क्रमांक 764 दिनांक 31.07.2023 (संलग्न छायाप्रतियॉ)से बताया गया है कि दिनांक 27.07.2023 को पूर्वान्ह में परिक्षेत्र अधिकारी पश्चिम पचमढ़ी, श्री शिवकुमार मिश्रा प.स. पचमढ़ी, श्री घनश्याम पटेल व.र. बीटगार्ड बिनौरा, श्री मनीष कुमार मेहरा बीटगार्ड रीछगढ़, श्री शंकरलाल मेहरा व.र. बीटगार्ड महादेव एवं श्री कैलाश गुर्दे (सब इंजीनियर) पी.डब्ल्यू डी पचमढ़ी मौके पर गये जहां पर पंचगणों के समक्ष श्री कैलाश गुर्दे (सब इंजीनियर) पी.डब्ल्यू डी पचमढ़ी द्वारा सरसरी तौर पर पचमढ़ी हवाई पट्टी के विस्तार क्षेत्र में की गई ढलानों की कटिंग/फिलिंग एवं कुछ कटे हुये ठूठों को दूर से दिखाया गया और कहां कि में आज शाम को मौके पर आकर पूरी कार्यवाही कराऊगा किन्तु वह शाम को मौके पर नहीं आये इस कारण कार्यवाही नहीं कि जा सकी ।पचमढ़ी हवाई पट्टी विस्तार वाला क्षेत्र परिक्षेत्र पश्चिम पचमढ़ी की बीट रीछगढ़ के कक्ष क्रमांक पी/309 पी/310 की वन सीमा से बाहर स्थित है किन्तु श्री कैलाश गुर्दे सब इंजीनियर पी.डब्ल्यू डी पचमढ़ी द्वारा पचमढ़ी हवाई पट्टी विस्तार क्षेत्र का सीमांकन (सीमाक्षेत्र) नहीं बताया गया इस कारण वनक्षेत्र से हवाई पट्टी की दूरी बताया जाना संभव नहीं है ।

वांछित प्रतिवेदन अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु सादर सम्प्रेषित है।

संलग्न :– उपरोक्तानुसार।

31-07-23
सहायक संचालक
सतपुडा टाइगर रिजर्व
पचमढ़ी

अनुविभागीय अधिकारी लोक निर्माण विभाग उपसभाग (भ0/स0) पचमढ़ी

पत्र क्रमांक 274 /तक0/ पच0/ दिनांकः- 28/06/2023

प्रति,

सहायक संचालक
सतपुड़ा टाइगर रिजर्व
पचमढ़ी

विषयः- सतपुड़ा टाइगर रिजर्व नर्मदापुरम् मध्यप्रदेश के मुख्य क्षेत्र से 1 कि0मी0 के भीतर पचमढ़ी हवाई पट्टी के विस्तार के सम्बन्ध में।

संदर्भः- आपका पत्र क्र0 1227/पचमढ़ी दिनॉक 20.06.2023

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विषयांतर्गत व संदर्भित पत्र के परिप्रेक्ष्य में लेख है कि पचमढ़ी स्थित हवाई पट्टी नजूल खसरा न0 32,33, तथा 36, (कुल लम्बाई 1400 मी0 कुल चौडाई 240 मी0) कुल रकबा 791792 में स्थित हैं।

उक्त नजूल भूमि का हस्तांतरण राजस्व विभाग द्वारा लोक निर्माण विभाग को दिनॉक 27.04.2022 किया गया है।

विमानन संचालनालय मध्यप्रदेश राजाभोज अन्तर्राष्ट्रीय विमानतल भोपाल के पत्र क्र0 एफ-42/1/एलए/555 भोपाल दिनॉक 13 मई 2021 के परिपालन में विभाग में प्रचलित कार्यवाही के अतंर्गत हवाई पट्टी पर सरफेस कारपेटिंग मरम्मत एवं बाऊण्ड्री बालॅ का निर्माण प्रस्तावित स्वीकृत होकर निर्माण कार्य प्रारंभ किया गया।

विभाग द्वारा पूर्व से ही संचालित हवाई पट्टी में, मैदानी भाग लम्बाई 1350 मी0 चौडाई 60 मी0 में अर्थवर्क का कार्य किया गया है, जहॉ पूर्व से ही कोई वृक्ष या झाड़ी नही है तथा विभाग द्वारा उक्त नजूल भूमि में स्थित किसी भी वृक्ष को काटा नहीं गया है।

हवाई पट्टी निर्माण हेतु तकनीकी विशेषज्ञकी नियुक्ति की प्रक्रिया प्रचलन में होने के कारण हवाई पट्टी का कार्य गत चार माह से बन्द है।

तकनीकी विशेषज्ञ सलाहकार से विस्तृत ड्राईग्स प्राप्त होने के पश्चात् हवाई पट्टी के विस्तार हेतु सम्बंधित माननीय न्यायालय/ विभाग/ एजेंसी से आवश्यक अनुमति प्राप्त होने के उपरांत ही हवाई पट्टी विस्तार हेतु निर्माण कार्य किया जावेगा।

सादर सूचनार्थ।

सहपत्रः-0

सहायक संचालक, सतपुड़ा टाईगर रिजर्व, पचमढ़ी
क्रमांक 515 1-7-23

अनुविभागीय-अधिकारी
लो0नि0वि0 उपसभाग
पचमढ़ी

पंचनामा

स्थान - इवाई पट्टी पंचमढ़ी
दिनांक - 27/07/2023
समय - 4.50 PM -

हम नीचे लिखे निशानी / अगुंठा / हस्ताक्षर करने वाले पंचगण यह तस्दीक करते हैं कि आज दिनांक 27/07/2023 को श्रीमान् सहायक संचालक म.टा.रि. पंचमढ़ी के पत्र क्र. 1524 दिनांक 24/07/2023 द्वारा इवाई पट्टी विस्तार क्षेत्र पंचमढ़ी के सम्बंध में संयुक्त स्थल निरीक्षण हेतु परिक्षेत्र अधिकारी पश्चिम पंचमढ़ी, परिक्षेत्र सहायक पश्चिम पंचमढ़ी, एवं बीट गार्ड रीछगढ़ श्री मनीष मेहरा (व.र.) श्री घनश्याम पटेल (व.र.) श्री शंकर लाल मेहरा (व.र.) श्री कैलाश गुर्ई (सब इंजीनियर) P.W.D. पंचमढ़ी द्वारा मौके पर गये ; जहां पर पंचगणों के समक्ष श्री कैलाश गुर्ई (सब इंजीनियर) P.W.D. द्वारा सरसरी तौर पर इवाई पट्टी विस्तार वाले क्षेत्र में की गई दलानों की कटिंग / फिलिंग का लुप्त करते हुए क्षेत्रों को दूर से दिखाया गया और कहा कि मैं आज शाम को मौके पर आकर पूरी कार्यवाही करूंगा किन्तु वह शाम को मौके पर नहीं आये। उस कारण कार्यवाही नहीं की जा सकी। पंचमढ़ी इवाई पट्टी विस्तार वाला क्षेत्र परिक्षेत्र - पश्चिम पंचमढ़ी की बीट रीछगढ़ के कक्ष क्र. P/309, P/310 की वन सीमा के बाहर स्थित है। किन्तु श्री कैलाश गुर्ई (सब इंजीनियर) P.W.D. पंचमढ़ी द्वारा पंचमढ़ी इवाई पट्टी विस्तार क्षेत्र का सीमांकन (सीमाक्षेत्र) नहीं बताया गया। उस कारण वन क्षेत्र से इवाई पट्टी की दूरी बताया जाना सम्भव नहीं है।

पंचनामा मौके पर बनाया गया पढ़ लिखा सुना सही पाया गया तब हस्ताक्षर निशानी अगुंठा किये गये। पंचनामा लिखा सो सही वक्त पर काम आवे।—

पंचगणों के हस्ताक्षर

1— मनीष मेहरा (व.र.) रीछगढ़ बीट गार्ड — मनीष मेहरा (व.र.)
2- घनश्याम पटेल (व.र.) — घनश्याम पटेल 27/7/2023
3- शंकर लाल मेहरा (व.र.)

पंचनामा मेरे द्वारा बनाया गया
(अनुभागीय) वन परिक्षेत्र पंचमढ़ी
27/07/23

पंचनामा मेरे समक्ष लिखा गया

ए. ए. ए.
(सहायक संचालक)
(सहायक संचालक)

Details for registration number : MOCAV/E/2023/0002010

ANNEXURE-66

Name Of Complainant	Capt Brajesh Bharadwaj
Date of Receipt	26/05/2023
Received By Ministry/Department	Civil Aviation

Grievance Description

Civil Aviation >> Other DGCA matters >> Aerodrome Licencing related >> Others

Name of Airport : Pachmarhi Airstrip

The objectionable Pachmarhi Airstrip MP expansion from 400m to 1800m has commenced without any wildlife or environmental clearances. The airstrip is within 1 km of the Satpura Tiger Reserve's core area border and in the Eco sensitive zone ESZ and buffer area. It's part of UNESCO Pachmarhi Biosphere Reserve. The PWD department has deployed machinery felling the trees, destroying the hill slopes and digging the stretch. The chopped trees are being hidden beneath the shrubs. The collector/DM Narmadapuram is in-charge of the Airstrip expansion.

Because the airfield is surrounded by the core area of Tiger Reserve, low overflying aircrafts over the core area during take-off, landing, diversions, etc. will violate the Wild Life Protection Act 1972, which requires that the core area of tiger reserve be inviolate. The airfield is located near high hills on the approach/departure route, risking flight safety and will cause extreme noise pollution.

Engine runup procedures for short take-off and landings STOL, as well as the deployment of aircraft engine reversers during landings will produce exceptionally loud noise, infringing on the noise pollution rules 2000 outlined in the ESZ notification for compliance. The noise will have an impact on the migratory and reproductive habits of the endangered animals and birds.

Without prior approvals, the airfield is being expanded for the Ministry of Civil Aviation's RCS Regional Connection Scheme. Prior approvals are necessary if fuel refilling/bunkering is required for the proposed airfield. The violation of ESZ notification of Satpura Tiger Reserve, Hon Supreme court order in compliance to ESZ Notification, EIA 2006 clearances & no pre feasibility report is suspected.

According to the Hon'ble Supreme Court order dated 26.04.2023 regarding ESZ clearances, the provisions in ESZ notifications, MoEF&CC wildlife guidelines dated 09.02.2011, and MoEF&CC office memorandum dated 17.05.2022 will be strictly adhered to.

Current Status	Under process
Date of Action	01/06/2023

Officer Concerns To

Officer Name	sandeep asthana (Director CM Helpline)
Organisation name	Madhya Pradesh
Contact Address	2nd Floor Capital Mall, Misrod Bhopal M.P.
Email Address	director.cmhelpline@gmail.com
Contact Number	07556680020

Print Close

GRIEVANCE STATUS

Grievance Status

शिकायत क्रमांक दर्ज करें :

22502505

Reset

ANNEXURE-67

सी.एम. हेल्पलाइन - शिकायत विवरणी

जन हेतु - जन सेतु

शिकायत क्रमांक	22502505 दिनांक - 03/06/2023
विभाग का नाम	कलेक्ट्रेट शाखा
शिकायत कर्ता का नाम	Brajesh Bharadwaj
पता	WARD 16, CHHINDWARA
फोन न.	XXXXXXX991, XXXXXXX991
जिला	नर्मदापुरम
क्षेत्र	क्षेत्र/तहसील : नर्मदापुरम

शिकायत का प्रारूप	कलेक्ट्रेट में स्थित शाखाओं / बन्दूक लाईसेंस व अन्य से सम्बन्धित समस्त मामले (कलेक्ट्रेट शाखा)
शिकायत का विवरण	शिकायतकर्ता द्वारा बताया गया कि Pachmarhi Airstrip ---------- The objectionable Pachmarhi Airstrip MP expansion from 400m to 1800m has commenced without any wildlife or environmental clearances. The airstrip is within 1 km of the Satpura Tiger Reserves core area border and in the Eco sensitive zone ESZ and buffer area. Its part of UNESCO Pachmarhi Biosphere Reserve. The PWD department has deployed machinery felling the trees, destroying the hill slopes and digging the stretch. The chopped trees are being hidden beneath the shrubs. The collector.DM Narmadapuram is in-charge of the Airstrip expansion. Because the airfield is surrounded by the core area of Tiger Reserve, low overflying aircrafts over the core area during take-off, landing, diversions, etc. will violate the Wild Life Protection Act 1972, which requires that the core area of tiger reserve be inviolate. The airfield is located near high hills on the approach.departure route, risking flight safety and will cause extreme noise pollution. Engine runup procedures for short take-off and landings STOL, as well as the deployment of aircraft engine reversers during landings will produce exceptionally loud noise, infringing on the noise pollution rules 2000 outlined in the ESZ notification for compliance. The noise will have an impact on the migratory and reproductive habits of the endangered animals and birds. Without prior approvals, the airfield is being expanded for the Ministry of Civil Aviations RCS Regional Connection Scheme. Prior approvals are necessary if fuel refilling.bunkering is required for the proposed airfield. The violation of ESZ notification of Satpura Tiger Reserve, Hon Supreme court order in compliance to ESZ Notification, EIA 2006 clearances & no pre feasibility report is suspected. According to the Hon'ble Supreme Court order dated 26.04.2023 regarding ESZ clearances, the provisions in ESZ notifications, MoEF&CC wildlife guidelines dated 09.02.2011, and MoEF&CC office memorandum dated 17.05.2022 will be strictly adhered to .कृपया समस्या का जल्द से जल्द निराकरण किया जाए.
निराकरण	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढ़ी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे
शिकायत की स्थिति	शिकायत का पुनर्मूल्यांकन कर पुनः निराकरण कर उच्च स्तर पर मान्य हेतु प्रेषित कर दिया गया है।

प्रिंट करें

शिकायत की स्थिति

दिनांक	शिकायत की स्थिति
21 Mar 2024	शिकायत पर निराकरण एल 1 अधिकारी द्वारा दर्ज किया गया है।
21 Mar 2024	शिकायत का पुनर्मूल्यांकन कर पुनः निराकरण कर उच्च स्तर पर मान्य हेतु प्रेषित कर दिया गया है।
21 Mar 2024	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढ़ी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे
21 Mar 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
20 Mar 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया

18 Mar 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
13 Mar 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
09 Mar 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
28 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
23 Feb 2024	शिकायतकर्ता द्वारा बताया गया कि :आवेदक द्वारा बताया गया है की मेरी समस्या पर अभी तक कोई कार्यवाही नहीं की गयी है जिस से आवेदक को काफी समस्या हो रही है कृपया समस्या का जल्द से जल्द निराकारण किया जाये
23 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
17 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
16 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
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11 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
08 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
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03 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
02 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
01 Feb 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
31 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
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27 Jan 2024	शिकायत पर L3 अधिकारी द्वारा दर्ज किया गया है|
25 Jan 2024	शिकायत पर L3 अधिकारी द्वारा दर्ज किया गया है|
24 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
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21 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
20 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
19 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
18 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
17 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
15 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
13 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
11 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
09 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
07 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
06 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
05 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया

04 Jan 2024	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
02 Jan 2024	कार्यालय कलेक्टर (सी०एमह०हेल्प०) नर्मदापुरम के पत्र क्रमांक-17202/सी०एम०हेल्प०/2023 नर्मदापुरम दिनांक-28/12/2023 से संबंधित विभागाध्यक्ष को पत्र जारी कर उक्त शिकायत के संबंध में समाधानकारक निराकरण कर कार्यवाही अभिमत के साथ इस कार्यालय को प्रस्तुत करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करने हेतु निर्देशित किया गया है।
31 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
30 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
29 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
28 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
27 Dec 2023	शिकायतकर्ता द्वारा बताया गया कि :take-off, landing, diversions, etc. will violate the Wild Life Protection Act 1972, which requires that the core area of tiger reserve be inviolate. The airfield is located near high hills on the approach.departure route, risking flight safety and will cause extreme noise pollution. Engine runup procedures for short take-off and landings STOL, as well as the deployment of aircraft engine reversers during landings will produce exceptionally loud noise, infringing on the noise pollution rules 2000 outlined in the आवेदक काफी परेशान है जल्द से जल्द
27 Dec 2023	शिकायतकर्ता द्वारा बताया गया कि : शिकायतकर्ता द्वारा बताया गया कि :आवेदक का कहना है आवेदक की शिकायत का कोई निराकरन नहीं किया गया है जिससे आवेदक को काफी समस्या आ रही है आवेदक काफी परेसान है
26 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
25 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
24 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
18 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
16 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
14 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
12 Dec 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
11 Dec 2023	इस कार्यालय के पत्र क्र. 7494/सी0एम0हेल्पलाईन/2023 नर्मदापुरम दिनांक 07/12/2023 अनुसार शिकायतकर्ता को समक्ष में सुना जाकर नियमानुसार शिकायत का वास्तविक एवं तथ्यात्मक रूप से पूर्ण निराकरण कर शिकायतकर्ता को लिखित में अवगत कराया जाकर शिकायतकर्ता की संतुष्टिपूर्वक निराकरण कराने का कष्ट करें।
11 Dec 2023	L4 आधिकारी :- डॉ पवन कुमार शर्मा द्वारा L3 आधिकारी :- श्री नीरज कुमार सिंह को शिकायत प्रेषित की गई है |
21 Nov 2023	शिकायत निराकरण हेतु (ऐल4) अधिकारी है
21 Nov 2023	शिकायतकर्ता की असंतुष्टि पर शिकायत उच्च लेवल अधिकारी को भेजी जा रहा है
21 Nov 2023	आपकी शिकायत के निराकरण पर अधिकारी द्वारा कोई कार्यवाही नहीं हुई है| शिकायतकर्ता की असहमति के आधार पर शिकायत उच्च स्तर पर प्रेषित की जा रही है | ,शिकायत का निराकरण नही हुआ है
20 Nov 2023	शिकायतकर्ता से सह्मति अथवा असहमति की पुष्टि शेष है
20 Nov 2023	शिकायत पर निराकरण एल 3 अधिकारी द्वारा दर्ज किया गया है|
20 Nov 2023	शिकायत पर प्राप्त निराकरण का पुनर्मूल्यांकन कर सम्बंधित अधिकारी द्वारा दिए गए निराकरण को उच्च स्तर से "मान्य" कर दिया गया है |
20 Nov 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे , मान्य
09 Nov 2023	शिकायत पर निराकरण एल 2 अधिकारी द्वारा दर्ज किया गया है|
09 Nov 2023	शिकायत का पुनर्मूल्यांकन कर पुनः निराकरण कर उच्च स्तर पर मान्य हेतु प्रेषित कर दिया गया है |
09 Nov 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे
08 Nov 2023	कार्यालय कलेक्टर (सी०एमह०हेल्प०) नर्मदापुरम के पत्र क्रमांक-15425/सी०एम०हेल्प०/2023 नर्मदापुरम दिनांक-06/11/2023 से संबंधित विभागाध्यक्ष को पत्र जारी कर उक्त शिकायत के संबंध में समाधानकारक निराकरण कर कार्यवाही अभिमत के साथ इस कार्यालय को प्रस्तुत करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करने हेतु निर्देशित किया गया है।
07 Nov 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
03 Nov 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
01 Nov 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
30 Oct 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया

27 Oct 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
25 Oct 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
20 Oct 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
18 Oct 2023	इस कार्यालय के पत्र क्र. 6852/सी0एम0हेल्पलाईन/2023 नर्मदापुरम दिनांक 18/10/2023 अनुसार शिकायतकर्ता को समक्ष में सुना जाकर नियमानुसार शिकायत का वास्तविक एवं तथ्यात्मक रूप से पूर्ण निराकरण कर शिकायतकर्ता को लिखित में अवगत कराया जाकर शिकायतकर्ता की संतुष्टिपूर्वक निराकरण कराने का कष्ट करें।
18 Oct 2023	L4 आधिकारी :- डॉ पवन कुमार शर्मा द्वारा L3 आधिकारी :- श्री नीरज कुमार सिंह को शिकायत प्रेषित की गई है |
03 Sep 2023	शिकायत निराकरण हेतु (ऐल4) अधिकारी है
03 Sep 2023	शिकायतकर्ता की असंतुष्टि पर शिकायत उच्च लेवल अधिकारी को भेजी जा रहा है
03 Sep 2023	आपकी शिकायत का निराकरण अधिकारी द्वारा अपूर्ण दिया गया है| शिकायतकर्ता की असहमति के आधार पर शिकायत उच्च स्तर पर प्रेषित की जा रही है |समस्या का शीघ्र से शीघ्र निराकरण किया जाये |
01 Sep 2023	शिकायतकर्ता से सहमति अथवा असहमति की पुष्टि शेष है
01 Sep 2023	शिकायत पर निराकरण एल 3 अधिकारी द्वारा दर्ज किया गया है|
01 Sep 2023	शिकायत पर प्राप्त निराकरण का पुनर्मूल्यांकन कर सम्बंधित अधिकारी द्वारा दिए गए निराकरण को उच्च स्तर से "मान्य" कर दिया गया है |
01 Sep 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे , मान्य
01 Sep 2023	शिकायत पर निराकरण एल 1 अधिकारी द्वारा दर्ज किया गया है|
01 Sep 2023	शिकायत का पुनर्मूल्यांकन कर पुनः निराकरण कर उच्च स्तर पर मान्य हेतु प्रेषित कर दिया गया है |
01 Sep 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे
29 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
28 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
25 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
22 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया।
19 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया।
16 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया।
14 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
11 Aug 2023	कार्यालय कलेक्टर (सी०एमह०हेल्प०) नर्मदापुरम के पत्र क्रमांक-11699/सी०एम०हेल्प०/2023 नर्मदापुरम दिनांक-10/08/2023 से संबंधित विभागाध्यक्ष को पत्र जारी कर उक्त शिकायत के संबंध में समाधानकारक निराकरण कर कार्यवाही अभिमत के साथ इस कार्यालय को प्रस्तुत करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करने हेतु निर्देशित किया गया है।
09 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
05 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
04 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
03 Aug 2023	शिकायतकर्ता द्वारा बताया गया कि :शिकयत का अभी तक कोई निराकरण नही किया गया है जिससे आवेदक को काफी समस्या हो रही है कृपया समस्या का जल्द से जल्द निराकरण किया जाए
02 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
02 Aug 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
31 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
27 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
23 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
21 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया

19 Jul 2023	कार्यालय कलेक्टर (सी०एम०हेल्पलाईन शाखा) नर्मदापुरम के पत्र क्रमांक-10566/सी.एम.हे./2023 नर्मदापुरम दिनांक-18/07/2023 से संबंधित शाखा अधिकारिय को निर्देशित किया गया है, कि उक्त सी०एम० हेल्पलाईन में प्राप्त शिकायतों को सर्वोच्च प्राथमिकता देते हुये, शिकायतों का संतुष्टि पूर्वक निराकरण करवाये एवं उच्च लेवल पर प्रदर्शित हो रही शिकायतों का पुन: परीक्षण कर, समाधान पूर्वक निराकरण पोंटल में दर्ज करावें एवं निराकरण से शिकायतकर्ता को भी सूचित कर प्रतिउत्तर प्रस्तुत करने हेतु लेख किया गया है।
18 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
17 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
16 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
14 Jul 2023	कार्यालय कलेक्टर नर्मदापुरम के माध्यम से संबंधित शाखा अधिकारी से दूरभाष पर संपर्क कर उक्त शिकायत के संबंध में शीघ्र कार्यवाही करने एवं की गई कार्यवाही की जानकारी शिकायतकर्ता को सूचित कर संतुष्टिपूर्ण निराकरण करवाने हेतु निर्देशित किया गया
13 Jul 2023	शिकायत निराकरण हेतु (ऐल3) अधिकारी है
13 Jul 2023	* शिकायतकर्ता की असंतुष्टि पर शिकायत उच्च लेवल अधिकारी को भेजी जा रही है
13 Jul 2023	शिकायतकर्ता से सहमति अथवा असहमति की पुष्टि शेष है
13 Jul 2023	शिकायत पर निराकरण एल 2 अधिकारी द्वारा दर्ज किया गया है|
13 Jul 2023	शिकायत पर प्राप्त निराकरण का पुनर्मूल्यांकन कर सम्बंधित अधिकारी द्वारा दिए गए निराकरण को उच्च स्तर से "मान्य" कर दिया गया है |
13 Jul 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे , मान्य
13 Jul 2023	शिकायत पर निराकरण एल 1 अधिकारी द्वारा दर्ज किया गया है|
13 Jul 2023	शिकायत का पुनर्मूल्यांकन कर पुनः निराकरण कर उच्च स्तर पर मान्य हेतु प्रेषित कर दिया गया है |
13 Jul 2023	शिकायतकर्ता की शिकायत के संबंध मे लोक निर्माण विभाग उप संभाग पंचमढी से जॉच प्रतिवेदन प्राप्त किया गया प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन मे आने वाली शर्तो एवं नियमो के आधार परही हवाई पटटी का निर्माण किया जा रहा है किसी भी प्रकार से पेडो की कटाईएवं पहाडियो को क्षति नही पहुचाई गई है वर्तमान मे अर्थवर्क का कार्य कराया गया है। जो कि पूर्व निर्मित हवाई पटटी उपरी भाग को खोदकर लेवल किया जा रहा है। यह कार्य विमाननन विभाग म;प्र; के पत्र९-९/२०२१/४५ भोपाल दिनांक ३०-०६-२०२१ द्वारा स्वीकृति उपरांत कराया जा रहा है शिकायत निराधार है अत: शिकायत को विलोपित करने का कष्ट करे
06 Jul 2023	शिकायत निराकरण हेतु (ऐल2) अधिकारी है
06 Jul 2023	निराकरण अधिकारी द्वारा निर्धारित अवधि मे कार्यवाही ना करने के कारण शिकायत (ऐल2) अधिकारी को परिवर्तित किया जा रहा है
23 Jun 2023	संबंधित विभागो से जॉच प्रतिवेदन प्राप्त करने हेतु ९१३२ दिनांक १३-०६-२०२३ को लिखा गया है जॉच प्रतिवेदन प्राप्त होने पर नियमानुसार अग्रिम कार्यवाही की जावेगी
23 Jun 2023	शिकायत निराकरण हेतु (ऐल-L1) अधिकारी है
23 Jun 2023	शिकायत को संबधित अधिकारी को प्रेषित कर दिया गया है |
19 Jun 2023	शिकायत चयनित अधिकारी के कार्य क्षेत्र से संबंधित नही है अत: पुन: उचित अधिकारी को प्रेषित किया जावेगा
19 Jun 2023	ectionable Pachmarhi Airstrip MP expansion from 400m to 1800m has commenced without any wildlife or environmental clearances. The airstrip is within 1 km of the Satpura Tiger Reserves core area border and in the Eco sensitive zone ESZ and buffer area. Its part of UNESCO Pachmarhi Biosphere Reserve. The PWD department has deployed machinery felling the trees, destroying the hill slopes and digging the stretch. The chopped trees are being hidden beneath the shrubs. The collector.DM Narmadapuram is
15 Jun 2023	शिकायत निराकरण हेतु (ऐल2) अधिकारी है
15 Jun 2023	निराकरण अधिकारी द्वारा निर्धारित अवधि मे कार्यवाही ना करने के कारण शिकायत (ऐल2) अधिकारी को परिवर्तित किया जा रहा है
12 Jun 2023	यह शिकायत जिला कलेक्टर नर्मदापुरम स्थानांत्तर किया जाता है,
12 Jun 2023	यह शिकायत जिला कलेक्टर नर्मदापुरम स्थानांत्तर किया जाता है,
12 Jun 2023	कलेक्टर नर्मदापुरम
03 Jun 2023	शिकायत निराकरण हेतु (ऐल1) अधिकारी है
03 Jun 2023	शिकायतकर्ता के लिखित आवेदन पर शिकायत, पी.जी.आर. सेल, मंत्रालय से दर्ज की गयी है|

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कार्यालय आयुक्त, नर्मदापुरम् संभाग, नर्मदापुरम

Email- commnarmadapuram@mp.gov.in, Fax No- 07574-254262

क्रमांक 5009/राजस्व शाखा/2023 नर्मदापुरम, दिनॉक 2/08/2023

प्रति,

क्षेत्र संचालक
सतपुड़ा टाईगर रिजर्व
नर्मदापुरम

विषयः— Ongoing expansion of pachmarhi Airstrip from 1200 m to 1800 m in Biosphere, Eco Sensitive Zone and within 1 km from the Protected Area (PA)/Critical Tiger Habitat boundary of Satpura Tiger Reserve, Pachmarhi, district Narmadapuram, M.P., in violation of the ESZ Notification, the Wildlife (Protection) Act 1972, without obtaining an Environmental Clearance and Wildlife Clearance.

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विषयांतर्गत श्री केप्ट. ब्रिजेश कुमार भारद्वाज 623, Yellow Bungalow Shubhalay Colony Narsinghpur Road, Chhindwara, M.P.-480001 के पत्र दिनांक 08 जुलाई 2023 इस कार्यालय को प्राप्त हुआ है। जिसकी छायाप्रति संलग्न कर प्रेषित है।

कृपया पत्र के संबंध में वस्तुस्थिति का प्रतिवेदन इस कार्यालय को उपलब्ध कराने का कष्ट करें।

संलग्न :— उपरोक्तानुसार पत्र।

02/08/2023
उपायुक्त(राजस्व)
नर्मदापुरम् संभाग,नर्मदापुरम

क्रमांक 5010/राजस्व शाखा/2023 नर्मदापुरम, दिनॉक 2/08/2023

प्रतिलिपिः—

श्री केप्ट. ब्रिजेश कुमार भारद्वाज 623, Yellow Bungalow Shubhalay Colony Narsinghpur Road, Chhindwara, M.P.-480001 की ओर उनके पत्र दिनांक 08.07.2023 के संदर्भ में सूचनार्थ।

02/08/2023
उपायुक्त(राजस्व)
नर्मदापुरम् संभाग,नर्मदापुरम

Details for registration number : MOEAF/E/2023/0001319

Name Of Complainant	Capt Brajesh Bharadwaj **ANNEXURE-69**
Date of Receipt	30/05/2023
Received By Ministry/Department	Environment, Forest and Climate Change

Grievance Description

Environment, Forest and Climate Change >> Environment related >> Environment Clearance and related issues >> Clarifications on applicability of EIA 2006

The objectionable Pachmarhi Airstrip- MP expansion from 400m to 1800m has commenced without any wildlife or environmental clearances. The airstrip is within 1 km of the Satpura Tiger Reserve's core area and in Eco sensitive zone, buffer area and UNESCO Biosphere. The PWD dept has felled the trees, destroying the hill slopes and digging the stretch. Collector/DM Narmadapuram is in-charge of the Airstrip expansion.

The low overflying aircrafts over the surrounding core area during take-off, landing, diversions, etc. will violate the Wild Life Protection Act 1972, which requires that the core area be disturbance free. The airfield is located near high hills risking flight safety and will cause extreme noise pollution.

Engine runup procedures for short take-off and landings STOL, as well as the deployment of aircraft engine reversers during landings will produce exceptionally loud noise, infringing on the noise pollution rules 2000 outlined in the ESZ notification for compliance. The noise will have an impact on the migratory and reproductive habits of the endangered animals and birds in the vicinity. Fuel emissions from aircraft engines and lights below 1000 feet will impact the ecosystem.

Without prior EC approvals, the airfield is being expanded for the Ministry of Civil Aviation's RCS Regional Connection Scheme. Prior approvals are necessary if fuel refilling/bunkering is required for the proposed airfield. The violation of ESZ notification of Satpura Tiger Reserve, Hon Supreme court order in compliance to ESZ Notification, EIA 2006 clearances & no pre feasibility report is suspected.

According to the Hon'ble Supreme Court order dated 26.04.2023 regarding ESZ clearances, the provisions in ESZ notifications, MoEF&CC wildlife guidelines dated 09.02.2011, and MoEF&CC office memorandum dated 17.17.05.2022 will be strictly adhered to. Please clarify the application of EIA 2006 clearances to all relevant authorities in the aforesaid scenario so that violations stop.

Current Status	Case closed
Date of Action	16/06/2023

Remarks

The Grievance has been forwarded to Chief Wildlife Warden Government of Madhya Pradesh for necessary action.

Officer Concerns To

Officer Name	Shri Sudheer Chaintalapati (Scientist E)
Organisation name	Wildlife Section
Contact Address	Indira Paryavaran BhavanJor Bagh RoadNew Delhi
Email Address	sudheer.ch@gov.in
Contact Number	01120819294

Print Close

ANNEXURE-70

कार्यालय कलेक्टर जिला–नर्मदापुरम

कमांक /व.लि.2/न.कं.111/2023 नर्मदापुरम,दिनांक /07 /2023

प्रति,

प्रभारी अधिकारी,
सी.एम.हेल्पलाइन,
जिला कार्यालय नर्मदापुरम ।

विषयः– **पचमढ़ी स्थित हवाई पटिटयों के संबंध में ।**

संदर्भः– **1.आपका शिकायत कमांक 22602384 दिनांक 9.6.2023**
2.कार्यपालन यंत्री लोक निर्माण विभाग संभाग क.1 नर्मदापुरम का पत्र कमांक3069 नर्मदापुरम दिनांक 14.6.2023

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विषयांतर्गत संदर्भित पत्र का अवलोकन करने का कष्ट करें । जिसके माध्यम से आवेदक श्री ब्रजेश भारद्वाज निवासी शुभालय कालोनी नरसिंहपुर रोड छिंदवाडा द्वारा पचमढ़ी स्थित हवाई पट्टियों के संबंध में चाही गई जानकारी का प्रतिवेदन प्राप्त हुआ है । जो निम्नानुसार है ।

संदर्भित पत्र के माध्यम से अनुविभागीय अधिकारी लोक निर्माण विभाग उपसंभाग पचमढ़ी द्वारा पचमढ़ी के पत्र कमांक 250 दिनांक 14.6.2023 के प्रतिवेदन अनुसार वन अधिनियम सेंसेटिव जोन में आने वाली शर्तो एवं नियमों के आधार पर ही कार्य कराया गया है किसी भी प्रकार से पेड़ों की कटाई एवं पहाड़ियों को क्षति नहीं पहुंचाई गई है । वर्तमान में अर्थवर्क का कार्य कराया गया है जो कि पूर्व निर्मित हवाई पट्टी के ऊपरी भाग को खोदकर लेवल किया जा रहा है ।

हवाई पट्टी के दोनों ओर अत्यधिक बारिश के कारण गडढे एवं नाले बन गए है जिसको भरा जाना आवश्यक है । यह कार्य विमानन विभाग म0प्र0 के पत्र क. 9–9/2021/45/भोपाल दिनांक 30.6.2021 द्वारा स्वीकृति उपरांत कराया जा रहा है । जिसकी प्रति संलग्न की है ।

अतः पचमढ़ी स्थित हवाई पट्टी के संबंध में प्राप्त जानकारी आपकी ओर लंबित शिकायत का निराकरण हेतु भेजी जा रही है ।

जायक लिपिक
कलेक्टर कार्यालय
नर्मदापुरम

भारत शासन सेवार्थ

संयुक्त कलेक्टर,
हेतु कलेक्टर नर्मदापुरम

पृ0क0 10280 /एस.सी.2/2023 नर्मदापुरम,दिनांक 11 /7/2023

प्रतिलिपिः–

1– कार्यपालन यंत्री,लोक निर्माण विभाग संभग क 1 नर्मदापुरम की ओर सूचनार्थ प्रेषित ।
2– श्री ब्रजेश भारद्वाज निवासी शुभालय कालोनी नरसिंहपुर रोड जिला– छिंदवाडा की ओर सूचनार्थ सूचनार्थ प्रेषित ।

11/7/23

संयुक्त कलेक्टर,
हेतु कलेक्टर नर्मदापुरम



ANNEXURE-71

No. 2/16/2017-ESZ
Government of India
Ministry of Environment, Forest and Climate Change
(ESZ-Division)

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi- 110 003

Dated: 31st May, 2023

To,

Capt Brajesh Bharadwaj,
Yellow Bungalow Shubhalay Colony,
Narsinghpur road, District Chhindwara,
Madhya Pradesh- 480001
E-mail: brijii100@gmail.com

Subject: -Supply of information for Public Grievance- reg.

Sir,

Please refer to your Public Grievance No. MOEAF/E/2023/00001291 dated 26.05.2023 received regarding Eco-sensitive Zone around Satpura Tiger Reserve, Madhya Pradesh. Your concerns for conserving the Eco-Sensitive Zone is noted and forwarded to the State Government of Madhya Pradesh and Chairman, Monitoring Committee of ESZ for taking appropriate action.

Yours faithfully,

(Dr. Ritesh Joshi)
Scientist 'E'/Additional Director

Copy to:

1. The PCCF (WL) & Chief Wildlife Warden, Govt. of Madhya Pradesh, BDA Building 3rd Floor M.P Nagar Zone-1, Hoshangabad Road, Bhopal -462011, Madhya Pradesh (Public Grievance dated 30.01.2023 is enclosed).

2. The Divisional Commissioner, Hoshangabad & Chairman of Monitoring Committee of ESZ around Satpura Tiger Reserve, Sub Deputy Majistrate Office, Narmadapuram, Madhya Pradesh 461001 (Public Grievance dated 30.01.2023 is enclosed).

SATPURA TIGER RESERVE

ANNEXURE-72

5TH BIRD SURVEY

25TH TO 27TH FEBRUARY - 2022

BIRD SURVEY REPORT

BY

WILD WARRIORS,INDORE &

CITIZENS FOR NATURE, JABALPUR



Ranges/Area Covered

Core Area

1. Kamti
2. Churna
3. Bori
4. Matkuli
5. East Panchmarhi
6. West Panchmarhi

Buffer Area

1. Tawa
2. Bagra
3. Piparia
4. Denwa

Habitat Covered

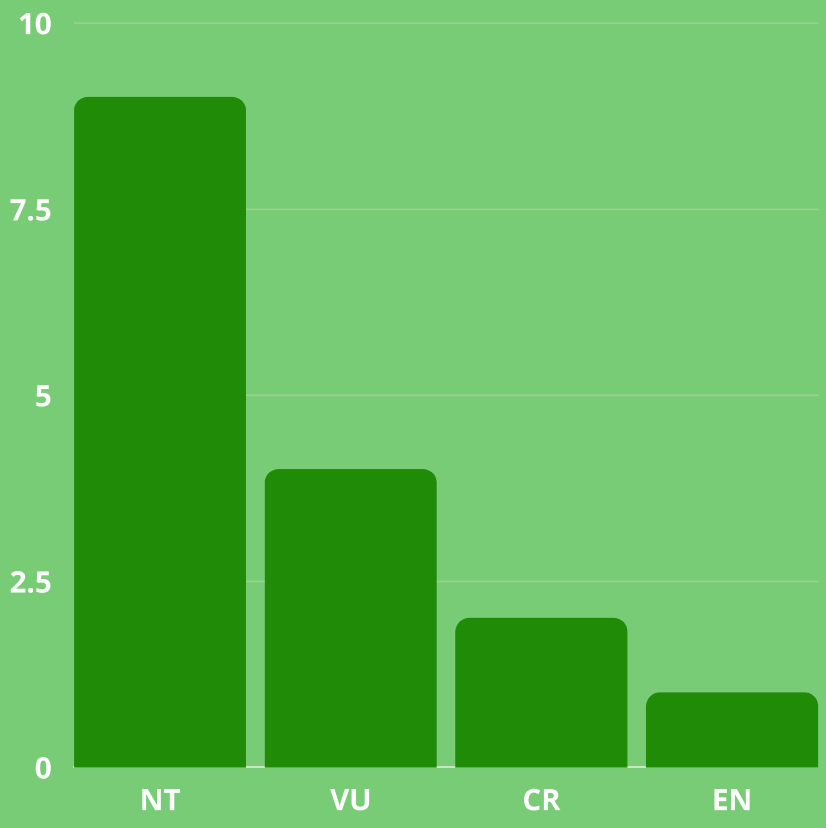
1. Highland Forest
2. Lowland Forest
3. Perennial Streams
4. River Banks
5. Grasslands
6. Meadows
7. Relocated Villages
8. Dense Forest



Area Covered During The Survey

OBSERVATIONS

SATPURA BIRD SURVEY - 2022



LEAST CONCERN
268

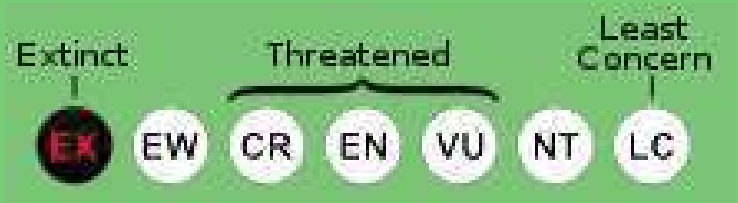
NEARLY THREATENED
09

VULNARABLE
04

ENDENGERED
01

CRITICALLY ENDENGERED
02

IUCN STATUS



Looking at the IUCN listed birds, we can see a good numbers of Critically Endangered, Endangered, Vulnerable and Near Threatened species some 3500+ individuals were recorded. This shows that this biosphere is good and safe habitat for IUCN Red Listed species.

आज़ादी का अमृत महोत्सव

भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

LETTER OF AWARD

Ref. No.: AAI/RCS-4.2/BCPL/2/2022/223-260 Date: 14th December, 2022

To,

Big Charters Private Limited
Killa no. 13/3/2/2(1-18), 3/1/1/ (1-17),
3rd Floor,Begampur Khatola, Sector-35,
Gurugram (Haryana)- 122 001

Sir/Madam,

Subject: Letter of Award ("LOA") for the Selected Airline Operator under the Regional Connectivity Scheme ("RCS") - UDAN in 4.2 (Tender Id No. 2022_AAI_112248)

1. This is with reference to your proposals submitted pursuant to the Notice Inviting e-Proposal ("**NIeP**") for Selection of Airline Operators dated 06-04-2022 issued by the Airports Authority of India ("**Authority**"), acting as the implementing agency on behalf of Ministry of Civil Aviation (MoCA), Government of India.
2. Your Proposal(s) for the RCS networks as per **Annexure A** have been accepted by the Competent Authority and you have been identified as the Selected Airline Operator ("**SAO**") in respect of these networks.
3. Under the terms of the NIeP, you are required to submit the following to the Authority within 30 days of the date of issue of this letter:
   e. Duly executed Selected Airline Operator Agreement ("**SAOA**") for each RCS network, in the format prescribed in the NIeP;
   f. Performance Guarantee in the format prescribed in the NIeP, for the amounts as specified in column "K" in Annexure-A for each of the networks on or before the date of execution of the SAOA.
4. Additionally, please note the following remarks pertaining to the proposal submitted by you:
   a. SAO shall commence RCS flights on the networks within 180 (One hundred eighty) days of the issue of this letter unless an extension is granted by the Authority;
   b. Commencement of RCS flights is subject to the consent/ approval of the airport operator(s) viz AAI, Ministry of Defence, State Govt., PSU(s) and Private Operators to provide the concessions / support under the Scheme;
   c. For each RCS seat, indexation for VGF sought, shall be applicable as per NIeP;
   d. LOA is issued subject to receipt of confirmation of Proposal Security BG by the issuing bank;
   e. All provisions of the NIeP shall be complied by the SAO.

5. The various concessions applicable in respect of the networks shall be as per **Annexure-B**.
6. The VGF per Seat provided in Annexure A has been computed as a result of the negotiations conducted and vide your letter dated 21/09/2022. You may kindly verify the amount, if there is a discrepancy, you may inform the Authority of the same within 2 (two) days of the receipt of this LoA.
7. You are requested to sign and return the duplicate copy of this LOA to the office of the undersigned, as an acknowledgement of this LOA, within, at most, 5 (five) days of the receipt of this LOA

Yours faithfully,

14/11/2022

(Atulya Agrawal)
General Manager (RCS)

Enclosure: Annexure – A & B

N.O.O.

Copy to:

1. Chairman, Airports Authority of India, (e-mail chairman@aai.aero);
2. Director General Civil Aviation, (e-mail; dgca@nic.in) :
3. Director General BCAS (e-mail; dg.bcas@gov.in);
4. The Deputy Secretary (MS), MoCA, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi.
5. Member (Planning), Airports Authority of India
6. Member (Operations), Airports Authority of India
7. ED(RCS)/ ED(Ops.), Airports Authority of India
8. GM(Licensing), Airports Authority of India
9. JGM(Fin-RCS)/ JGM(ATM-RCS), Airports Authority of India
10. General Manager (IT) – With a request to upload the LoA on AAI website.
11. RED, NE/ER/NER Region, Airports Authority of India.
12. APD, Agartala, Srinagar, Hindon, Jodhpur, Kota, Jaipur, Bhopal, Lucknow, Khajuraho, Udaipur, Indore, Ambikapur and Raipur.
13. DGM (C) RCS, -- For further follow up action.

ANNEXURE – A: List of Awarded Routes

S. No	Network	Origin Airport	Destination Airport	Type of Route	Seating Capacity	RCS Flight Capacity	No of RCS Seats	No of RCS Seats Per Week	Stage Length (in km)	VGF per Seat (in Rs.)	Amount of Performance Guarantee (in Rs.)
	A	B	C	D	E	F	G	H	I	J	K
1.	Agartala - Kailashahar - Agartala	Agartala	Kailashahar	RCS SAS	19	19	19	133	101	4,822	13,37,623
		Kailashahar	Agartala	RCS SAS	19	19	19	133	101	4,822	
2.	Ambala - Srinagar - Ambala	Ambala	Srinagar	RCS SAS	19	19	19	133	459	13,649	37,86,233
		Srinagar	Ambala	RCS SAS	19	19	19	133	459	13,649	
3.	Hindon - Sriganganagar - Hindon	Hindon	Sriganganagar	RCS SAS	19	19	19	133	348	11,829	32,81,365
		Sriganganagar	Hindon	RCS SAS	19	19	19	133	365	11,829	
4.	Jodhpur - Kota - Jodhpur	Jodhpur	Kota	RCS SAS	19	19	19	133	305	10,919	30,28,931
		Kota	Jodhpur	RCS SAS	19	19	19	133	305	10,919	
5.	Jaipur - Sriganganagar - Jaipur	Jaipur	Sriganganagar	RCS SAS	19	19	19	133	381	13,649	37,86,233
		Sriganganagar	Jaipur	RCS SAS	19	19	19	133	381	13,649	
6.	Bhopal - Rewa - Bhopal	Bhopal	Rewa	RCS SAS	19	19	19	133	416	13,649	37,86,233
		Rewa	Bhopal	RCS SAS	19	19	19	133	416	13,649	
7.	Jaipur - Kota - Jaipur	Jaipur	Kota	RCS SAS	19	19	19	133	185	7,461	20,69,681
		Kota	Jaipur	RCS SAS	19	19	19	133	185	7,461	
8.	Jhansi - Lucknow - Jhansi	Jhansi	Lucknow	RCS SAS	19	19	19	133	274	9,091	25,21,843
		Lucknow	Jhansi	RCS SAS	19	19	19	133	274	9,091	
9.	Datia - Bhopal - Datia	Datia	Bhopal	RCS SAS	19	19	19	133	296	10,009	27,76,497
		Bhopal	Datia	RCS SAS	19	19	19	133	296	10,009	
10.	Ghazipur - Lucknow - Ghazipur	Ghazipur	Lucknow	RCS SAS	19	19	19	133	318	10,919	30,28,931
		Lucknow	Ghazipur	RCS SAS	19	19	19	133	318	10,919	
11.	Uterlai - Jaipur - Uterlai	Uterlai	Jaipur	RCS SAS	19	19	19	133	448	13,649	37,86,233
		Jaipur	Uterlai	RCS SAS	19	19	19	133	448	13,649	

S. No	Network	Origin Airport	Destination Airport	Type of Route	Seating Capacity	RCS Flight Capacity	No of RCS Seats	No of RCS Seats Per Week	Stage Length (in km)	VGF per Seat (in Rs.)	Amount of Performance Guarantee (in Rs.)
	A	B	C	D	E	F	G	H	I	J	K
12.	Datia - Khajuraho - Datia	Datia	Khajuraho	RCS SAS	19	19	19	133	175	6,642	18,42,491
		Khajuraho	Datia	RCS SAS	19	19	19	133	175	6,642	
13.	Kota - Udaipur - Kota	Kota	Udaipur	RCS SAS	19	19	19	133	207	8,344	23,14,626
		Udaipur	Kota	RCS SAS	19	19	19	133	207	8,344	
14.	Pachmarhi - Indore - Pachmarhi	Pachmarhi	Indore	RCS SAS	19	19	19	133	270	10,010	27,76,774
		Indore	Pachmarhi	RCS SAS	19	19	19	133	270	10,010	
15	Ambikapur - Raipur - Ambikapur	Ambikapur	Raipur	RCS SAS	19	19	19	133	255	10,009	27,76,497
		Raipur	Ambikapur	RCS SAS	19	19	19	133	255	10,009	

ANNEXURE – B: Concession available for RCS Networks

Type of Route	Central Govt. Concessions	State Govt. Concessions	Airport Operator Concessions	Exclusivity
RCS SAS	Yes	Yes	Yes	Yes

ANNEXURE-74

RCS-UDAN-Small Aircraft Sub-Scheme ("SAS") Version 1.0
Ministry of Civil Aviation, Government of India

March 2022

2 Features of the Scheme

2.1 Key Constructs

2.1.1 Roles and Responsibilities of different stakeholders under SAS

2.1.1.1 **Ministry of Civil Aviation –** This Scheme shall be under the purview of the Ministry of Civil Aviation. The MoCA shall act as the policy owner, responsible for providing oversight and policy level decision making as well as necessary course correction directions during the periodic reviews of the SAS.

2.1.1.2 **State (or UT) Governments ("Proposing State(s)")** - The Proposing State shall have the responsibility of proposing routes or airports/airstrips for bidding under this Scheme and shall decide upon certain key parameters governing the routes. Further, States shall also be involved in the implementation of the Scheme by either (i) setting up dedicated cells/ teams within their civil aviation departments/other relevant departments to take care of day-to-day operations and engagement with airline operators including for disbursement of funds, query redressal etc. or (ii) by engaging the Implementing Agency appointed by MoCA to perform these functions on behalf of the States. Such an appointment shall be at the payment of additional administrative charges.

2.1.1.3 Ministry of Tourism, Ministry of DONER, Ministry of Ports, Shipping and Waterways or other relevant government agencies/ministries – These ministries have been valued partners of MoCA in various rounds of the RCS. Therefore, through this Scheme, MoCA would like to extend an option for these entities and any other relevant ministries/ departments to engage in the SAS as well. Their role shall be in line with that of a Proposing State as provided in Section 2.1.1.2.

2.1.1.4 **Implementing Agency** - The Ministry of Civil Aviation may designate any entity as the Implementing Agency under this Scheme and such entity shall be responsible for undertaking tasks and activities for implementation of the Scheme. As provided in NCAP 2016, the Implementation Agency shall be provided appropriate administrative charges for implementing the Scheme, as may be determined by MoCA from time to time (the current charges applicable to be paid by the Proposing States have been specified in this Scheme). If the Implementing Agency is AAI, it shall utilize the Regional Air Connectivity Fund (RACF) Trust, as established and defined under the Regional Connectivity Scheme, for performing its responsibilities under the Scheme. Responsibilities of the Implementing Agency shall include inter alia: -

1) Receiving proposals submitted by the Applicants and taking necessary administrative actions for identification of Selected Airline Operator pursuant to the Scheme.
2) Acting for and on behalf of MoCA/Proposing States/Other Agencies for collection and disbursement of funds - In order to facilitate the collection and disbursement of funds under the Scheme, a bank account shall be established for this purpose with an identified bank. The Implementing Agency through the

RACF Trust shall be authorized to deposit funds into, and withdraw funds from, the bank account for disbursement of VGF to Selected Airline Operators in accordance with this Scheme;

3) As provided in NCAP 2016, payment of VGF may be made to the Selected Airline Operator from the RCF and the Proposing States will be asked to reimburse the applicable share towards VGF for respective RCS SAS Routes. Proposing State(s) may provide an initial advance payment to the RCF covering 3 months of the expected VGF Outflow to ensure timely disbursal of funds. The Implementing Agency shall be responsible for managing accounts / statements with respect to RCF collections, payments to Selected Airline Operators and reimbursements from Proposing States including, inter alia, any required communications seeking payments, reimbursements, reconciliation of accounts, etc.

4) The Implementing Agency shall be responsible to compute and notify revision of Airfare Caps and VGF Caps as well as approved airfare and VGF as part of various Selected Airline Operator Agreements in accordance with the Scheme on quarterly basis; and

5) Any other tasks and activities required for implementation of the Scheme such as responding to queries from airline operators, VIP references, RTIs and parliament questions etc.

2.1.1.5 The Airports Authority of India (AAI) is being designated as the Implementing Agency through its RCS Cell headed by Executive Director RCS (ED-RCS) under this Scheme. The Proposing State(s) shall have two (2) options through which to engage the Implementing Agency to fulfil the roles and responsibilities listed above. These shall be:

1) **No Support by AAI/ RCS Cell**: Under this option, the Proposing State(s) shall be responsible to fulfil all of 2.1.1.4.1 - 2.1.1.4.5 through its own means. AAI shall not be responsible for any support and therefore there would not be any fee payable from the Proposing State(s) to AAI. Under this option the Proposing State(s) would be deemed as the Implementing Agency and would be required to discharge all of the obligations expected from the Implementing Agency in a timely manner.

2) **Full Support by AAI/ RCS Cell**: Under this option, AAI will be responsible for fulfilling all of responsibilities mentioned in 2.1.1.4.1 to 2.1.1.4.5. To compensate AAI for the services provided under 2.1.1.4.1 to 2.1.1.4.5, the Proposing State(s) shall pay AAI an

Annexure – 1A: List of Unserved and Underserved Airports / Airstrips in the country

Presented below is a tentative list of Unserved and Underserved Airports. Applicants are advised to check the updates in this regard on AAI / MoCA website from time to time. Further, Applicants are expected to undertake their own due diligence vis-à-vis suitability of these airports for their proposals. ←

In case any such airport is a defence airport, the approval from Ministry of Defence, Government of India will need to be obtained for permitting joint use / civil operations under the Scheme.

It may be noted that this list does not include RCS Heliports. Applicants interested to submit proposals for helicopter operations will be required to ascertain eligible RCS Heliports from DGCA.

S.No	Name of Airport/Airstrip	State/ UT (where the Airport/ Airstrip is located)	Reference Code as per Planning Calendar	Status
1	Campbell Bay	Andaman &Nicobar(UT)	<20 seats	Unserved
2	Car Nicobar	Andaman &Nicobar(UT)	4C	Unserved
3	Shibpur	Andaman &Nicobar(UT)	<20 seats	Unserved
4	Kurnool	Andhra Pradesh	3C	Underserved
5	Bobbili	Andhra Pradesh	<20 seats	Unserved
6	Donakonda	Andhra Pradesh	<20 seats	Unserved
7	Ellore	Andhra Pradesh	<20 seats	Unserved
8	Passighat	Arunachal Pradesh	3C	Underserved
9	Tezu	Arunachal Pradesh	3C	Underserved
10	Alinya	Arunachal Pradesh	<9	Unserved
11	Along	Arunachal Pradesh	<9	Unserved
12	Daparizo*	Arunachal Pradesh	<9	Unserved
13	Mechuka	Arunachal Pradesh	<9	Unserved
14	Tuting*	Arunachal Pradesh	<9	Unserved
15	Vijaynagar	Arunachal Pradesh	<9	Unserved
16	Walong*	Arunachal Pradesh	<9	Unserved
17	Yinghiong*	Arunachal Pradesh	<9	Unserved
18	Ziro	Arunachal Pradesh	<9	Unserved
19	Jorhat	Assam	4C	Underserved
20	Rupsi	Assam	3C	Underserved
21	Tezpur	Assam	4C	Underserved
22	Chabua	Assam	4C	Unserved
23	Darrang	Assam	<20 seats	Unserved
24	Dinjan	Assam	<20 seats	Unserved
25	Ledo	Assam	<20 seats	Unserved
26	Misa Mari	Assam	<20 seats	Unserved
27	Nazira	Assam	<20 seats	Unserved
28	Sadiya	Assam	<20 seats	Unserved

74	Kargil	Jammu and Kashmir	<20 seats	Underserved
75	Thoise	Jammu and Kashmir	4C	Underserved
76	Akhnur	Jammu and Kashmir	<20 seats	Unserved
77	Chamb	Jammu and Kashmir	<20 seats	Unserved
78	Chushal	Jammu and Kashmir	<20 seats	Unserved
79	Fukche	Jammu and Kashmir	4C	Unserved
80	Gurex	Jammu and Kashmir	<20 seats	Unserved
81	Jhangar	Jammu and Kashmir	<20 seats	Unserved
82	Miran Sahib	Jammu and Kashmir	<20 seats	Unserved
83	Panzgam	Jammu and Kashmir	<20 seats	Unserved
84	Poonch	Jammu and Kashmir	<20 seats	Unserved
85	Rajouri	Jammu and Kashmir	<20 seats	Unserved
86	Udhampur	Jammu and Kashmir	4C	Unserved
87	Bokaro	Jharkhand	3C	Underserved
88	Chaibasa	Jharkhand	No runway	Unserved
89	Chakulia	Jharkhand	No runway	Unserved
90	Daltonganj	Jharkhand	<20 seats	Unserved
91	Dhalbhumgarh	Jharkhand	No runway	Unserved
92	Deoghar	Jharkhand	4C	Unserved
93	Dhanbad	Jharkhand	<20 seats	Unserved
94	Dumka	Jharkhand	<20 seats	Unserved
95	Giridih	Jharkhand	<20 seats	Unserved
96	Jamshedpur	Jharkhand	<20 seats	Unserved
97	Sindri	Jharkhand	No runway	Unserved
98	Bellary	Karnataka	<20 seats	Unserved
99	Karwar	Karnataka	<20 seats	Unserved
100	Kolar	Karnataka	3C	Unserved
101	Kushalnagar	Karnataka	<20 seats	Unserved
102	Agatti	Lakshadweep Island	3C	Underserved
103	Birwa	Madhya Pradesh	<20 seats	Unserved
104	Chhindwara	Madhya Pradesh	<20 seats	Unserved
105	Damoh	Madhya Pradesh	<20 seats	Unserved
106	Datia	Madhya Pradesh	<20 seats	Unserved
107	Guna	Madhya Pradesh	<20 seats	Unserved
108	Khandwa	Madhya Pradesh	<20 seats	Unserved
109	Khargone	Madhya Pradesh	<20 seats	Unserved
110	Mandla (Kanha)	Madhya Pradesh	<20 seats	Unserved
111	Mandsaur (Sitamau)	Madhya Pradesh	<20 seats	Unserved
112	Nagda (Ujjain)	Madhya Pradesh	<20 seats	Unserved
113	Neemuch	Madhya Pradesh	<20 seats	Unserved
114	Pachmarhi Hoshangabad	Madhya Pradesh	<20 seats	Unserved
115	Ratlam	Madhya Pradesh	<20 seats	Unserved
116	Rewa	Madhya Pradesh	<20 seats	Unserved
117	Sagar	Madhya Pradesh	<20 seats	Unserved
118	Satna	Madhya Pradesh	<20 seats	Unserved

Annexure – 7: Indicative Overall Bidding Process for SAS under Full Support Option

1. Formulation/ Pre-EOI Stage	
A	State Government to identify the Airports/ Airstrips and share the list with RCS Cell. Alternatively, if the State knows exactly what networks it would like, it can launch the RFP.
B	RCS Cell will hold a formal consultation with Airlines prior to EoI issuance to assess market demand/ suitability for the airports.
C	If Airlines are not interested in the airports, RCS Cell will facilitate interactions with other States to participate in this round
2. EOI Stage	
A	EoI is published with the list of Airports/ Airstrips, with a minimum criterion for participation of an NSOP permit holder or higher.
B	Airlines will submit the networks they would form from the master list for consideration of State and AAI/MoCA.
C	State (with inputs from RCS Cell) will finalize the networks it would like to be included in the bidding process.
3. RFP Stage	
A	RFP is launched with the selected networks, airlines qualified under the EoI would be allowed to bid.
B	Bid Variable would be as per the specific operating model selected, for select models an indicative ceiling price would be shared with State Govts.
4. Post Bidding	
A	State or RCS Cell to undertake following activities as per SOPs: i) Evaluation of Bids, ii) Notification of Award (LOA issue), iii) Fulfillment of post-award conditions and iv) Signing of agreement with airlines (by State).
B	RCS Cell to monitor implementation and contract management related requirements through the tenure of the route(s).

I/64415/2023

ANNEXURE-75

AV-31020/7/2022-DT
Government of India
Ministry of Civil Aviation
***

'B' Block, Rajiv Gandhi Bhavan
New Delhi, dated 10th July, 2023

To,
Capt Brajesh Kumar Bharadwaj,
Yellow Bungalow Shubhalay colony,
Narsinghpur road,
Chhindwara MP, MP,
Pin:480001

Sub: Request for information under the Right to Information (RTI) Act, 2005 - Request of Capt Brajesh Kumar Bharadwaj

Sir,

I am to refer to your online RTI application registration number MOCAV/R/E/23/00339 dated 06/06/2023 for information under the RTI Act, 2005 and to inform that the then Hon'ble Minister, Department of Pubiic Relations, Science & Technology, Government of Madhya Pradesh and Shri Aniruddhe Mukherjee, Principal Secretary, Government of Madhya Pradesh participated in the video conference VC meeting held on 30.12.2019 with Honble Minister of State for Civil Aviation N. Delhi regarding the RCS connectivity and challenges faced by Govt of Madhya Pradesh on civil aviation.

2. In case, you are not satisfied with the information provided, you may file an appeal to Shri Shankhesh Mehta, Director, 1st Appellate Authority, Ministry of Civil Aviation, Room No. 380, 'B' Wing, Rajiv Gandhi Bhavan, Safdarjung Airport, Sri Aurobindo Marg, New Delhi - 110003.

Yours faithfully,

(Chandan Kumar)
CPIO & Section Officer
Tele: 24610352

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	MOCAV/R/E/23/00339	**Date of Receipt (प्राप्ति की तारीख) :**	06/06/2023
Type of Receipt (रसीद का प्रकार) :	Online Receipt	**Language of Request (अनुरोध की भाषा) :**	English
Name (नाम) :	Capt Brajesh Kumar Bharadwaj	**Gender (लिंग) :**	Male
Address (पता) :	Yellow Bungalow Shubhalay colony, Narsinghpur road, Chhindwara MP, MP, Pin:480001		
State (राज्य) :	Madhya Pradesh	**Country (देश) :**	India
Phone Number (फोन नंबर) :	+91-9810670991	**Mobile Number (मोबाईल नंबर) :**	+91-9810670991
Email-ID (ईमेल-आईडी) :	brijii100@gmail.com		
Status (स्थिति)(Rural/Urban) :	Urban	**Education Status :**	Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	**Citizenship Status (नागरिकता)**	Indian
Amount Paid (राशि का भुगतान) :	10) (original recipient)	**Mode of Payment (भुगतान का प्रकार)**	Payment Gateway
Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) :	No(Normal)	**Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :**	Chandan Kumar

Information Sought (जानकारी मांगी):

Sir,

Please supply the following information in accordance with the RTI Act of 2005.

The list of Govt officials, Ministers of Govt of Madhya Pradesh participated in the video conference VC meeting held on 30.12.2019 with Honble Minister of State for Civil Aviation N. Delhi, regarding the RCS connectivity and challenges faced by Govt of Madhya Pradesh on civil aviation.

Thanks

Print Save Close

पत्रिका मध्यप्रदेश 03 पत्रिका
छिंदवाड़ा, गुरुवार, 18 मई, 2023

खुशखबर : प्रदेश के एकमात्र हिल स्टेशन को हवाई मार्ग से जोड़ने की कवायद, दिल्ली से आएंगे विशेषज्ञ

पचमढ़ी में बनेगी 1800 मी. लंबी हवाई पट्टी, उतरेंगे बड़े विमान

जितेन्द्र वर्मा
patrika.com

नर्मदापुरम. हिल स्टेशन पचमढ़ी को देश दुनिया के हवाई मार्ग से जोड़ने के साथ ही यहां बड़े विमानों की आवाजाही की कवायद की जा रही है। कुछ ही दिन में दिल्ली से चार विशेषज्ञ पमचढ़ी पहुंचेंगे। निर्माणाधीन हवाई पट्टी की लंबाई 400 मीटर और बढ़ाकर 1800 मीटर किया जाना है।

जानकारी के मुताबिक इसके लिए लगभग दो दर्जन से अधिक पेड़ों को काटना पड़ेगा। लोक निर्माण विभाग ने जिला प्रशासन को आवेदन भेजा है। यहां बता दें कि पचमढ़ी में पहले छोटे विमानों की लैंडिंग के लिए 1400 मीटर लंबी हवाई पट्टी बनाई जा रही थी। बाद में इस रनवे पर 20 से 70 सीटर के बड़े विमान उतारने का निर्णय लिया गया। इसके लिए हवाई पट्टी में 400 मीटर का इजाफा कर 1800 मीटर बनाना जरूरी हो गया। इस हवाई पट्टी को किस तरह बनाया जाएगा, इसके लिए दिल्ली की एक निजी कंपनी से विशेषज्ञों को बुलाने के लिए कलेक्टर कार्यालय से भी पत्र जारी किया गया है।



विशेषज्ञों की ली जाएगी मदद

पचमढ़ी में निर्माणाधीन रनवे की लंबाई बढ़ानी है, इसके लिए विशेषज्ञों को बुलाने के लिए पत्र जारी किया गया है। जल्द ही रनवे को विस्तार देने का काम शुरू हो जाएगा। इस संबंध में सभी आवश्यक कार्रवाई प्राथमिकता पर की जा रही हैं।

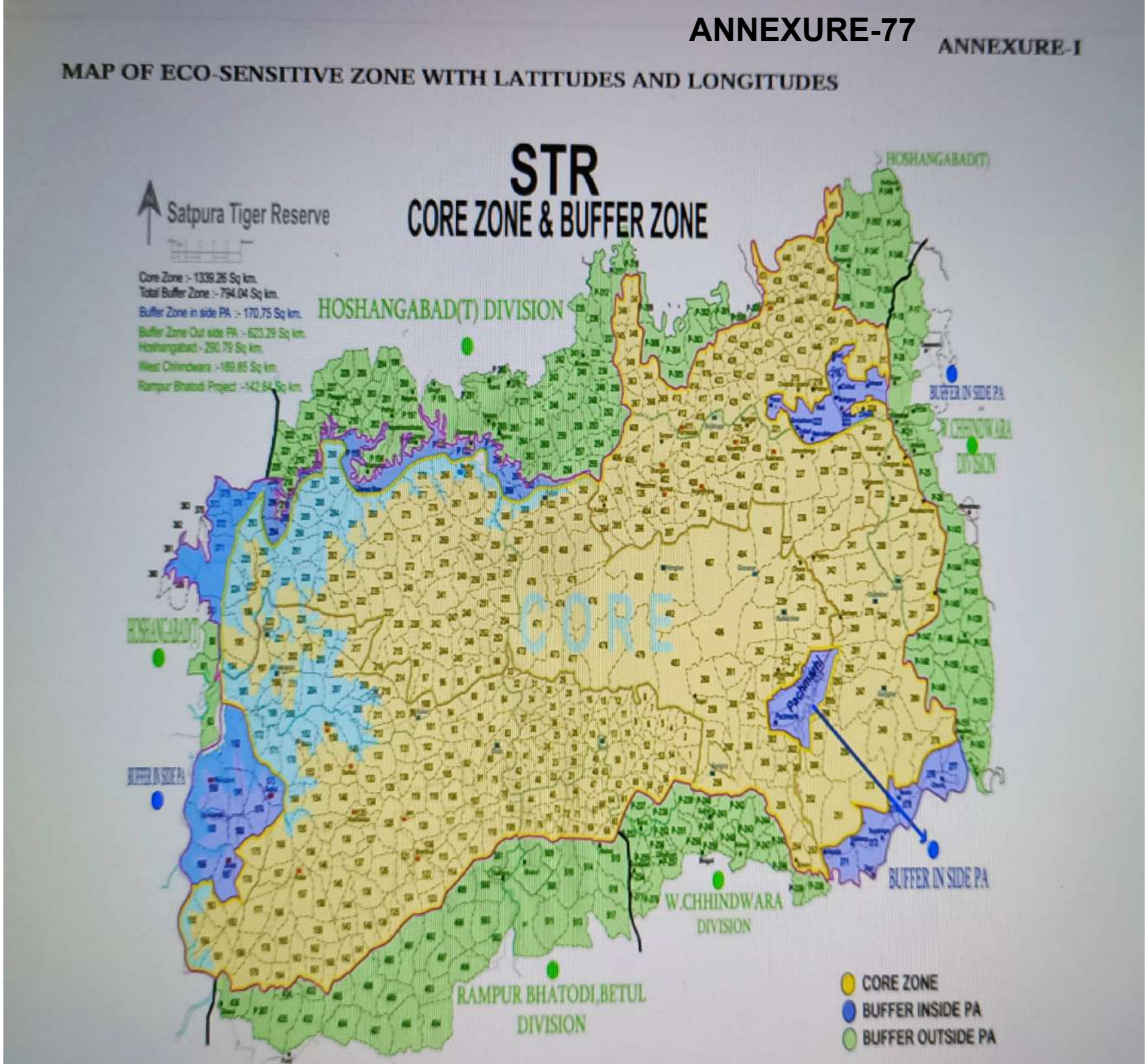
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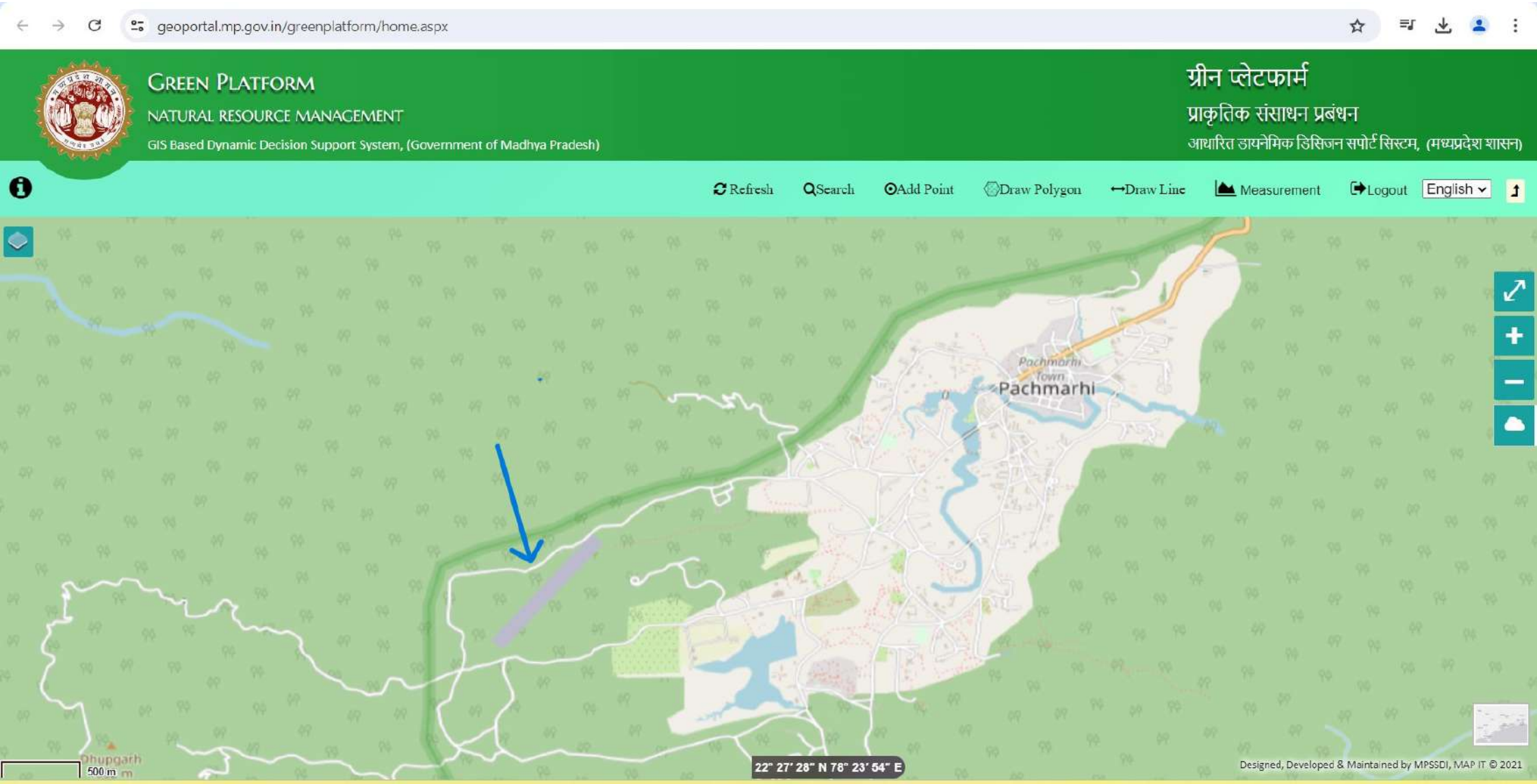
मप्र की नई उड़ान, दतिया और रीवा एयरपोर्ट के लिए एमओयू

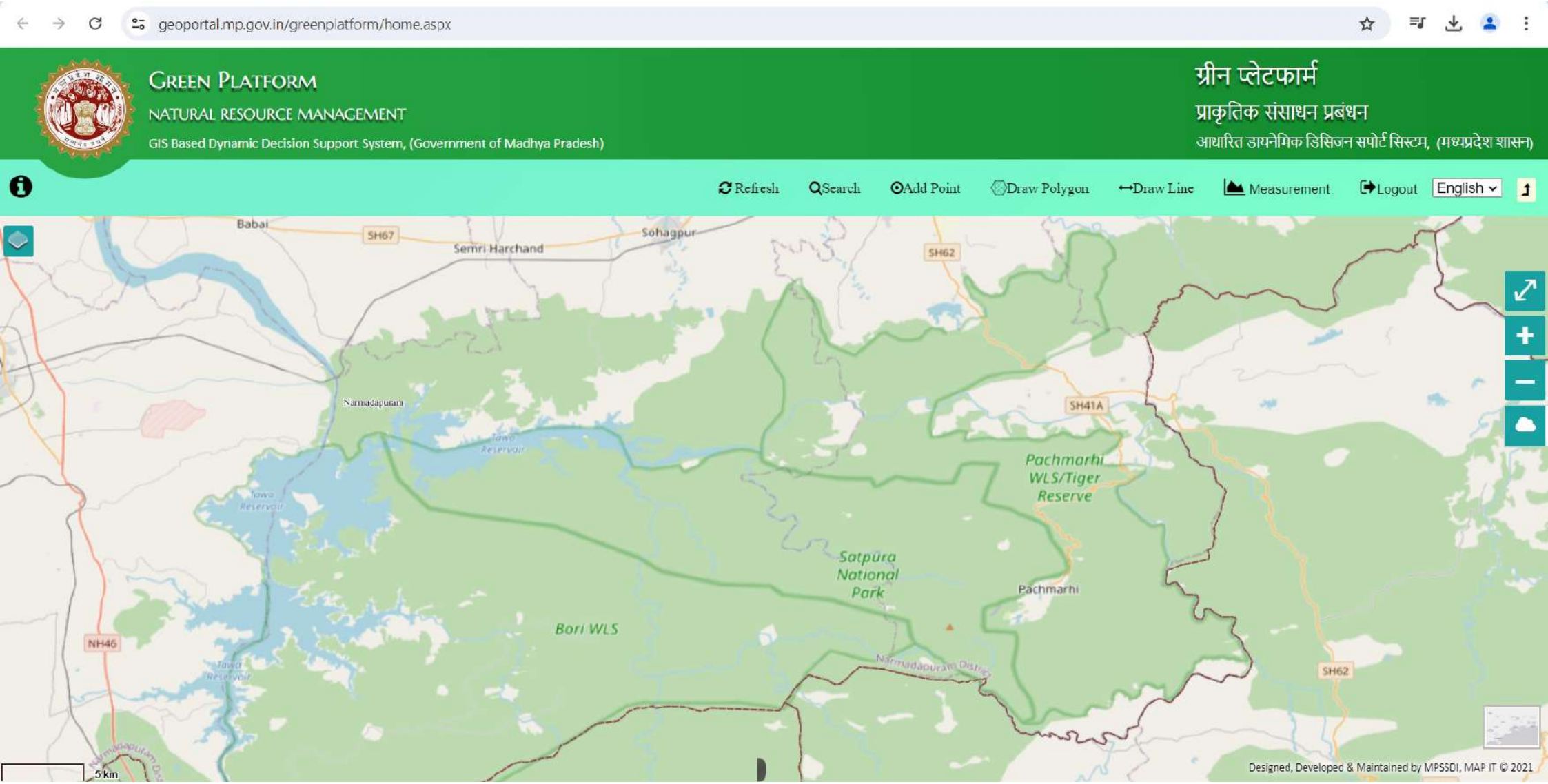
भोपाल @ पत्रिका. मप्र सरकार ने बुधवार को एयरपोर्ट अथॉरिटी ऑफ इंडिया के साथ दतिया व रीवा एयर स्ट्रिप को एयरपोर्ट के रूप में विकसित करने के लिए एमओयू साइन किया। मप्र सरकार की ओर से विमानन आयुक्त चंद्रमौली शुक्ल ने एयरपोर्ट अॅथारिटी ऑफ इंडिया के निदेशक रामजी अवस्थी के साथ एमओयू साइन किया। इससे पहले सीएम शिवराज सिंह चौहान ने एयरपोर्ट के लिए भूमिपूजन किया था। शुक्ल ने बताया कि रीवा और दतिया में एयरपोर्ट बन जाने से एटीआर-72 विमानों की उड़ान हो सकेगी। भोपाल, ग्वालियर, इंदौर, जबलपुर, खजुराहो के बाद दतिया एवं रीवा में एयरपोर्ट बनने से प्रदेश में एयरपोर्ट की संख्या बढ़कर 7 हो जाएगी।

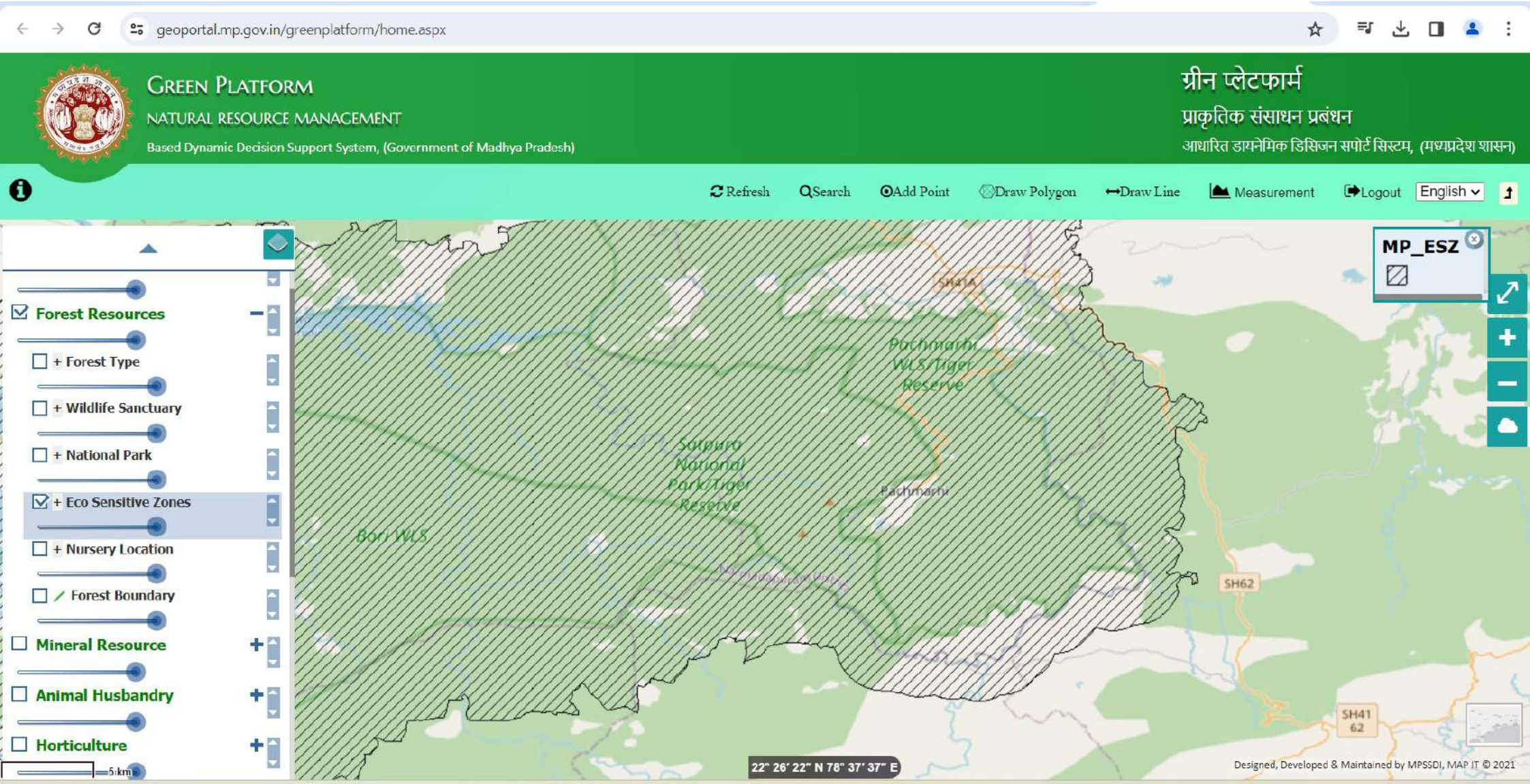
ANNEXURE-I

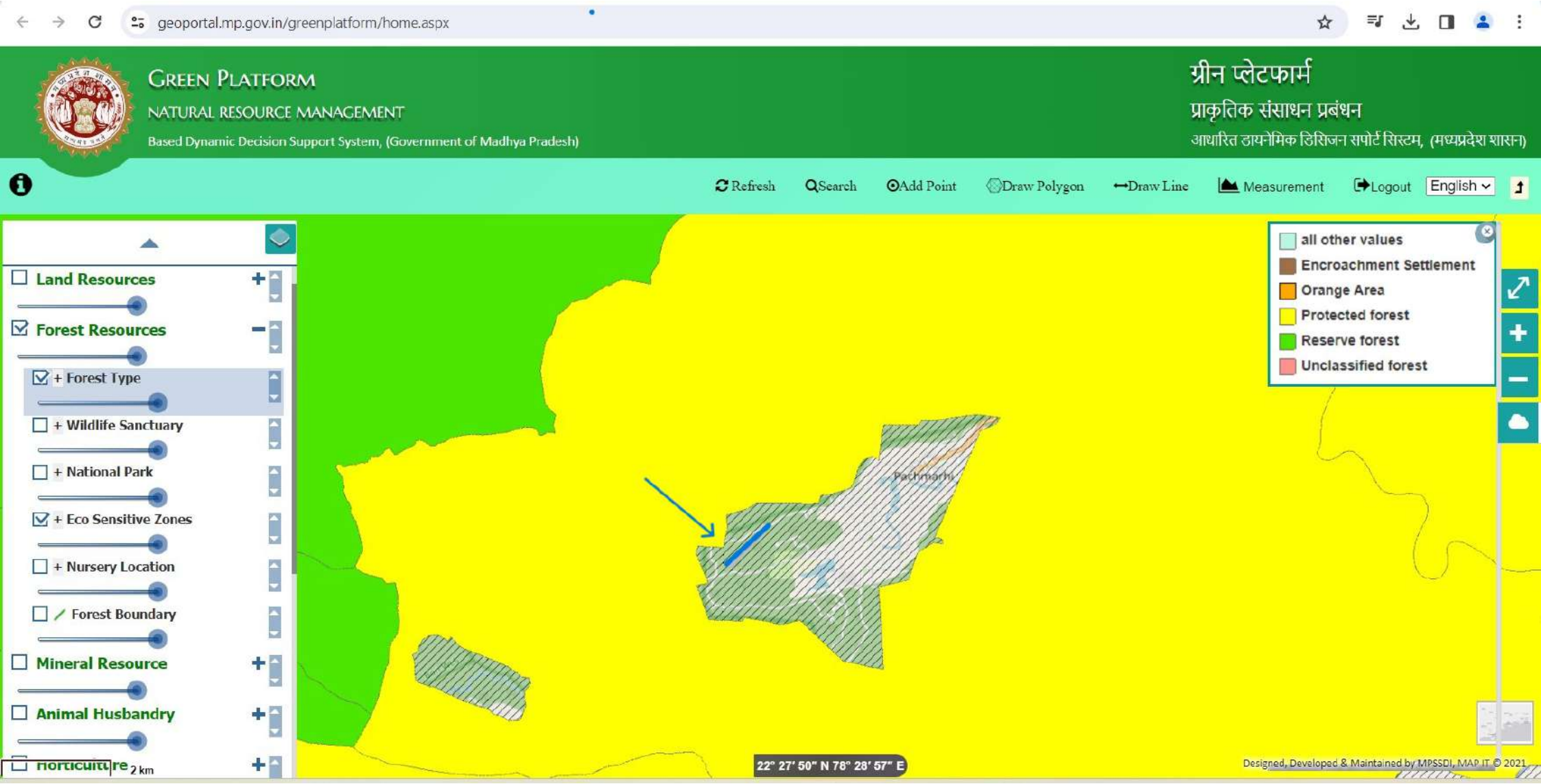
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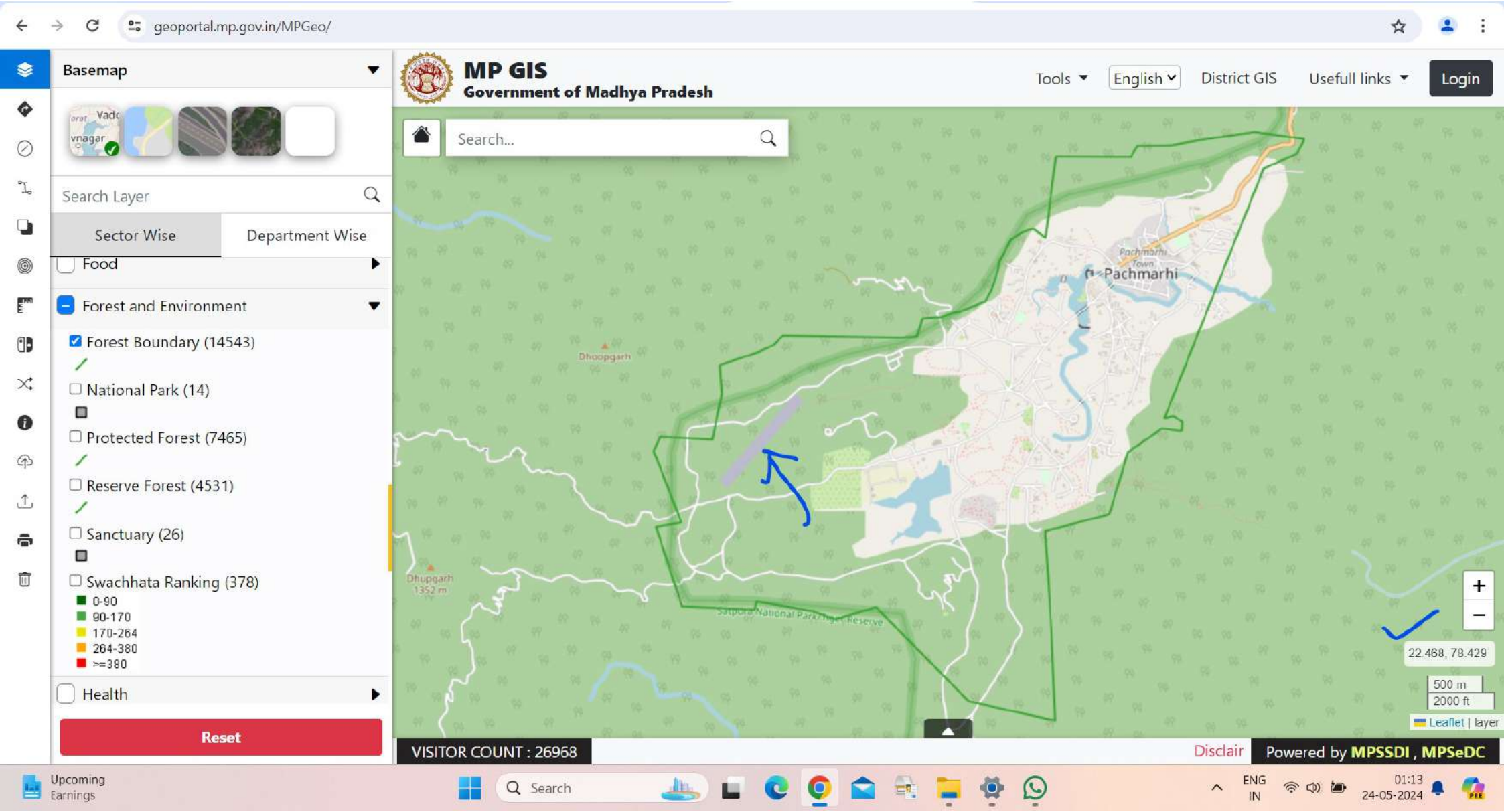


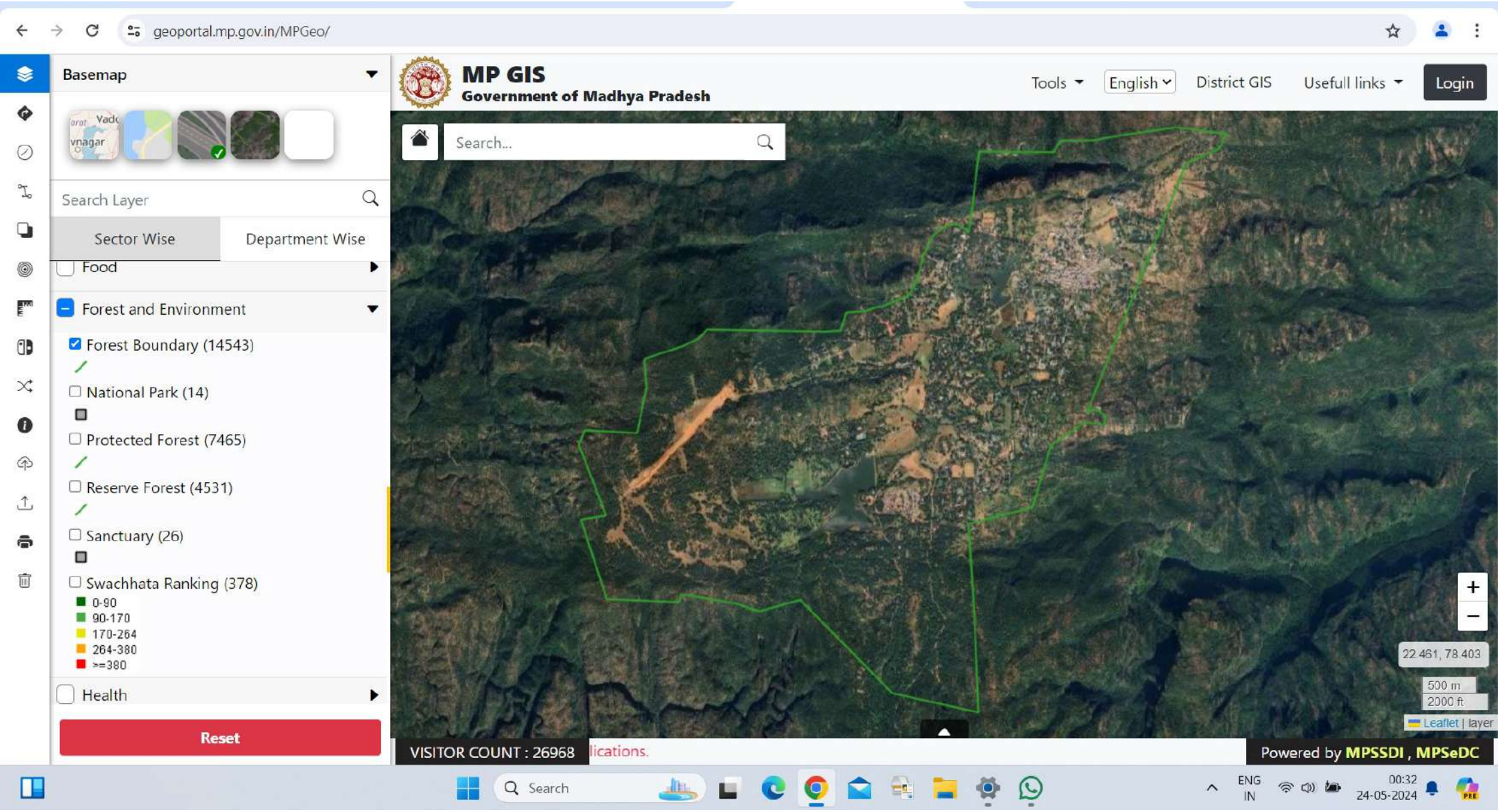

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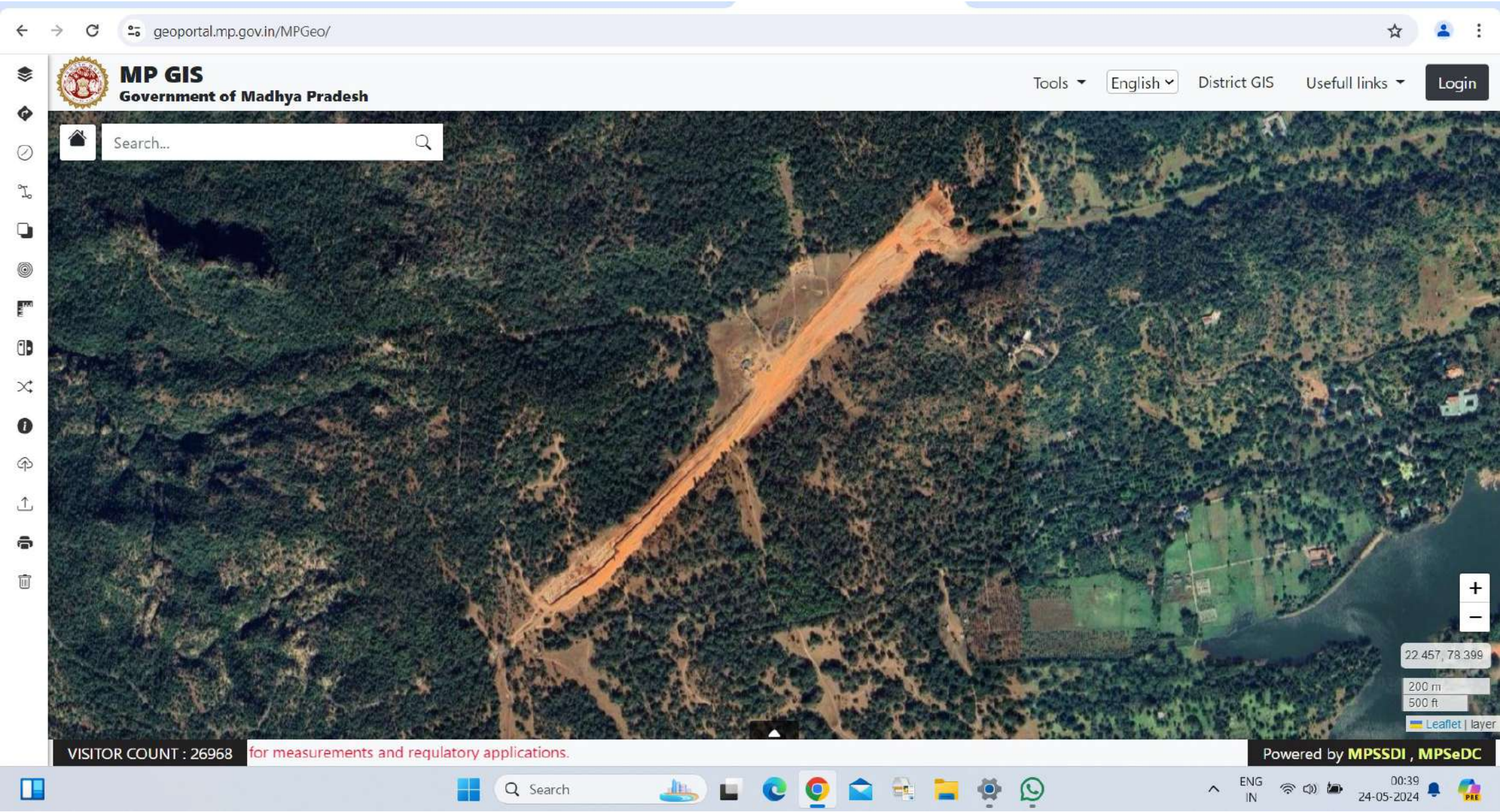

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Pachmarhi WLS/Tiger Reserve
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Designed, Developed & Maintained by MPSSDI, MAP IT © 2021

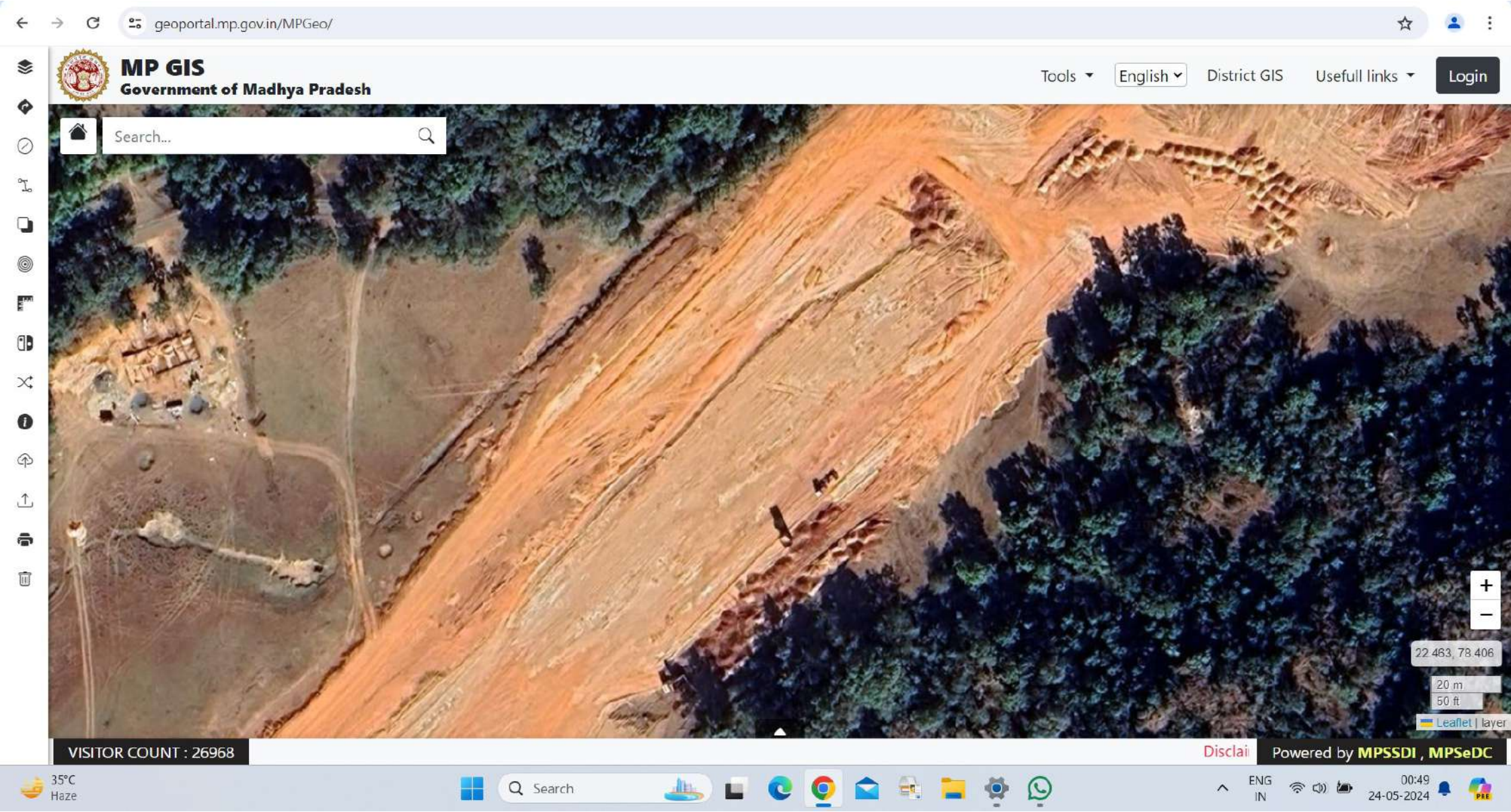

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Satpura National Park/Tiger Reserve
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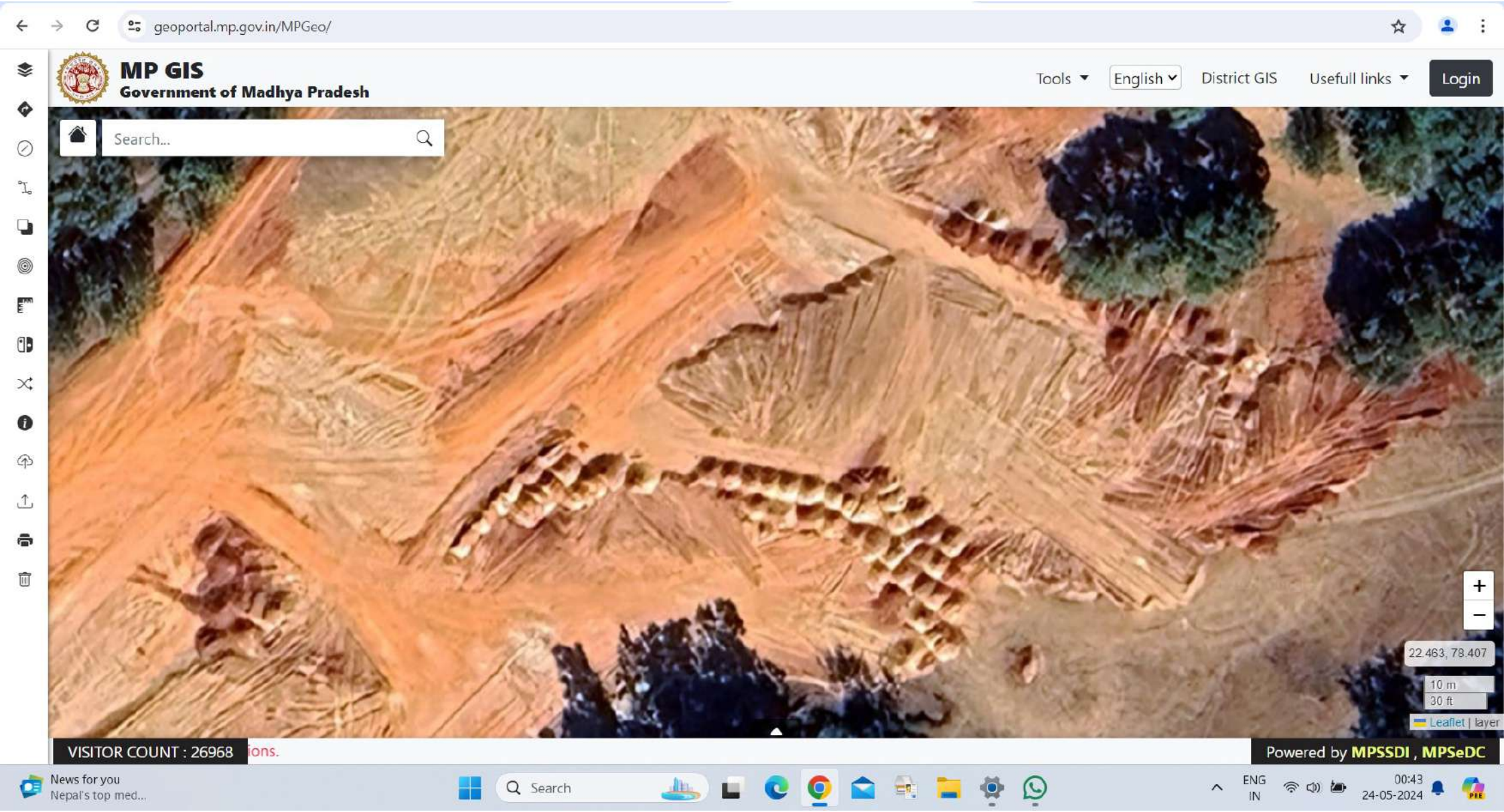

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+ National Park
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+ Nursery Location
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Mineral Resource
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Encroachment Settlement
Orange Area
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Reserve forest
Unclassified forest
Pachmarhi
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Designed, Developed & Maintained by MPSSDI, MAP IT © 2021

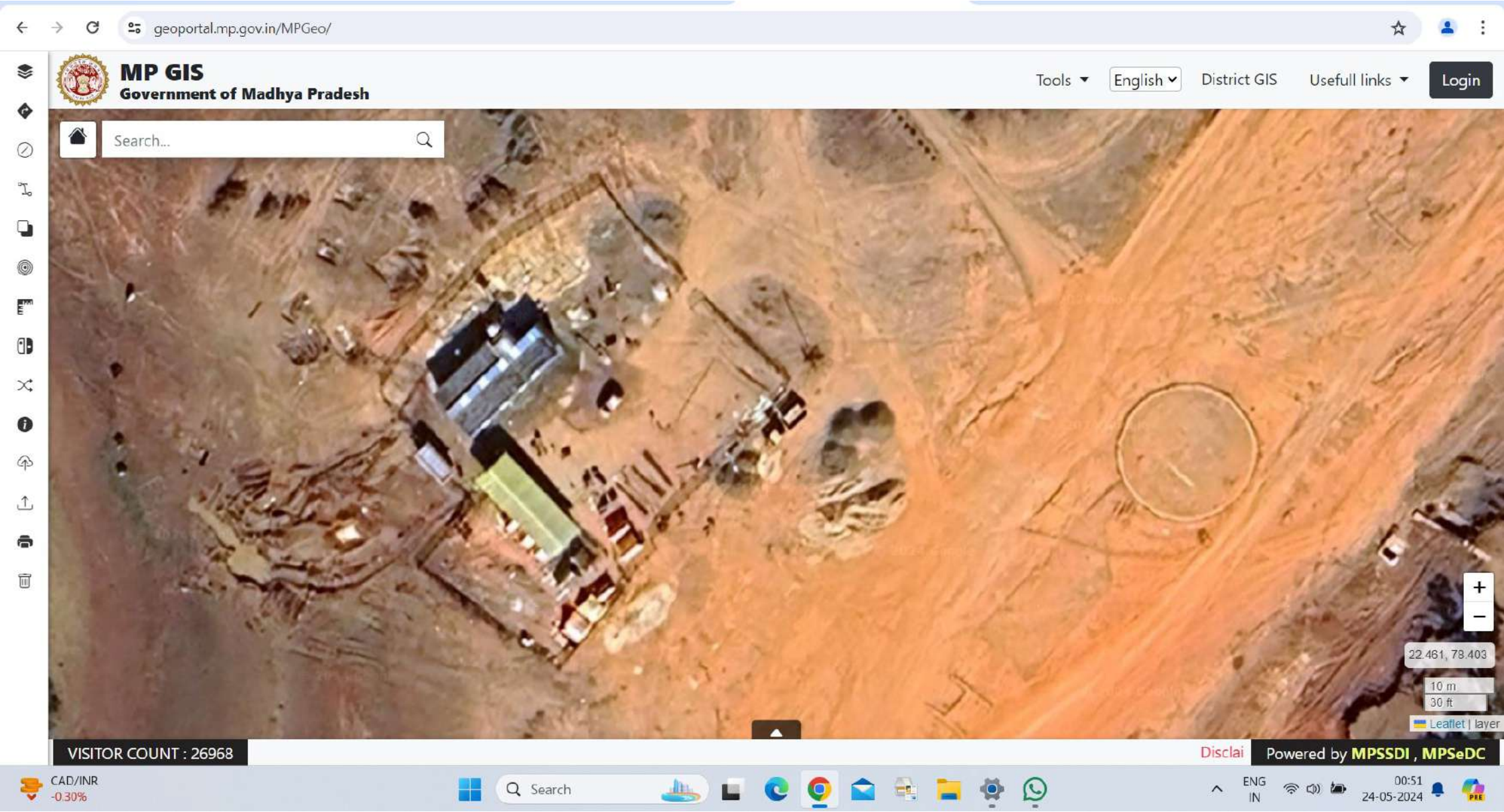

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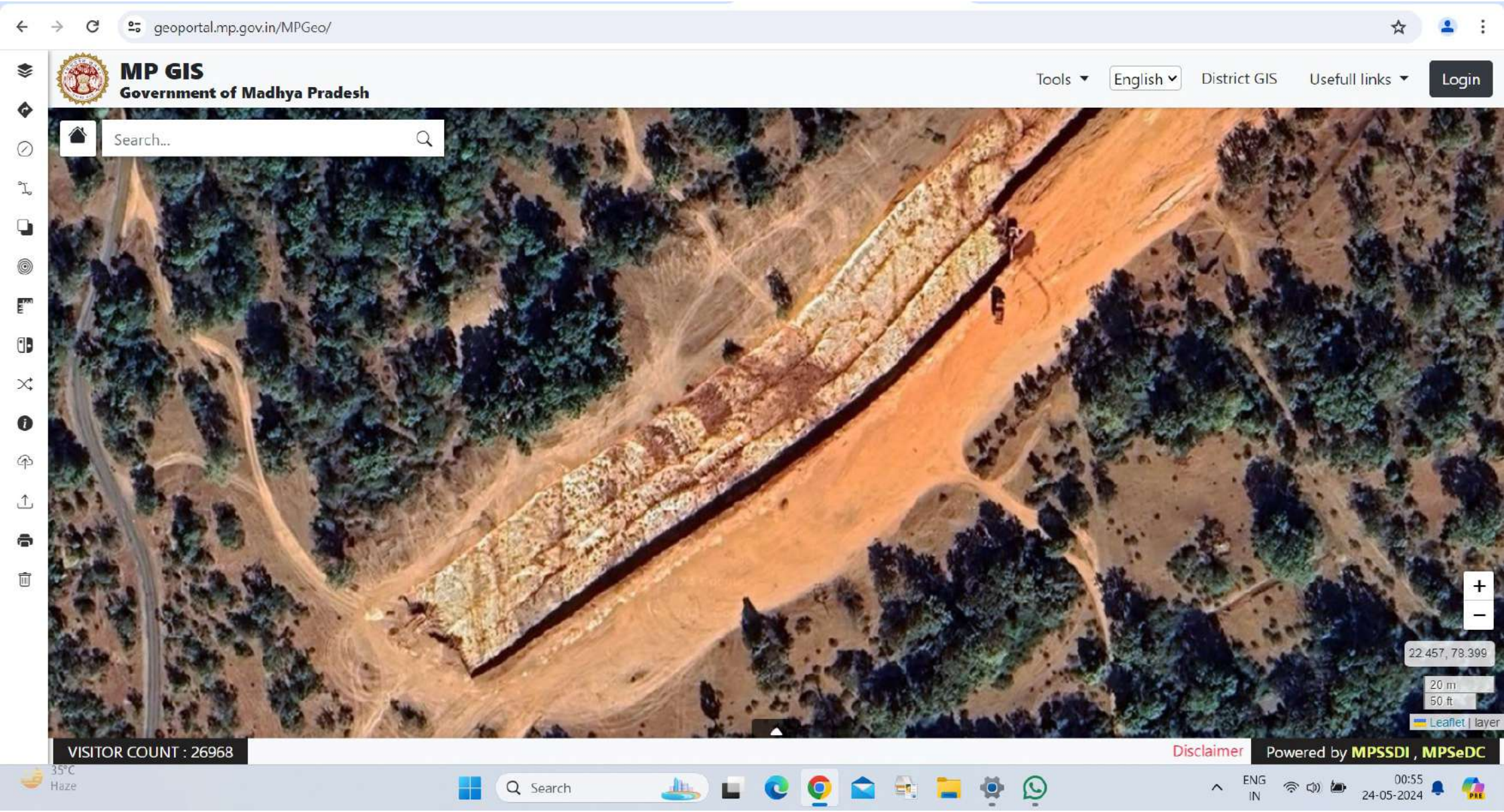

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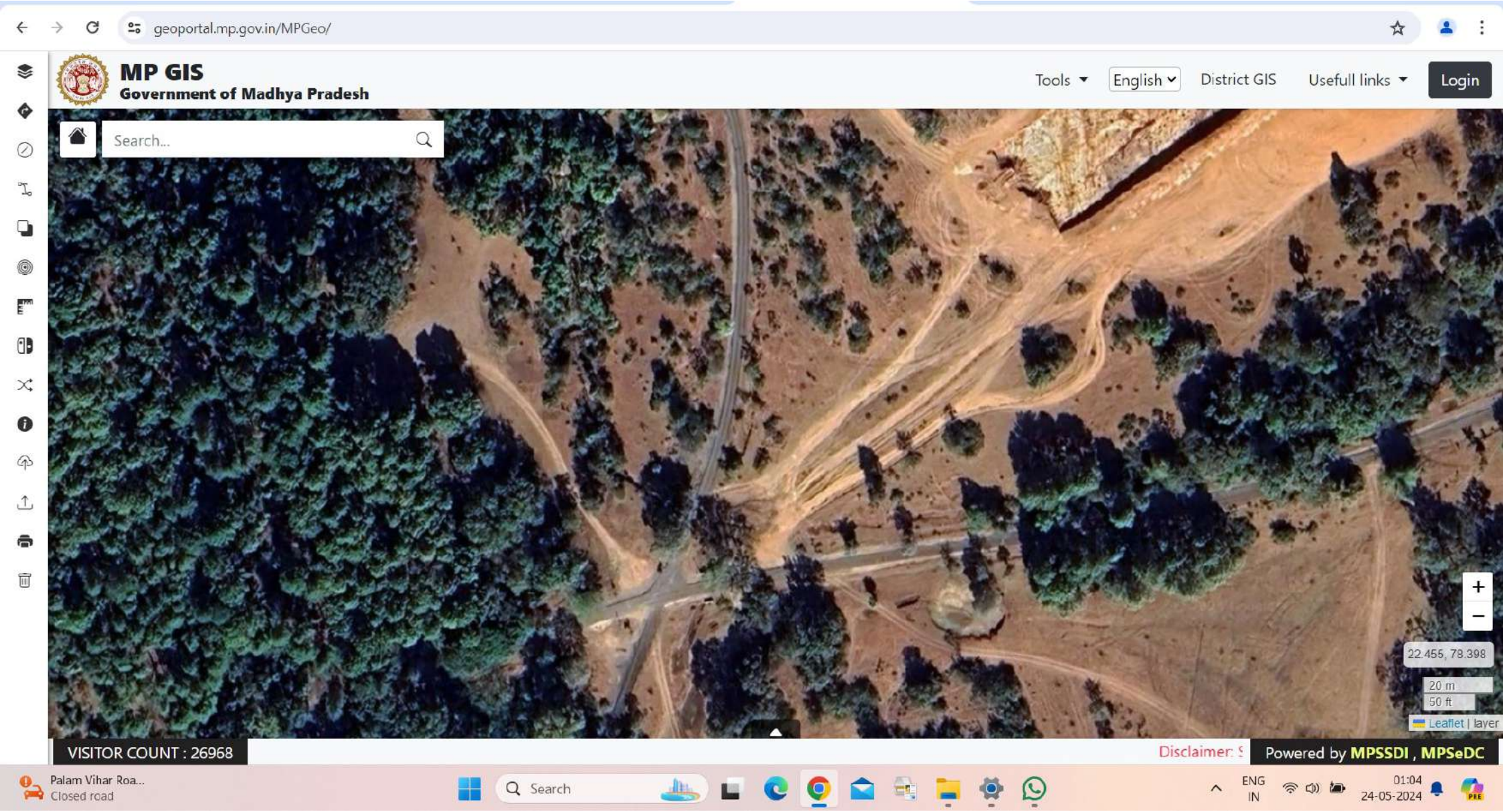

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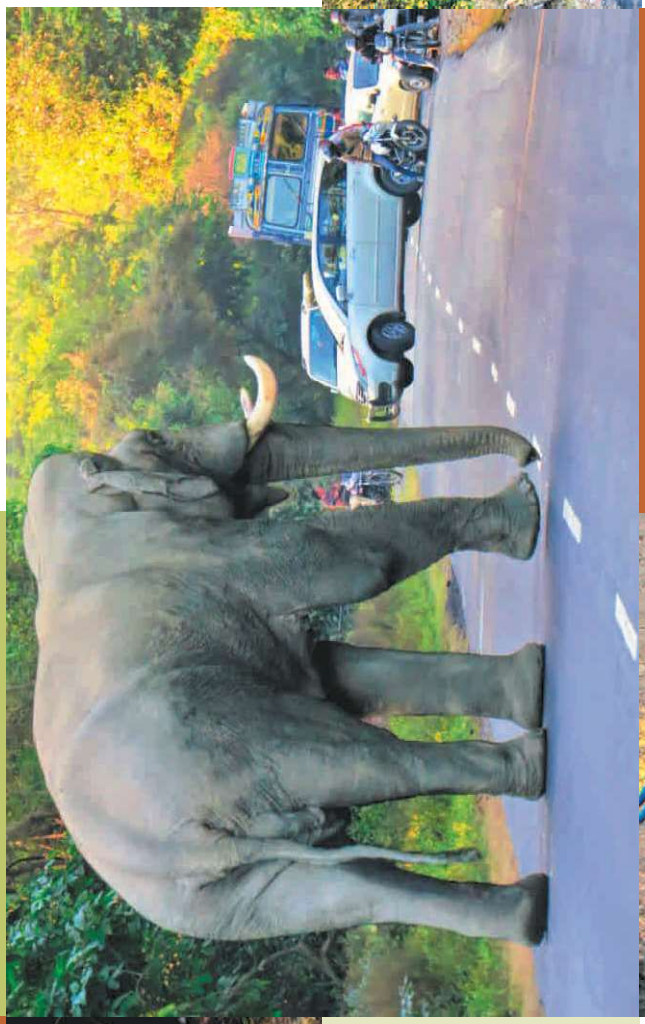

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Palam Vihar Roa...
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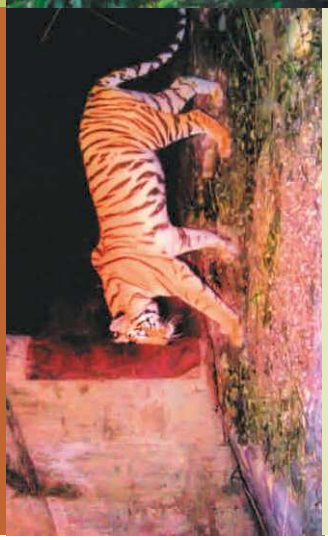




ANNEXURE-78







भारतीय वन्यजीव संस्थान
Wildlife Institute of India

Box.3.1. Categorisation of development projects as per EIA Notification, 2006, and subsequent amendments.

Category A projects:	Category B1 projects	Category B2 projects
Environmental Clearance (EC) would be granted by the MoEFCC at central level through an Expert Appraisal Committee (EAC) constituted by the MoEFCC in case of the following road projects: • New national highways, and • Expansion of national highways greater than 100 km, involving additional right of way or land acquisition greater than 40 m on existing alignment and 60 m on re-alignments or bypasses.	The State Environmental Impact Assessment Authority (SEIAA) constituted by MoEFCC at state level would grant EC to the following projects. • All new state highway projects; and • State highway expansion projects in hilly terrain (above 1000 m AMSL) and/or ecologically sensitive areas State-level Expert Appraisal Committee (SEACs) would be involved in appraising EIAs.	These projects are not listed in either A or B1 categories. They do not require an EIA: they are appraised based on the application in Form-I accompanied by a pre-feasibility report and other documents. Powerline projects and roads in border areas fall in this category.

General conditions to be applied to all category of projects

1. If the proposed projects within categories B1 and B2 are to be located within close proximity of/or within the 10 km boundary of the sensitive areas (Box 3.2), critically polluted areas and/or culturally significant sites, then they are assigned to Category A

Box.3.2. Categories defining sensitive sites

- Environmentally sensitive areas
- Religious and historic places
- Archaeological monuments/sites
- Scenic areas
- Hill resorts/mountains/hills
- Beach resorts
- Health resorts
- Coastal areas rich in corals, mangroves, breeding grounds of specific species
- Estuaries rich in mangroves, breeding grounds of specific species
- Gulf areas
- Biosphere reserves
- National parks and wildlife sanctuaries
- Natural lakes, swamps, marshes, seismic zones, tribal settlements
- Critical habitats important for threatened, rare, or restricted range species
- Areas of scientific and geological interest
- Defence installations, especially those of security importance and sensitive to pollution
- Border areas (international) and inter-state boundaries
- Airports
- Tiger reserves, elephant reserves, turtle nesting grounds
- Habitats of migratory birds
- Lakes, reservoirs and dams
- Streams, rivers, estuary, seas
- Railway lines
- Highways
- Urban agglomeration

2. The requirement regarding distance of 5 km of the state boundaries can be reduced or completely done away through an agreement between the respective states/union territories sharing the common boundary in case the activity does not fall within 10 km of the other areas specified in Box 3.2.
3. All highway projects included as Category 'A' in the Schedule I of the EIA Notification, 2006 and its subsequent amendments require prior environmental clearance from the Central Government in the Ministry of Environment, Forest and Climate Change (MoEFCC) on the recommendations of an Expert Appraisal Committee (EAC) constituted by the Central Government;
4. All highway projects included as Category 'B' in the above Schedule which fulfill the General Conditions (GC) stipulated in the Schedule, require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA bases its decision on the recommendations of a state or UT level Expert Appraisal Committee (SEAC).

In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project.

COASTAL REGULATION ZONE NOTIFICATION, 2011

This notification establishes a specific procedure for obtaining clearance for the various permitted development activities in coastal areas. As per provisions of this notification, roads and pipelines passing through Coastal Regulation Zones (CRZ) require clearance from their respective Coastal Zone Management Authority (CZMA) at the State level, and the National Coastal Zone Management Authority (NCZMA). For activities requiring clearance, the notification requires the proponents to submit, *inter alia*, the following documents:

i. Detailed information regarding the physical location, nature, and environmental impacts of the activity in a comprehensive Environmental Impact Assessment (EIA).

ii. Disaster and risk assessment as well as a management plan.

iii. CRZ map that indicates all CRZ-I, II, III and IV, and other notified ecologically sensitive areas.

iv. 'No Objection Certificate' from the concerned State Pollution Control Board.

WILDLIFE (PROTECTION) ACT, 1972

As per the WPA 1972, for any activity (including linear projects) proposed within a protected area (national park, wildlife sanctuary) consultation with National Board for Wildlife (NBWL)/State Board for Wildlife (SBWL) is required before the State Govt. accords approval. The SC (Standing Committee) of the NBWL performs this task for NBWL. As per orders of the Hon'ble Supreme Court of India, all cases within wildlife sanctuaries also need to be referred to SC-NBWL, though the Act provides for consultation with SBWL.

Cases of such activities, if any, proposed within tiger reserves are also needed to be referred to NBWL (SC-NBWL) through NTCA for approval under different sections (Box 3.3 and Figure 3.1) of WPA 1972.

Cases referred to SC-NBWL in other regulatory mechanisms like EC (Environmental Clearance) cases located within 10 km of a national park/wildlife sanctuary are also placed before SC-NBWL in the same manner.





Box 3.3. Functions of NTCA as defined under relevant sections of the Wildlife (Protection) Act, 1972, for regulating developments in tiger conservation zones.

Section 38 (O) (1) (b)

- evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves.

Section 30 (O) (1) (g)

- ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wildlife and on the advice of the National Tiger Conservation Authority;

Section 38 V (3)

- The State Government shall prepare a Tiger Conservation Plan including staff development and deployment plan for the proper management of each area referred to in sub-section (1), so as to ensure ecologically compatible land uses in the tiger reserves and areas linking one protected area or tiger reserve with another for addressing the livelihood concerns of local people, so as to provide dispersal habitats and corridor for spill-over population of wild animals from the designated core areas of tiger reserves or from tiger breeding habitats within other protected areas.

Section 38 (O) (2)

- The National Tiger Conservation Authority may, in the exercise of its powers and performance of its functions under this Chapter, issue directions in writing to any person, officer or authority for the protection of tiger or tiger reserves and such person, officer or authority shall be bound to comply with the directions.

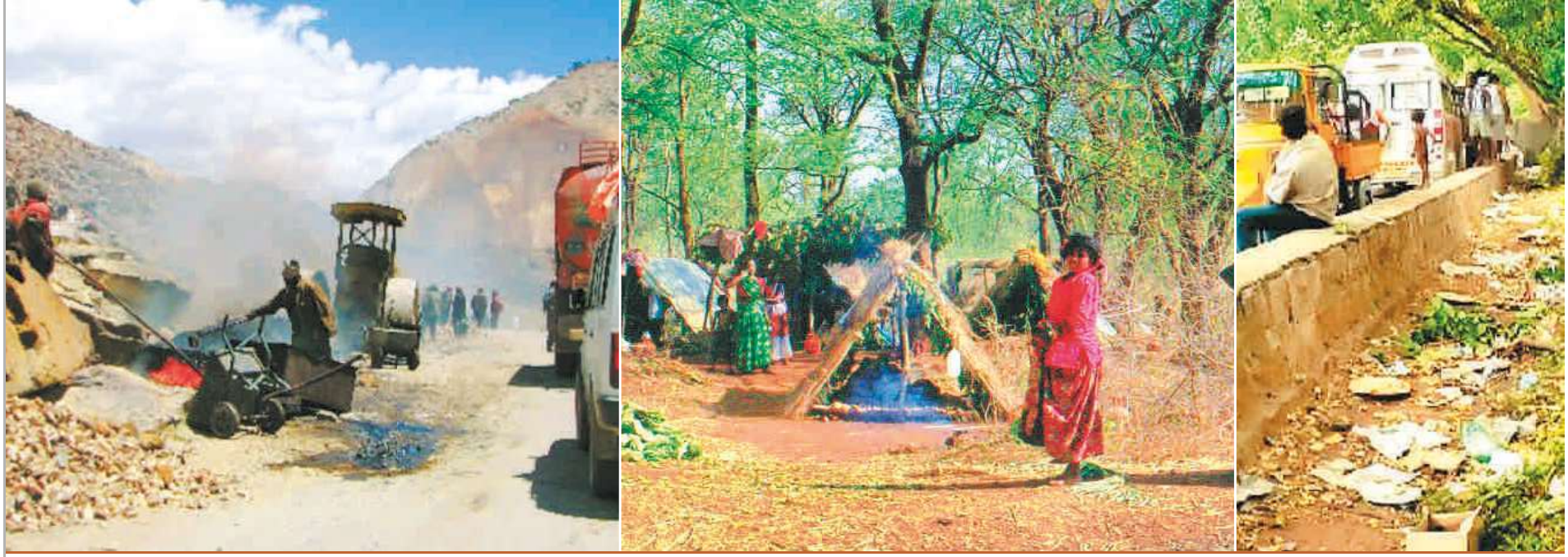
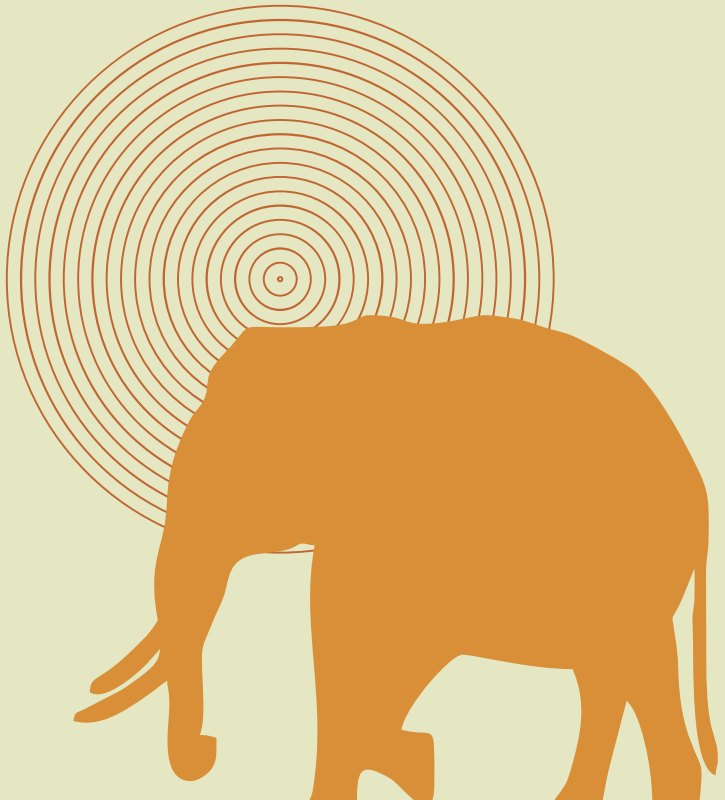


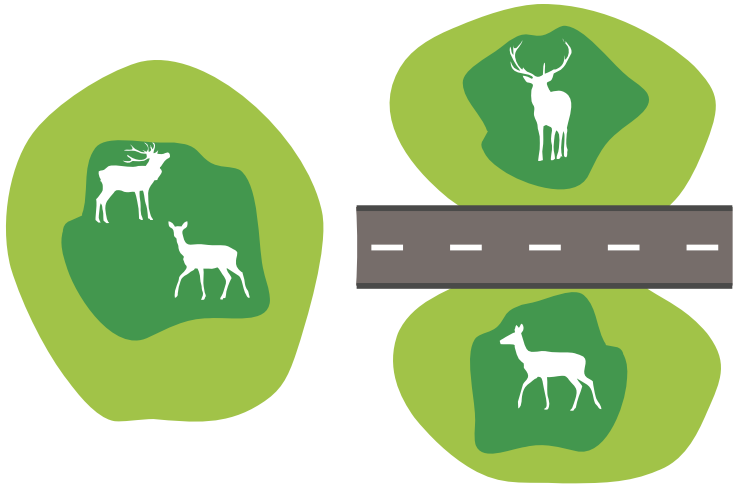
Figure 4.2. Degradation of roadside habitat during construction and operation of a road.
Source: *Photographs by T R Shankar Raman & Asha Rajvanshi.*

Noise-induced physiological and behavioural changes

The impact of noise on wild animals is a contentious issue: Berthoud (2003) reported that, in general, wild animals seem to adapt well to the frequent passing of trains. Hanson (2008) refers to the debate between the sceptics on the one hand, who hold that habituation to transportation noise is common among wild animals, and the environmentalists on the other hand, who insist that loud noise interferes with the communication systems of wild animals, brings out a 'flight or fight' response, and interferes with the behaviour of both predator and prey. He points out that research has been inconclusive regarding effects on wild animals from transportation noise sources. According to Parris (2015), if the noise is loud enough and present for long it can have serious and significant impacts.



But the fact remains that a large number of wild animals rely heavily on auditory signals for their sustenance, defence and reproduction. The precautionary principle suggests that all artificial sources of noise in a natural ecosystem should be minimized.



Habitat loss and fragmentation

Roads and railway lines dissect contiguous habitat patches, resulting in smaller patch sizes and higher edge-to-interior ratios, making them increasingly vulnerable to outside disturbance. The fragmentation of habitat into spatially isolated parts is a major cause of the decline of biodiversity; e.g. habitat loss and fragmentation of amphibian populations worldwide has led to a substantial decline in their numbers during the last century (Stuart et al. 2004).

Habitat fragmentation has become a global issue associated with most linear forms of infrastructure development, including road and rail. The fragmentation process initiates a shrinking in available habitat, which in turn leads to a progressive reduction in species diversity in the landscape, with consequent isolation of species (Figures 4.3 and 4.4). The contraction in available habitat together with isolation becomes the most important impact (Harris 1984).

Figure 4.3. Habitat fragmentation results in far greater reduction in area of available habitat for species in bisected patches.
Source: *Rajvanshi et al. 2013.*





Figure 4.4. Fragmentation of forests by rail and road infrastructure.
Source: *Photographs by A. Pragatheesh and Akanksha Saxena.*

Impacts of headlight glare on wildlife

Artificial lights may contribute to disturbance of wildlife near roads (Seiler 2001). It may disorient birds (Poot et al. 2008), disturb breeding and foraging behaviour in birds (Hill 1992), repel spiders and beetles (Mader 1988; Mader et al. 1990), and influence the behaviour of nocturnal frogs (Buchanan 1993). It is also thought that a flash of artificial light causes an animal to become temporarily blind, popularly called the 'deer-in-the-headlights' effect, reducing its chances of avoiding collisions with vehicles (Rich & Longcore 2006).

Headlight glare can interfere with the flights of birds and bats. It can disrupt homing behaviour and mating calls (croaking) of amphibians in wetland habitats, and influence navigational ability and decline in population of reptiles (Beier 2006; Perry & Fisher 2006). For migrating and dispersing animals, highway lights can be disorienting. Beier (1995) found that dispersing pumas avoided highways while looking for new habitats and travelled only when they could see clearly the land beyond the highways.

However, the singular impacts of headlight are of marginal importance unless they contribute to the mortality and barrier effects, multiplying the overall impact (Seiler 2001).

All new developments should use the latest management technologies so that continued growth and expansion leads to no increase in the impact of light pollution (Salmon 2003).



11

MEASURES FOR NOISE ATTENUATION



INTRODUCTION

Wild animals rely on sound for effective navigation, intra- and inter-specific communication, avoiding danger and finding food for survival. Excessive noise caused by engines and emission of exhaust, aerodynamic sources, tyre/pavement interactions and movement of trains have multiple effects on ecosystems. Roads and traffic alter the physical and acoustic environment of species and ecological communities, both during construction and when a road is open to traffic. While the construction-related noise produced during earthworks, pile driving and road surfacing is usually of limited duration, the traffic-induced noise persists over time.

Noise may interfere with the acoustic signals that are used by various species for navigation, maintaining or establishing contact with members of a family or larger social group. Signals convey many types of message, including distress or danger, the presence of food, and extent of territory (Fletcher & Busnel 1978). Noise may harm not only individual species, but it may also alter species' relationships, as in the case of song birds that depend on acoustics for defending territories, attracting mates, begging for food (by fledglings in a nest), and alarm calling (Slabbekoorn & Halfwerk 2009). Noise pollution is one of many factors contributing to the depletion of wildlife populations. Limited studies in India indicate a lower abundance and variability of birds in forests affected by air and noise pollution than in non-polluted forest in the same bio-geographic zone (Saha & Padhy 2011).

Laboratory experiments and field studies have suggested that wildlife are adversely impacted by noise pollution in the following four ways:

- **Hearing loss, resulting from noise levels of 85 decibels dB(A) or greater.**
- **'Masking', which is the inability to hear important environmental cues and animal signals because of other background noise (Warren et al. 2006).**
- **Non-auditory physiological effects, such as increased heart rate and respiration, and general stress reaction (Francis et.al. 2009).**
- **Behavioural effects, which vary greatly between species and according to the characteristics of the noise, resulting in, for example, abandonment of territory and failed reproduction (Barber et.al. 2009).**

Although the generally accepted definition of 'excessive noise' is an increase of 10 dB(A) or greater, the sensitivity of different groups of wildlife varies. According to the US Department of Transportation, Federal Highway Administration (https://www.fhwa.dot.gov/), they can be summarised as:

- Mammals: < 10 Hz to 150 kHz ; sensitivity to -20 dB(A).
- Birds (more uniform than mammals): 100 Hz to 8-10 kHz; sensitivity at 0-10 dB(A).
- Reptiles (poorer than birds): 50 Hz to 2 kHz; sensitivity at 40-50 dB(A).
- Amphibians: 100 Hz to 2 kHz; sensitivity from 10-60 dB(A).

The Government of India, through the Noise Pollution Regulation and Control Rules (2000), prescribes ambient air quality standards. It directs State Governments to categorise areas into 'industrial', 'commercial', 'residential' or 'silence' areas or zones for the purpose of implementing noise standards for different areas (Table 11.1).

Table 11.1. Ambient Air Quality Standards in respect of noise.

Area code	Category of area zone	Limits in dB(A) Leq*	
		Day time	Night time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence zone	50	40

Source: *(ref: S.O.123(E), [14/2/2000] - Noise Pollution (Regulation and Control) Rules, 2000; website : http://www.moef.nic.in/noise_pollution).*

Note :

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. 'Silence zone' is an area comprising not less than 100 m around hospitals, educational institutions, courts, religious places or any other area which is declared as such by the competent authority.
4. Mixed categories of areas may be declared as one of the four abovementioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human being.

A "decibel" is a unit in which noise is measured.

"A" in dB(A) Leq. denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: is an energy mean of the noise level over a specific period.