

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

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New Delhi-110003

F.No.6-74/2012 WL (pt)
Dated: 10th April 2015

To

1. The Principal Secretary (Forests)
All states/UTs
2. The Chief Wildlife Warden,
All States/UTs
3. The PCCF,
All States/UTs

Sub: Online Integration of Wildlife Clearance with Forest and Environmental Clearances.

Sir/Madam,

Kindly refer to this Ministry's letter dated 24th March 2015 on the above mentioned subject. *Guidelines for seeking recommendations of Standing Committee of National Board for Wildlife for activities in protected areas* have been revised accordingly. The portal for wildlife clearance is available at: <http://efclearance.nic.in>.

In this connection, there is a requirement of timely updating of the details of the Chief Wildlife Warden and Wildlife Wardens of the states.

It has been decided that as the State Nodal Officer for Forest Conservation is already vested with the authorization to update the information of officers of the states, those of wildlife wing at different levels including the Chief Wildlife Warden also be updated by the nodal officer in the online system as and when the need arises.

Yours faithfully,

R. Rajasekhar
10/04/2015

(Rajasekhar Ratti)

Scientist 'C'/Deputy Director (WL)

GUIDELINES FOR SEEKING RECOMMENDATIONS OF STANDING
COMMITTEE OF NATIONAL BOARD FOR WILDLIFE FOR
ACTIVITIES IN PROTECTED AREAS

1. General Policy

National Parks and Wildlife Sanctuaries are notified as a part of the forest management as dedicated areas for harbouring the representative biodiversity of a place and for providing reproductive surplus to the forests providing harvest based sustainable utilization. Therefore such protected areas are extremely important for conservation of biodiversity, and for ensuring the survival of its floral and faunal components, not only for the present but also for future. However, the rising human population and their growing demands for socio economic development have placed tremendous stress on forests including such areas both directly and indirectly. Keeping in view the fact that a balance has to be struck between development and conservation, any activity involving use or diversion of any part of a notified protected area may be considered only under most exceptional circumstances, taking mainly into account inevitability, its impending impact on the management of the Protected Area, and feasibility of mitigation thereof without compromising the objective thereof. Additionally, such activities to be taken up in the identified wildlife habitats also need to be governed by the orders of Hon'ble Supreme Court as well as the statutory requirements as provided in the Wild Life (Protection) Act, 1972.

2. Activities inside Protected Areas

The process of consideration of any proposal for use of areas inside the protected areas, as a mandatory requirement under the present statutes, involves consideration and recommendation of the National Board of Wild Life. However, as the Standing Committee of National Board for Wildlife has been delegated the powers of the National Board for Wildlife, such cases are to be referred to the Standing Committee of National Board for Wildlife for consideration and recommendation. Such provisions of law, where such reference is warranted are described below:

2.1 Wildlife Sanctuaries:

Section 29 of WLPA provides for consultation with the State Board for Wild Life before any decision is taken by the state government for permitting any activity within a WLS.

Presently, in view of the directions dated 9th May 2002 of Hon'ble Supreme Court in Writ Petition (Civil) No. 337/1995, all such proposals also require recommendation of the Standing Committee of National Board for Wildlife, before seeking its approval for such activities.

2.2 National Parks:

Section 35 (6) provides for consultation with the National Board for any such activity within a National Park.

2.3 Other Provisions

Section 33 (a) provides for prior approval of the National Board for any construction of commercial tourist lodges, hotels, zoos and safari parks inside a sanctuary . This proviso is also applicable on National Parks in Section 35 (8).

Section 26 A (3) provides for recommendation of the National Board for alteration of boundary of a sanctuary. Section 35(5) provides for similar recommendation for alteration of boundary of a National Park.

2.3 Activities inside a Tiger Reserve:

The PAs constituting a Tiger Reserve attract all the provisions applicable for National Parks or Sanctuaries. Section 38-O (g) and 38W provide for approval of NBWL for activities within and in areas linking protected areas or tiger reserves, alteration of boundaries or denotification of Tiger Reserves.

2.4 Activities inside Conservation Reserves:

The Ministry of Law and Justice has opined that activities to be taken up inside a Conservation Reserve can also be dealt with in the Standing Committee of NBWL. Therefore, the procedure indicated under para 3 below needs to be followed for planning and executing any activity inside Conservation Reserve also.

3. PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE:

3.1 The User Agency/Project Proponent is required to file the application online as provided in the User Manual of Online Submission and Monitoring of Environmental, Forests and Wild Life Clearance – a Single Window Clearance System, attached herewith. (User manual has been uploaded on the website. <http://www.moef.nic.in/division/orders-and-releases>)

3.2 The user agency can apply for forest, wild life and environmental clearances on the single portal.

3.3 The user agency can also track the movement of the proposal through different stages of processing through the online clearance system.

3.4 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.

[Note: Hon'ble Supreme Court vide their order dated 13.11.2000 had directed that there shall be no dereservation/denotification of National Parks and Sanctuaries pending further orders. Therefore, to take up any such activity, approval from Hon'ble Court is mandatory at present.]

4. 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/Wildlife Warden	i. Initial scrutiny in 5 days of receipt of the proposal
		ii. 30 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 Wildlife Warden

2	Chief Wildlife Warden	20 days from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wildlife.
3	Consultation with State Board for Wildlife and recommendation of State Government	The activity involves decision of the State Government, consultation with State Board for Wildlife 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 Wildlife. Therefore, this stage may take up to 90 days (3 months), as the State Board for Wildlife is chaired by Hon'ble Chief Minister.
4	Ministry of Environment, Forest and Climate Change	i. Initial scrutiny in 5 days of receipt of the proposal
		ii. 30 days after receipt of complete proposal for Standing Committee of National Board for Wildlife.
5	Consultation with Standing Committee of National Board for Wildlife	Meetings of Standing Committee of National Board for Wildlife are ordinarily convened once in 3 months.

5. PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:

In case any kind of 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 3 above would need to be followed.

5. ACTIVITIES REFERRED BY OTHER AGENCIES

There may be cases where chairperson of NBWL or Standing Committee of NBWL or Honourable Supreme Court of India or any other statutory agency may desire examination of any proposal by the NBWL or its Standing Committee. In such cases the agenda will be proposed in accordance with the scope of reference made to the Standing Committee, which can be submitted direct to the Member Secretary, National Board for Wild Life, Ministry of Environment, Forests and Climate Change.
