

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

STARRED QUESTION NO:416

ANSWERED ON:06.08.2014

DECLARATION OF ECO SENSITIVE ZONES AROUND NATIONAL PARKS SANCTUARIES

Choudhary Col. (Retd) Sona Ram;Roy Prof. Saugata

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether the Union Government has issued guidelines to the States for declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries and if so, the details thereof including the details of activities that have been prohibited in such zones;

(b) the names of the States which have constructed Eco-Sensitive Zones including the names of such National Parks and Wildlife Sanctuaries;

(c) whether the National Green Tribunal has banned construction activity within a specified radius of National Parks, Sanctuaries including the Okhla Bird Sanctuary and if so, the details thereof along with the steps taken by the Government in this regard;

(d) whether the Government proposes to provide relief to the people living around National Parks and Sanctuaries including the Desert National Park in Rajasthan and if so, the details thereof; and

(e) the action taken/being taken by the Government for compliance of its suggestions/directives by all the States?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO 416 REGARDING 'DECLARATION OF ECO-SENSITIVE ZONES AROUND NATIONAL PARKS/SANCTUARIES' BY PROF. SAUGATA ROY AND COL. SONARAM CHAUDHARY DUE FOR REPLY ON 06.08.2014.

(a) The Ministry of Environment and Forests had, vide Office Memorandum No. 1-9/2007 WL (pt) dated 9th February 2011, issued 'Guidelines for declaration of Eco-Sensitive Zone around National Parks and Sanctuaries'.

The guidelines have been issued in pursuance of the decision taken by the National Board for Wildlife on 17th March 2005 as well as the directions of Hon'ble Supreme Court dated 4th December 2006 in Writ Petition (Civil) No. 460/2004. The important features of the said guidelines include:

- i. Extent of eco-sensitive zone
- ii. Need for declaration of Eco-Sensitive Zones around National Parks and Sanctuaries;
- iii. Procedure to be adopted for identification of Eco-Sensitive Zones;

The guidelines do not prescribe any activities to be prohibited. However, an indicative list of activities that could be considered for prohibition/regulation/permission, as provided in the guidelines, is given at Annexure-1.

(b) The Ministry of Environment, Forests and Climate Change issues notification for declaration of Eco-Sensitive Zones based on the proposals received from the States after due process of consultation and scrutiny. The details of final notifications issued by the Ministry of Environment, Forests and Climate Change for declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries, after compliance of the process, are given at Annexure-2.

(c) The National Green Tribunal has not specifically prohibited construction activities within specified radius of National Parks and Sanctuaries. However, the National Green Tribunal has vide their order dated 28.10.2013 in Application No. 158/2013 in Amit Kumar V/s Union of India & Ors., directed that "...all the building constructions made within 10 km radius of the Okhla Bird Sanctuary or within distance of eco-sensitive zone as may be prescribed by the Notification issued by the MoEF shall be subject to the decision of the NBWL and till the time the clearance of NBWL is obtained, the authority concerned shall not issue completion certificates to the projects".

The requirement of clearance of National Board for Wildlife for the building projects within 10 km of the Okhla Bird Sanctuary is based on the direction of Hon'ble Supreme Court dated 4th December 2006 in Writ Petition 460/2004 for referring to NBWL all cases where

Environmental Clearance (EC) had already been granted for activities within 10 km zone.

No proposal for building construction within 10 kms of Okhla Sanctuary has been received for consideration of the Standing Committee of NBWL. The Standing Committee of NBWL is in place for considering such proposals. The next meeting of the Standing Committee of NBWL has been fixed for 12th August 2014.

(d) The basis of declaration of Eco-Sensitive Zone around National Parks and Sanctuaries, including that of Desert National Park, Rajasthan, flows from the decision of the National Board for Wildlife on 17th March 2005 that "Delineation of Eco-Sensitive Zones would have to be site specific and relate to regulation, rather than prohibition of specific activities. State Governments will have to be consulted in this regard and concurrence obtained. This being an area of potential conflict with local communities, no enhancement of area should be done arbitrarily".

The guidelines issued by the Ministry for declaration of eco-sensitive zone, also envisages a committee comprising of an ecologist, a representative of Local Self Government and an official of the Revenue Department to look into the issues at the local level before suggesting areas to be demarcated as eco-sensitive zones. The process of notification also involves seeking comments from the public and thereafter consideration by a multi disciplinary Expert Committee.

(e) The following are the important actions taken by the Government for declaration of eco sensitive zones around National Parks and Sanctuaries:

(i) In pursuance of the decision of the National Board for Wildlife taken in its meeting held on 17th March 2005, the State Governments were requested vide letter dated 27th May 2005 to submit site specific proposals. Thereafter, the matter was further pursued with the State Governments in the light of direction of Hon'ble Supreme Court in Writ Petition (Civil) No. 460/2004.

(ii) The Ministry of Environment and Forests vide letter dated 11th December 2012, had again requested the States/Union Territory Governments to submit site specific proposals.

(iii) In response, so far 416 proposals for declaration of eco-sensitive zones around National Parks and Sanctuaries have been received in the Ministry.

(iv) The Ministry has convened regular meetings with the representatives of the State Governments to remove shortcomings in the proposals, obtain requisite additional information and expedite processing of proposals for notification of eco-sensitive zones.