

**F.No. J-11013/41/2006-IA-II(I)(part)**  
Government of India  
Ministry of Environment, Forests and Climate Change  
IA Division

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Indira Paryavaran Bhawan,  
Jor Bagh Raod, Aliganj,  
New Delhi-110 003

Dated the 20<sup>th</sup> August, 2014

**OFFICE MEMORANDUM**

**Subject: Consideration of development projects located within 10 km of National Park and Sanctuaries seeking environmental clearance under EIA Notification, 2006 – clarification regarding.**

This Ministry vide Circular No.L-11011/7/2004-IA.II(I) (Part) dated 27.02.2007 and Office Memorandum(OM) No.J-11013/41/2006-IA.II(I) dated 02.12.2009 clarified procedure for consideration of developmental projects located within 10 km of Protected Areas (PAs), i.e., National Parks and Wild-life Sanctuaries and also involving wild-life habitat, for grant of environmental clearance (EC) under EIA Notification, 2006. The aforesaid Circular / OM were *inter-alia* issued pursuant to Supreme Court Order dated 04.12.2006 in W.P.(C) No.460 of 2004. It is noted that the last line of the aforesaid Circular dated 27.02.2007 states that "... shall be accorded environmental clearance subject to their Project Proponents obtaining clearance under the Wildlife (Protection) Act, 1972; a condition to this effect being stipulated explicitly in the clearance letter". The phrase, "obtaining clearance under the Wildlife (Protection) Act, 1972", in the Circular may be read as "prior clearance from the Standing Committee of the National Board for Wild-life".

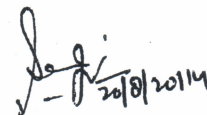
2. Over a period of time, this Ministry has notified a number of Eco Sensitive Zones (ESZs) around PAs. Many of development activities are prohibited / regulated in these ESZs as per the notifications issued for their constitution. It may be noted that, for regulated activities requiring prior ECs within such ESZs prior clearance of the Standing Committee of NBWL will be required in view of aforesaid Supreme Court Order dated 04.12.2006, the only difference being that the distance of 10 km gets substituted by the boundary limits of such ESZs.

3. With a view to facilitating early decision making by the Standing Committee of NBWL in respect of development projects requiring prior WC and located within 10 km of PAs / within the ESZs around PAs, the following procedure has been decided:-



- (i) While prescribing TORs for such projects requiring prior EC, henceforth, additional TORs as per Annexure shall be mandatorily incorporated in the TORs.
- (ii) Copies of TORs issued to such projects shall be endorsed to the Wildlife Division of the Ministry.
- (iii) After examining a proposal for EC, the concerned EAC would make appropriate recommendations and in case it recommends the proposal for EC, it would forward the case along with detailed information obtained from the Project Proponent on issues as brought out in the Annexure, to the Wildlife Division who would get the matter placed before the Standing Committee of NBWL for obtaining their recommendations on the proposal. In the meetings of Standing Committee of NBWL wherein such proposals will be considered, the Standing Committee may invite the Chief Wildlife Warden of the concerned State to give views on the proposal in the meeting.
- (iv) The Wildlife Division may thereafter record the recommendations of the Standing Committee of NBWL on the proposal and return the case to the IA Division for further processing and obtaining approval of the Competent Authority on the issue of grant of EC to the project.

5. This issues with the approval of the competent authority.

  
20/8/2014

**(Dr. Satish C. Garkoti)**  
**Director**

Enc. Annexure

**Copy to:**

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs
6. IGF(WL), MoEF&CC

**Copy for information:**

1. JS(AT)
2. PS to MOS(Independent Charge)
2. PPS to Secretary (E&F)
3. PPS to AS (SS)
4. Website, MoEF
5. Guard File

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in all  
10/14*



**Annexure**

**Form for providing information for consideration of Standing Committee of NBWL**

1. Name and area (ha.) of national park/sanctuary involved
2. Type of forest in which the proposed area falls.
3. Conservation value/critical wildlife habitats in the PA.
4. Prevalent land use categories within 10km distance/ ESZ around the PA.
5. Is any project of similar nature already located within 10km of the PA boundary/ ESZ around the PA? If so, please give the following details separately for each project.

Name of Project

Distance from PA

Size (Capacity/output in appropriate units)

Impact if any on the conservation status of PA perceived

6. Provide your assessment of the likely POSITIVE AND NEGATIVE impact/s of the proposed project giving scientific and technical justification for each impact.
7. Whether the project applicant has ever committed violation of the Wild Life (Protection) Act, 1972 or Forest Conservation Act, 1980 in the past. If yes, provide the details of the offences and the present status of each case.
8. Have you examined the Project Appraisal document and the alternatives as provided in EC application form?



9. Any information that would like to bring to the notice of the National Board for Wildlife or its Standing Committee that may be relevant and assist in decision making.
  
10. Do you recommend the project?  
(please provide full justification to support your recommendation)
  
11. Conditions, if any, to be ensured in the interest of protection and conservation of the PA for according EC to the project?

Chief Wildlife Warden

