

F. No 1-27/2014-WL
Government of India
Ministry of Environment, Forests and Climate Change
(Wildlife Division)

Indira Paryavaran Bhawan
Jorbagh Road,
New Delhi-110003
Dated 25th September, 2014

OFFICE MEMORANDUM

Subject: - Guidelines for declaration of Eco-Sensitive Zones around National Parks and Sanctuaries –further clarification reg.

The policy of notification of Eco-Sensitive Zone (ESZ) around National Parks and Wildlife Sanctuaries has been pursued in accordance with the recommendations of the National Board for Wild Life in its meeting held on 17th March 2005. It has been observed that the proposals received from the states require some alignment with the spirit of the recommendations, often resulting in protracted deliberations and correspondence.

2. For further clarity, a copy of the relevant portion of the National Wildlife Action Plan 2002-2016 is enclosed at **Annexure-I**, which indicates the scope of ESZ with reference to a Protected Area. This has also been quoted in the guidelines dated 9th February 2011 issued from this Ministry. A copy of the recommendations of NBWL, along with the proposal of Ministry of Environment, Forests and Climate Change given in the agenda note for the meeting, which describes the justification and criteria to be used for identification of the areas for ESZ proposals, is also enclosed at **Annexure-II**.

3. It needs to be appreciated that as the notification is to be issued by the MoEF&CC based on the concurrence of the State Governments, the basis of identification of an area for declaration as ESZ should be available in the proposal apart from the activities to be regulated/ prohibited and mechanism for enforcement of the regulatory decisions.

4. As the basis of identification is primarily conservation of specific habitats/ corridors extending beyond the Protected Areas, role of the Wildlife Warden of the respective Protected Area in the proposed governance mechanism should also be provided so that appropriate technical decision support is available to the regulatory body from the wildlife warden of the related Protected Areas.

5. Proposal for notification of the powers, if any required to be conferred to the forest administration for enforcement of the regulations and for booking cases for violation of the provisions of the notification, may be included.

6. The guidelines issued from this Ministry vide F No. 1-9/2007 WL-1 (pt) dated 9th February 2011 stand modified to this extent.

7. States are, accordingly, advised to ensure that the proposals of ESZ around Protected Areas are in accordance with the NBWL decision dated 17th March, 2005 and submit to MoEF&CC with all the required documents as communicated from time to time to avoid prolonged correspondence.

8. States are also requested to communicate to this Ministry, an updated list of all PAs, along with the PAs for which no or ZERO ESZ will be required in light of the prescriptions of NWAP 2002 and the criteria agreed by NBWL in the meeting dated 17th March, 2005.

9. Meanwhile, the proposals already received in the Ministry from the State Governments are being processed for notification. Changes, if any in the proposals already processed in MoEF&CC, if not sent prior to the publication of the draft notification, can be proposed for consideration at preliminary notification stage as per time limit prescribed in the draft notification so that the same can be considered by the Expert Committee and incorporated in the final notification on merit.



(M.L. Srivastava,
Deputy Inspector General of Forests (WL)
Tele:- 011-2469 5355

Enclosures: Annexure-I & II

1. The Principal Secretary, Environment & Forests Department, All States/UT Govt.
2. The Principal Chief Conservator of Forests, All States/UT Govt.
3. The Chief Wildlife Warden, All States/UT Govt.
4. NIC cell for uploading on web site of MoEF&CC.

National Wildlife Action Plan (2002-2016)



THE SURVIVAL OF MAN IS DEPENDENT ON THE
SURVIVAL OF ANIMAL AND PLANT LIFE



Ministry of Environment and Forests, Government of India

CONTENTS

Preamble	5
Policy Imperatives	7
Strategy For Action	9
The Plan	
I. <i>Strengthening and Enhancing the Protected Area Network</i>	10
II. <i>Effective Management of Protected Areas</i>	12
III. <i>Conservation of Wild and Endangered Species and their Habitats</i>	15
IV. <i>Restoration of Degraded Habitats Outside Protected Areas</i>	18
V. <i>Control of Poaching, Taxidermy and Illegal Trade in Wild Animal and Plant Species</i>	19
VI. <i>Monitoring and Research</i>	22
VII. <i>Human Resource Development and Personnel Planning</i>	24
VIII. <i>Ensuring Peoples' Participation in Wildlife Conservation</i>	28
IX. <i>Conservation Awareness and Education</i>	33
X. <i>Wildlife Tourism</i>	35
XI. <i>Domestic Legislation and International Conventions</i>	38
XII. <i>Enhancing Financial Allocation for Ensuring Sustained Fund Flow to the Wildlife Sector</i>	42
XIII. <i>Integration of National Wildlife Action Plan with Other Sectoral Programmes</i>	44

Released by the Prime Minister of India on January 21, 2002 at the XXI Meeting of the Indian Board for Wildlife.

<p>NWAP : National Wildlife Action Plan</p> <p>PAs : Protected Areas</p> <p>NP : National Park / National Parks</p> <p>S : Sanctuaries</p> <p>WII : Wildlife Institute of India</p> <p>MoEF : Ministry of Environment & Forests</p> <p>UT : Union Territories</p> <p>NGOs : Non Government Organisations</p> <p>SWOT : Strengths, Weaknesses, Opportunities, Threats</p> <p>HWWAs : Honorary Wildlife Wardens</p> <p>BNHS : Bombay Natural History Society</p> <p>SACON : Salim Ali Centre for Ornithology and Nature</p> <p>IUCN : International Union for Conservation of Nature & Natural Resources</p> <p>ZSI : Zoological Survey of India</p> <p>BSI : Botanical Survey of India</p> <p>CZA : Central Zoo Authority</p> <p>GOI : Government of India</p>	<p>CITES : Convention on International Trade in Endangered Species of Wild Fauna and Flora</p> <p>IPRs : Intellectual Property Rights</p> <p>IISC : Indian Institute of Social Sciences</p> <p>FSI : Forest Survey of India</p> <p>IFS : Indian Forest Service</p> <p>GIS : Geographical Information System</p> <p>EIA : Environment Impact Assessment</p> <p>SFS : State Forest Service</p> <p>IGNFA : Indira Gandhi National Forests Academy</p> <p>IFM : Indian Institute of Forest Management</p> <p>IIS : Tata Institute of Social Sciences</p> <p>NCERT : National Council of Education, Research & Training</p> <p>CEE : Centre for Environment Education</p> <p>HRD : Human Resource Development</p> <p>CRZ : Coastal Regulation Zone</p> <p>WLPA : Wildlife Protection Act</p> <p>ICFRE : Indian Council of Forests Research & Education</p>
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(Cover) Panthera tigris, focus of Project Tiger, one of India's most ambitious conservation projects. (Photo: Viraj Sibal/Sanctuary)

(Facing page) Malabar gliding frog. The term wildlife encompasses all undomesticated flora and fauna. (Photo: Ashok Chavan/Sanctuary)



1 IATION OF WILD AND ENDANGERED SPECIES AND THEIR HABITATS

Wildlife Conservation

The aim of the NWAP is to conserve *in situ* all taxa of flora and fauna along with the full range of ecosystems they inhabit. The ecological requirements for the survival of threatened, rare and endangered species, together with their community associations of flora and fauna, must be ensured.

The isolation of animal species due to fragmentation of habitats reduces relict populations to unviable levels, leading to local extinction. For highly endangered species like the Great Indian Bustard, Bengal Florican, Asiatic Lion, Wild Buffalo, Dugong, the Manipur Brow Antlered Deer and the like, alternative homes are imperative. Where *in situ* conservation efforts are unlikely to succeed, *ex situ* captive breeding and rehabilitation measures may be necessary, in tandem with the preparation of their wild habitats to receive back captive populations, specially in respect of lesser-known species where status and distribution of wild animals are not fully known.

Alteration of genetic purity of certain wild species through inbreeding with domesticated, feral counterparts is yet another grave impending threat, seriously jeopardising genetic purity of species like the Wild Buffalo, Wild Pig and Jungle Fowl. It must be ensured that natural phenomena involving *inter alia* pollination, breeding, feeding, movements and migrations are not hampered but assisted.

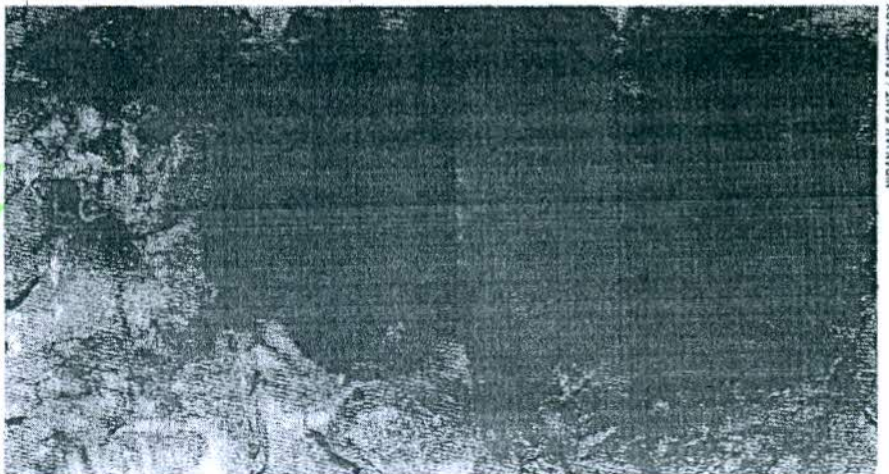
Action suggested

1. To identify all endangered species of flora and fauna, study their needs and survey their environs and habitats to establish the current level of security and the nature of threats. Conduct periodic reviews of flora and fauna species status, and correlate the same with the IUCN Red Data List every three years.
2. Invest special care and resources to protect habitats that harbour highly endangered species especially those having single population and a high degree of endemism.
3. Initiate action to prevent the "genetic swamping" of wild species.
4. To undertake a programme of *ex situ* captive breeding and rehabilitation in the wild for critically endangered species in accordance with IUCN guidelines, after developing requisite techniques and capabilities in this regard.
5. To publish flora and fauna species status papers periodically, which should be translated into local languages.
6. To declare identified areas around Protected Areas and corridors as ecologically fragile under the Environment (Protection) Act, 1986, wherever necessary.

11 Initiate a time-bound plan to identify and conduct status surveys of all endangered species covering all groups of rare and threatened species of

The isolation of animal species due to fragmentation of habitats reduces relict populations to unviable levels, leading to local extinction.

The Wroughton's free tailed bat survives only in the Barapete caves in Karnataka.



NIRANJAN BASTI / SANCTUARY

Introduction of genetic purity of certain wild species through inbreeding with domesticated, feral counterparts is yet another grave threat.

flora and fauna. Provide protection to the environs and habitats of all rare and threatened species of flora and fauna under PAs.

Timing: To start in 2002 and complete by the year 2009.

Responsibility: MoEF and Scientific Institutions.

1.2 Identify for each threatened species the key threats to survival and develop an action plan to deal with the problems. Due priority to be given to conservation of less charismatic species of both flora and fauna, especially about which little information exists.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, State Governments, IIT, Scientific Institutions and NGOs.

1.3 Review and update flora and fauna species status every three years to correlate with the IUCN Red Data List.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, ZSI and BSI.

2.1 Creation of a new Centrally Sponsored Scheme for assisting the State Governments in protection of wildlife and its habitat outside Protected Areas.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, State Governments and NGOs.

2.2 Identify suitable alternative homes for single isolated populations of species such as Jerdon's Courser, Asiatic Lion, Manipur Deer, Wroughton's Free Tailed Bat and the like, and manage the same as Protected Areas effectively.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, State Governments, Scientific Institutions and NGOs.

2.3 Special schemes for the welfare of local people outside PAs to be taken up on priority basis where critically endangered species are found. These Centrally Sponsored Schemes will be for helping the local people to get better access to health, education and alternate ways to meet their everyday livelihood needs.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, State Governments and NGOs.

3.1 Take immediate steps for preventing the entry of domestic and feral species that may lead to genetic swamping. Safeguards have to be taken to prevent wild populations of such species from straying out of their habitats.

Timing: To start in 2003 and ongoing.

Responsibility: MoEF, State Governments and NGOs.

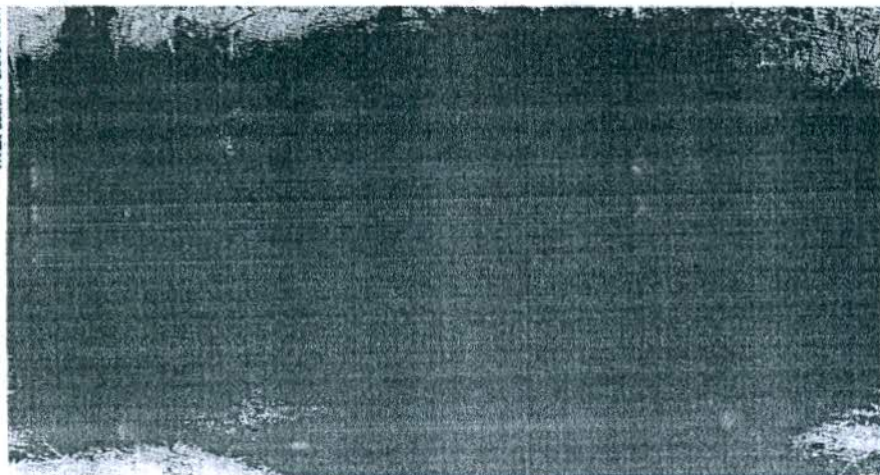
3.2 Genetically pure populations to be safeguarded from future genetic contamination and where genetic swamping has occurred, to phase out such swamping.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF and scientific institutions.

3.3 Take preventive action against the introduction of related species which may cause interbreeding among taxa

Finding an alternative home for the Asiatic lion is vital for its survival.



VIVEK BIRHA / SANCTUARY

12

and hybridisation. Further introductions of floral and faunal species exotic to the locality must not be permitted in Protected Areas, nor in areas from where they are likely to invade protected areas.

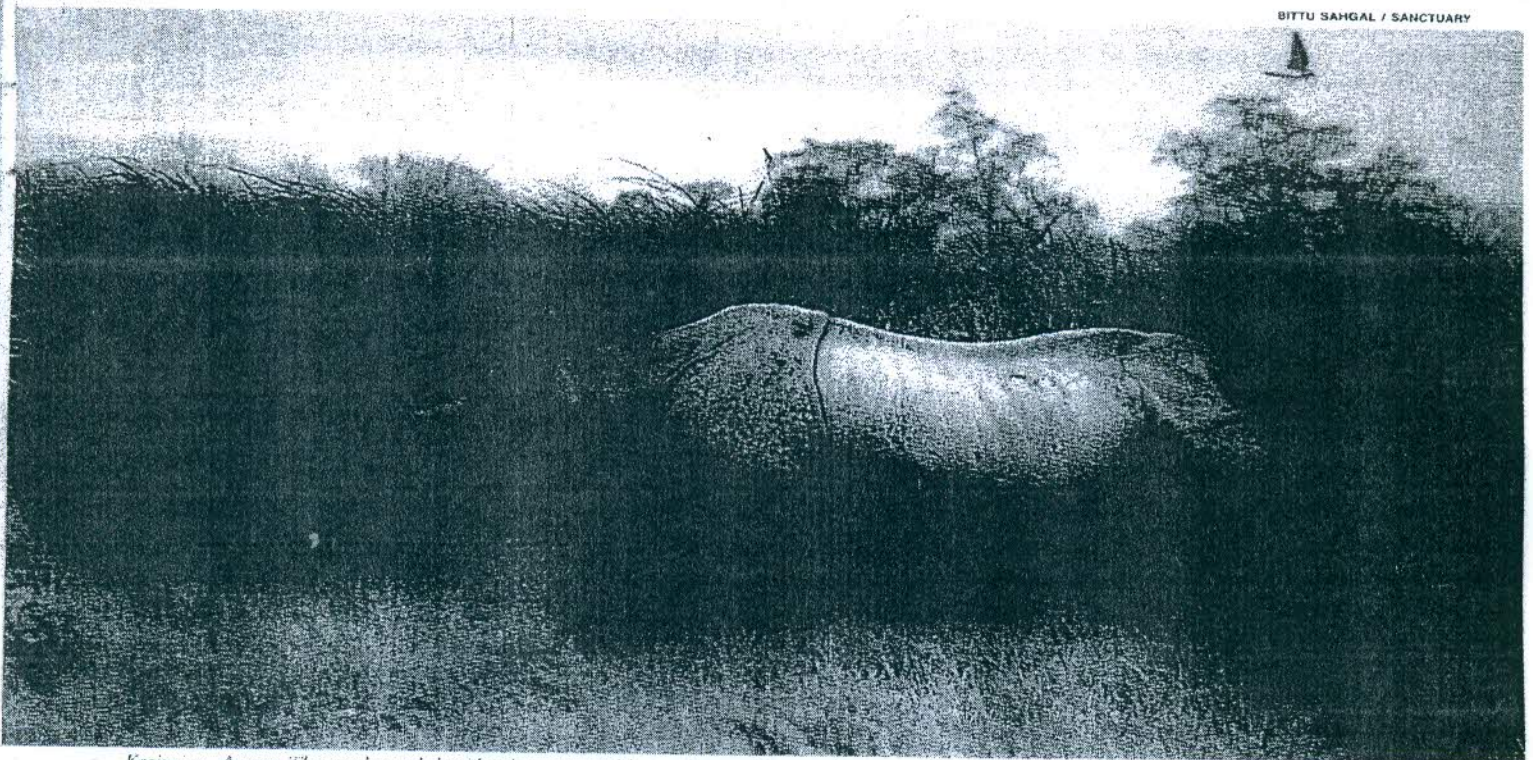
Timing: To start in 2003 and ongoing.

Responsibility: MoEF, State Governments, Scientific Institutions and NGOs.

4.1 Develop capabilities for planned breeding and reintroduction of captive bred populations of identified endangered species in accordance with IUCN guidelines.

Timing: To start in 2003 and ongoing.

Responsibility: CZA, State Governments and Scientific Institutions.



Kaziranga, Assam: The one-horned rhino has been targeted by poachers and insurrectionists.

4.2 Develop the technical expertise for capture, translocation, rehabilitation of species at 10 selected sites.

Timing: To start in 2002 and complete by the year 2007.

Responsibility: WII, State Governments and Scientific Institutions.

5.1 Publications of species status papers periodically covering all rare, endangered and vulnerable species of flora and fauna. Translation of these papers in relevant local languages will also be done.

Timing: To start in 2002 and ongoing.

Responsibility: MoEF, BSI, ZSI and Scientific Institutions.

5.2 All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act, 1986.

Timing: To complete by the year 2003.

Responsibility: MoEF.

Annexure 2

Agenda

AGENDA ITEM NO - 6

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Eco-Fragile/ Eco-Sensitive Zones around National Parks and Wild Life Sanctuaries.

BACKGROUND:

The National Wild Life Action Plan (2002-2016) was adopted by the Indian Board for Wild Life in its XXIst meeting held on 21st January 2004. The Plan inter-alia requires identification of ecologically fragile areas and Wild life corridors around Protected Areas and their notification as Eco-fragile zones under the Environment (Protection) Act, 1986. The Wild Life Conservation Strategy-2002, adopted during the same meeting further stipulates that "Lands falling within 10 Km 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 5 (viii) & (x) of the Environment (Protection) Rules."

The Member-Secretary of the IBWL thereafter requested the State Governments to list out such areas and furnish detailed proposals for their notification as Eco-sensitive areas under the Environment (Protection) Act, 1986. However, many States/Departments raised concern over the 10 Kms range limits stating that:

1. In Himalayan states, most of the human habitations and other areas would come under the purview of eco-sensitive zone and will adversely affect the development.
2. The Highway development project of the Ministry of Transport would be severely hampered.
3. The eco-sensitive zones in the state of Rajasthan should be notified within a range of 0-10 Kms depending upon the requirements and practical implementability, as the uniform application of 10 Kms would hit the number of existing towns including Jaipur, Bharatpur, Sawai Madhopur, Kota, Udaipur, etc.
4. The Chief Minister of Goa requested for dispensing with the limit of 10 Kms in view of the fact that such a decision might impede the socio-economic development in the State.

Two court cases have been filed before in the states of Goa and Maharashtra against the State Governments for not notifying the 10 Kms areas as eco-fragile zones under the Environment (Protection) Act, 1986.

MINISTRY'S COMMENTS

The very fact, that ministry has notified a number of Ecologically Sensitive Areas in the country and a high level committee has been set up for this purpose, reflects the deep and abiding concern of the Government for environmental conservation. India has been a pioneer in the area of integrating the needs of development and the commitment to environment protection. Considering the fact that sustainable development has been a key feature of the development strategy of the nation, a balance has to be struck between the protection of ecologically sensitive areas and the needs of local, regional and national development. It is, therefore, important that only elements of critical ecological importance that do not unduly impinge on the process of development and efforts at eradication of poverty are taken into account to avoid excessive rigid interpretation leading to enhanced conflict between wild life authorities and the

(26)

local communities. It is equally important to consider that the areas around national parks and sanctuaries notified as ESA do not become a subject matter of litigation to the detriment of conservation of biodiversity.

The term Ecological Sensitivity or Fragility should take into account the following two factors viz.,

- 1 Permanent and irreparable loss of extant life forms; and / or
- 2 Significant damage to ecological processes affecting natural evolution or speciation,

The essence of the above interpretation is that the loss of biodiversity needs to be measured not only in terms of existing stock, but also in terms of potential that must be conserved for posterity. This responsibility has to be shared by all sections of society. However, the nuances of ecological sensitivity are such that excessive rigidity on this count could defeat the very purpose of striking the balance between preservation of our ecological endowments and the needs of development.

In view of the above explanation it will be appropriate for all state governments to identify the ESA around NP and Sanctuaries based on one or a combination of following parameters

- 1 Complete protection to the endemic species in its entire range
- 2 Development process not to reduce, damage or destroy the habitat of critically endangered, endangered or any other threatened species.
- 3 Protection to biological corridors.
- 4 Protection to highly complex and diversified ecosystems susceptible to irreversible damage like coral reefs, mangroves etc .
- 5 Sites associated with reproductive, breeding or nurturing behavior of rare and threatened species.
- 6 Existence of Pristine forests
- 7 Steep slopes (more than 60°)

The state governments may identify such areas and send the report in six months time.

THE NATIONAL BOARD FOR WILDLIFE MAY CONSIDER THE PROPOSAL FOR IDENTIFICATION OF ECO-SENSITIVE AREAS AROUND NATIONAL PARKS/WILDLIFE SANCTUARIES ON THE BASIS OF THE PARAMETERS MENTIONED ABOVE AND DIRECT THE STATES TO SUBMIT THE REPORT TO CENTRAL GOVERNMENT IN SIX MONTHS.

Summary Record of the Second Meeting of the 'National Board for Wildlife' chaired by the Hon'ble Prime Minister of India, held on 17th March 2005 at 1700 hours at 7, Race Course Road, New Delhi.

The list of participants is at *Annexure I*.

Thiru A.Raja, Hon'ble Minister of Environment and Forests in his welcome address mentioned that presence of wildlife was an accurate index of the overall health of the ecosystem. He also stressed the fact that India has 17% of the global human population and 18% of the livestock, all of which are supported by only 2% of the global forests. The need of the hour is to have a convergence of conservation measures and human needs and aspirations.

The following items were discussed:

Agenda Item No. 1

The report of the Director, Wildlife Preservation and Member Secretary, NBWL was presented to the members. The report is at *Annexure II*.

Agenda Item 2: Action Taken Report on the recommendations of the first meeting of NBWL

i) Agenda 2: Constitution of Standing Committee

The Standing Committee of NBWL had been constituted vide MoEF Notification No. 6-1/2003 WL-I dt 4.11.03 (*Annexure III*). The next meeting of the Standing Committee is scheduled to be held on 6th April 2005.

ii) Agenda 3: Establishment of 'CITES Cell' in India

A revised constitution of a 'National Wildlife Crime Bureau' has been proposed under Agenda item 14 of this Meeting.

iii) Agenda 4: Task Force on Natural Heritage Sites

A 'Task Force' has been constituted. Six new world heritage sites have been identified in addition to the existing five in the country. The report of the Task Force is enclosed at *Annexure IV*.

(26)

(24)

Agenda Item No. 4: Prevention

ulture from Extinction

MoEF will explore the possibility of ban on diclofenac in consultation with Department of Animal Husbandry and Department of Health so that the drug is phased out within 6 months.

Agenda Item No. 5: Export of Captive Bred Exotic Birds

The Board unanimously agreed that the present ban on the export of captive bred exotic birds should continue.

Agenda Item No. 6: Ecofragile/Ecosensitive Zones around National Parks & Wild Life Sanctuaries

The proposal for augmenting the conservation of the existing Protected Areas was agreed to. However the 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.

Agenda Item No. 7: Revision of Species in Schedules of Wildlife (Protection) Act, 1972

The action plan was approved. The constitution of Committees as proposed was approved by the Board. The revision of species in Schedules of the Wildlife (Protection) Act, 1972 should be based on the IUCN guidelines/ norms for upgrading and downgrading species. The members also emphasized that a long term research action plan to identify threatened taxa, should be in place, to provide the knowledge base for determining the status of species.

Agenda Item No. 8: Guidelines for Permission for Scientific Research in Protected Areas

The Board accepted the proposal. Guidelines should be formulated by Government of India in consultation with experts members from the NBWL. The members also expressed the need for similar guidelines for the Central Zoo Authority.

Agenda Item No. 9: Rationalization of Boundaries of National Parks and Sanctuaries

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