

MINUTES OF THE 4th MEETING OF THE STANDING COMMITTEE OF STATE BOARD FOR WILDLIFE HELD UNDER THE CHAIRMANSHIP OF HON'BLE FOREST MINISTER ON 28TH JUNE, 2011 AT 11.00 A.M. AT CIVIL SECRETARIAT, SRINAGAR

The 4th meeting of the Standing Committee of State Board for Wildlife was held under the Chairmanship of Jenab Mian Altaf Ahmad, Hon'ble Minister for Forests, Wildlife, Environment and Ecology on 28.06.2011 in his office chambers at Civil Secretariat, Srinagar. A list of participants who attended the meeting is at Annexure.

The meeting started with the brief background of the agenda items by the Member Secretary and it was followed by discussion on these items.

AGENDA NO. 1: Setting up of 0.03 MTPA Dead Burnt Magnesite (DBM) Plant at Panthal and 0.124 MTPA Magnesite Mine at Chipprian Hills, near Trikuta Wildlife Sanctuary - Katra, District Reasi by J&K Mineral Development Corporation regarding environmental clearance:

The proposal was deliberated at length. This was the first case of project falling within Eco Sensitive Zone that was being considered by the committee. A brief background of the concept of Eco Sensitive Zone was given. The above said case is being processed for Wildlife Clearance in view of the recent guidelines issued by the Ministry of Environment and Forests, Government of India. It was informed that Eco Sensitive Zone around Trikuta Wildlife Sanctuary had not been notified and that the approximate distance of the mining site from the boundary of the sanctuary was about 3 km. The Committee was also apprised that the proposal for denotification of Trikuta Wildlife Sanctuary had been recommended by Standing Committee of National Board for Wildlife and State Board for Wildlife. It was pointed out by one of the

members that the amount kept by the user agency for wildlife conservation is meagre and needs to be enhanced to 5% on the same analogy as in case of Kaimoor Wildlife Sanctuary, Uttar Pradesh - a case that had been recently discussed in National Board for Wildlife. The user agency pointed out that 5% of the amount had been kept for pollution control measures as part of improved technological package and inbuilt in the project cost. The Hon'ble Minister pointed out that it should be ensured that the implementation of Conservation Plan should also be monitored properly. It was decided that the proposal will be recommended to National Board for Wildlife subject to fulfillment of following conditions:

- i. 3% of project cost of the proposed mining in Eco Sensitive Zone of Trikuta Wildlife Sanctuary shall be kept for the conservation of the Buffer Zone.
- ii. The Conservation Plan be got prepared by some authenticated consultant / agency on the pattern as has been prepared in case of Kaimoor Wildlife Sanctuary, Uttar Pradesh in consultation with the J&K Wildlife Protection Department with proper conservation measures and budgeting for mitigating effects due to mining activity.
- iii. A Monitoring Committee at State Level comprising of officers from Wildlife Department and non-official members namely Mr. Yawar Ali, Advocate and representative of Wildlife Conservation Society may be constituted which will monitor implementation of the proposed Conservation Plan.
- iv. Other conditions proposed by Chief Wildlife Warden shall be kept in consideration.

The committee also discussed the issue raised by one of the members regarding mining carried out in Eco Sensitive Zones in Kashmir Division

especially around Kazinag National Park and Dachigam National Park. The committee was informed that matter is in the notice of National Board for Wildlife which has sought report about mining activities being carried around Kazinag and Dachigam National Parks. The Chief Wildlife Warden apprised the committee that in a recent visit to Limber and Lachipora Wildlife Sanctuaries it was noticed that the mining units are not operational at the moment. Further, the members were informed about steps being taken by the Department for declaration of Eco Sensitive Zones around National Parks and Sanctuaries. It was decided that a district level committee will be constituted for each protected area as per the guidelines issued by the Ministry of Environment and Forests on Eco Sensitive Zone.

Further, it was also decided that a committee be formed which will give a report on the status of mining activity around Dachigam and Kazinag National Parks. The committee will comprise among others Mr. Yawar Ali, Advocate and Dr. Kaleem Ahmad, representative of Wildlife Conservation Society.

AGENDA NO. 2: Revision of rates on compensation on account of loss of life / incapacitation and injuries to human beings:

The agenda had been discussed in the 3rd meeting of the Standing Committee of State Board for Wildlife wherein with regard to the compensation in respect or loss of life, incapacitation, injury the following quantum was decided:

i.	Death of human beings:	₹ 1,00,000.00
ii.	Permanent incapacitation:	₹ 50,000.00
iii.	Grievous injury:	upto ₹ 33,000.00
iv.	Minor injuries:	₹ 5,000.00

However, it was felt that compensation as decided above needs enhancement. A comparative statement with regard to quantum of compensation being paid in other States was prepared and was placed before the committee for discussion and deliberation.

Following decisions with regard to limit of quantum of compensation were arrived at subject to the conditions that:

i. Death of human beings: ₹ 2,00,000.00

Condition:

Death Certificate / Post Mortem report of the Competent Medical Officer;

ii. Permanent incapacitation: ₹ 1,50,000.00

Conditions:

- a. As per procedure in practice in Health Department;
- b. ₹ 10,000.00 to be paid immediately and remaining amount shall be paid in two equal installments after completing the necessary formalities;
- c. On the basis of Certificate and assessment by Medical Board / Medical Institute;

iii. Grievous injury: upto ₹ 50,000.00

Conditions:

- a. On the basis of Medical Certificate of Competent Authority of the Government Hospital;
- b. ₹ 10,000.00 to be paid immediately and remaining amount shall be paid in two equal installments after completing the necessary formalities;
- c. Assessment of quantum by Competent Authority of the Government Hospital / Medical Institute;

iv. Minor injury:

₹ 10,000.00

Condition:

On the basis of certification and assessment by competent Medical officer of the Government Hospital.

The delegation of powers for settlement of cases has already been considered in the 3rd Standing Committee of State Board for Wildlife. The procedure outlined therein may be adhered to with changes in the amount / authority as per above recommendations.

AGENDA NO. 3: Scope of altering entries in the Schedule of Animals prescribed in different schedules annexed to the J&K Wildlife Protection Act:

The matter regarding incidents of injury / death caused by Himalayan Black Bear was discussed. The members were apprised that maximum number of deaths and injuries was caused by the Black bear as was evident from a large number of incidents recorded on account of injuries and death of human beings through bear mauling. A lot of time elapses in issuing the permission to kill black bear by the Chief Wildlife Warden due to communication gap and other reasons resulting in loss of precious human lives and that the officer on spot is the best judge.

As per the current provisions of the Jammu and Kashmir Wildlife Protection Act it is not possible to shift Schedule –I and Schedule –II Part –II animals to other Schedules without amending the Section – 65 (*Power to alter entries in Schedules*) and Section – 66 (*Declaration of certain wild animals to be vermin*) provisions of the Act.

It was informed that Government has already considered to delegate powers to the Regional Wildlife Wardens and Wildlife Wardens concerned for

eliminating black bear which has become dangerous to human life and property under Clause (b) of Section-10 of Sub Section (1). The Standing Committee issued directions that new dispensation be implemented straightaway.

The meeting ended with thanks to the chair

Sd/-
**Chief Conservator of Forests
Ecotourism / Wildlife
Member Secretary**

No: WLP/Tech/St.Committee/2011

Date: 01.07.2011

Copy for information to members of the Standing Committee for State Board for Wildlife:

1. Shri Shantmanu, IAS, Commissioner / Secretary, Forest Department J&K
2. Shri Isfandyar Khan, Commissioner / Secretary, Revenue Department J&K
3. Shri R. D. Tiwari, IFS, Principal Chief Conservator of Forests J&K
4. Shri Vinod Ranjan, IFS, Director, Forest Protection Force J&K
5. Shri A. K. Singh, IFS, Chief Wildlife Warden J&K
6. Shri S. Owais, IPS, IGP, Police Headquarters
7. Special Assistant to the Hon'ble Forest Minister for information of Hon'ble Minister
8. Shri Anil Gupta, Special Secretary, Tourism Department
9. Shri S. D. Swatantra, IFS, Retired PCCF
10. Shri Yawar Ali, Advocate, J&K High Court
11. Shri Kaleem Ahmad, Representative WECS
12. Chowdhary Gulzar Ahmad, R/o Kalakote – Rajouri
13. Shri S. K. Nag, Project Manager, JKMDK
14. Smt Ifshan Dewan, Wildlife Warden, Technical
15. Record file.

Annexure

LIST OF MEMBERS AND OTHER OFFICERS PRESENT IN THE MEETING

1. Shri Shantmanu, IAS, Commissioner / Secretary, Forest Department J&K
2. Shri Isfandyar Khan, Commissioner / Secretary, Revenue Department J&K
3. Shri R. D. Tiwari, IFS, Principal Chief Conservator of Forests J&K
4. Shri Vinod Ranjan, IFS, Director, Forest Protection Force J&K
5. Shri A. K. Singh, IFS, Chief Wildlife Warden J&K
6. Shri S. Owais, IPS, IGP, Police Headquarters
7. Shri Anil Gupta, Special Secretary, Tourism Department
8. Shri S. D. Swatantra, IFS, Retired PCCF
9. Shri Yawar Ali, Advocate, J&K High Court
10. Shri Kaleem Ahmad, Representative WECS
11. Chowdhary Gulzar Ahmad, R/o Kalakote – Rajouri
12. Shri S. K. Nag, Project Manager, JKMD C
13. Smt Ifshan Dewan, Wildlife Warden, Technical
14. Shri Deepak Khanna, IFS, CCF Wildlife / Ecotourism (Member Secretary)