

MINUTES OF THE 3rd MEETING OF THE STANDING COMMITTEE OF STATE BOARD FOR WILDLIFE HELD UNDER THE CHAIRMANSHIP OF HON'BLE FOREST MINISTER ON 20.12.2010 IN HIS OFFICE CHAMBERS AT CIVIL SECRETARIAT, JAMMU

The 3rd 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 20.12.2010 in his office chambers at Civil Secretariat, Jammu. A list of participants who attended the meeting is at Annexure.

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

AGENDA NO: 1: Proposal on exgratia / compensation for loss of life / livestock to the victims of man wild animal conflict

The proposal was discussed threadbare with regard to the amount of compensation and methodology, procedure and delegation of powers. Members expressed varied opinions, Dr. Ranjitsinh, Chairman WTI, pointed out that too much of bureaucratization in settling of claims should be avoided as speed in settling the claims is the key in satisfying the injured / victim to a large extent. He also mentioned that delivery is more important than the amount being compensated. With regard to compensation for loss of livestock, he opined that it was a double edged sword, unless and until it is supported by adequate infrastructure in terms of manpower, mobility specially to investigate and settle the claims it may prove counterproductive also. The funding should also be ensured as payments will have to be done as quickly as possible preferably within 48 hours. The Chief Wildlife Warden pointed out that the funds are placed at the disposal of the Wildlife Department as late as May-June and that funds are not often to the quantum expected. There should be provision of contingency grant which should be placed at the disposal of Chief Wildlife Warden. With regard to livestock he was of the opinion that Department has no background knowledge of settling such claims it should be taken up on case to case basis. Member of the Conservation Society pointed out that WTI and WWF-nature has sufficient experience in dealing with such claims and they can assist the department if approached.

It was decided that in the first instance the scheme for loss of livestock be started on a pilot scale in one or two districts of the State. Such District / Districts shall be decided by the Government.

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 |

The procedure to be adopted and the following delegation of powers was decided in view of the discussions above:

- i. The cases of death / incapacitation / injured persons by wild animals will be duly certified by the competent Government Medical Officer of the hospital providing treatment and corroborated by any officer of the rank of DFO (Territorial) / Wildlife Wardens in their respective areas of jurisdiction based on their enquiry.
- ii. In case of death caused by wild animals compensation will be ₹ 1,00,000/- and the powers to sanction the exgratia relief may be delegated to DFO (Territorial) / Wildlife Wardens within their respective areas of jurisdiction to the extent of ₹ 25,000/- only to be adjusted in the final amount of ₹ 1,00,000/-.
- iii. In cases of permanent incapacitation, caused by wild animals exgratia to the extent of ₹ 15000/- may be sanctioned by Conservator of Forests (Wildlife) upon recommendation of competent Medical Officer of Government Hospital through DFO (Territorial) / Wildlife Warden concerned in their respective areas of jurisdiction to be adjusted in the final amount of ₹ 50,000/-.
- iv. In cases of injuries, power to sanction compensation upto ₹ 5,000/- may be delegated in favour of DFO Territorial / Wildlife Warden concerned in their respective area of jurisdiction upon receipt of report from Range Officer Territorial / Range Officer Wildlife concerned and in favour of Conservator of Forests (Wildlife) upto the extent of ₹ 15000/- on receipt of report from DFO Territorial / Wildlife Warden concerned.
- v. The Medical Officers will be guided by the provisions of Workmen Compensation Act in so far as the provisions of permanent incapacitation in judging in nature, severity of injury and provide necessary certificate.
- vi. The incident of death / injury should be recorded with the Range officer concerned preferably within a period of 24 hours of the incident unless suo moto action has been initiated by the Department.
- vii. The disbursement of compensation should be made to the next of kin of deceased / permanently incapacitated person on issue of certificate by Competent Authority*****.
- viii. Further it was decided that a contingency grant / fund may be placed at the disposal of the Chief Wildlife Warden on the same analogy as it is kept with Deputy Commissioner in their respective jurisdiction to meet out the immediate requirement on account of the death / injury cases caused due to man wild animal conflicts situations.

For the loss of livestock the following scale was decided to be carried out at pilot scale in one or two districts:

Item	Rates of Compensation approved by the Standing Committee of SBWL in J&K State (In ₹)
Loss of Cow more than 3 years	3,000.00
Loss of Buffalo / Ox more than 3 years	5,000.00
Loss of Horse or Mule or Yak or Dzo more than 3 years	5,000.00
Loss of Cow / Buffalo / Yak / Dzo / Horse / Mule less than 3 years	1,500.00
Loss of Sheep and Goat more than 1 year	500.00

The Wildlife Department will approach Wildlife Trust of India and World Wide Fund for Nature with regard to the procedure of settling the claims on account of loss of livestock as well as funding of such schemes and till such time shall be dealt on case to case basis in the selected district(s) on following conditions:

- i) The compensation in Wildlife Sanctuaries, in instances of death of domestic animals by wild animals will be payable only if permission of entry is granted under the Wildlife Protection Act, 1978.
- ii) In cases of death of domestic animals outside cowshed / cattle shed / Tent / Kotha / Temporary Shelter, the compensation will be payable only if the owner or shepherd is accompanying the domestic animals.
- iii) The owner shall inform the nearest Range office (Territorial) / Range office (Wildlife) as the case may be within 2 days of the incident.
- iv) The body of domestic animal shall not be removed from site of incident till the incident is enquired into by the local Forest officer.
- v) No pesticide / insecticide / poisonous substance should be sprinkled over the carcass nor the carcass should be disturbed / disposed off.
- vi) The incident should be enquired into by Forest officer, not less than a rank of Range officer and report submitted after consulting the Nambardar / Chowkidar / one or two person of repute of the village with regard to age, nature of animal. The report be submitted to Conservator of Forests (Wildlife) by DFO (Territorial) / Wildlife Warden concerned.
- vii) For the time being the final report be submitted to the Chief Wildlife Warden who shall be the competent authority in sanctioning the cases temporarily till sufficient expertise / data is developed in the Department.

AGENDA NO: 2: Proposal for denotification of Trikuta (Vaishno Devi) Wildlife Sanctuary in Reasi District, Jammu in J&K

This proposal was deliberated at length. As per the opinion of the Learned Advocate General the area is to be treated as a Notified Sanctuary. The members wanted to know the area notified at Sanctuary and breakup of land use (Forest, Private, Land with Shrine Board etc.) as well as the Biodiversity of the Area. It was clarified that the land has never been in possession of the Wildlife Department and

that no study has been conducted with regard to Biodiversity. The organized pilgrimage has been going on since 1986 after the constitution of Shri Mata Vaishno Devi Shrine Board under the Shri Mata Vaishno Devi Shrine Board Act, 1988. The process of determination of rights is in progress by the Assistant Commissioner Revenue who has issued the proclamation over 1,44,340 kanals and 19 marlas and that there was some inconsistency over proclaimed area and actual area. It was decided that the proposal be recommended for denotification of the Sanctuary after ascertaining the actual area of the Sanctuary to the Ministry of Environment and Forests for placing before the National Board for Wildlife subject to the following conditions:

- i. That the Forest Department (Territorial) in association with the Wildlife Protection Department will identify three alternate sites and the State Government shall issue notification of one of the area as Wildlife Sanctuary proposed by the Department within a week's time under the provision of sub-section (1) of section 17 of the Jammu and Kashmir Wildlife (Protection) Act, 1978 (amended till date) which shall be equal or double in area proposed to be denotified from Trikuta Wildlife Sanctuary either in the vicinity of the sanctuary or in any other area of the Jammu region, considering that such area is of adequate ecological, faunal, floral, geomorphological or natural significance for the purpose of protecting, propagating or developing wildlife or its environment. For this purpose Chief Conservator of Forests, Jammu and Regional Wildlife Warden, Jammu will immediately initiate action to identify the sites.
- ii. That user agency will also initiate EIA study report for the better management of the pilgrimage. It may be required at later stage by the Hon'ble Supreme Court.

AGENDA NO: 3: Proposal for diversion of 7.005 Hectare Forest land forming part of Bahu Conservation Reserve by Revenue Department to be provided in exchange to Army in lieu of Army land required for extension of Jammu Airport

Member Secretary apprised the Committee about the proposal of diversion of 7.005 hectare of forest land, out of total area of 19 sq km from Bahu Conservation Reserve near Sunjwan SFC Depot and Military Station Sunjwan for non forest purposes so that it could be handed over to the Revenue Department. The Committee was further informed that Revenue Department has to lease out this land to the Army. As the State Government has to provide alternate land to the Army which has to vacate their land for extension of Jammu Airport.

Divisional Commissioner, Jammu also deliberated on the issue and justified the proposal informing that, the present length of Jammu Airport is 6700 feet which is inadequate for full operations of the civilian passenger aircrafts and bigger aircrafts and the Director General of Civil Aviation (DGCA) has classified the Jammu Airfield as one of the 11 critical airfields in the country in the aftermath of the Mangalore

crash incident of May, 2010 and therefore it needed to be extended by 1300 feet urgently. He proposed that the length of the airport be extended to 8000 feet.

The proposal was decided to be recommended to the National Board for Wildlife subject to the following condition:

- i. That the Wildlife Department will identify an alternate equal or double the area which is proposed to be denotified from the Bahu Conservation Reserve either in the vicinity of the Conservation Reserve or any other area which is rich in wildlife within three days. For this purpose Chief Conservator of Forests, Jammu and Regional Wildlife Warden, Jammu will immediately initiate action to identify the site.
- ii. That Revenue Department will be the indenting agency and will pay NPV and 5% of the project cost as per the stipulations of the Hon'ble Supreme court of India.

The meeting ended with thanks to the chair

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

No: WLP/Tech/St.Committee/2010/

Date: .12.2010

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

1. Shri Abdul Gani Vakil, Hon'ble MLC.
2. Commissioner / Secretary, Forest Department, J&K.
3. Commissioner / Secretary, Tourism Department, J&K.
4. Principal Chief Conservator of Forests, J&K.
5. Secretary, Revenue Department, J&K.
6. Chief Wildlife Warden, J&K.
7. Dr. M. K. Ranjitsinh, Chairman, WTI, New Delhi.
8. Additional Director General of Police, Home Guards Auxiliary (representative of Director General of Police, J&K).
9. Shri S. D. Swatantra, IFS, Retired PCCF.
10. Director, Forest Protection Force J&K.
11. Chairman, Wildlife Conservation Society.
12. Sh. Yawar Ali, Advocate, J&K High Court.
13. Special Assistant to the Hon'ble Forest Minister for information of the Hon'ble Minister.
14. Record file.

LIST OF MEMBERS AND OTHER OFFICERS PRESENT IN THE MEETING

1. Shri Shantmanu, IAS, Commissioner / Secretary, Forest Department
2. Shri Pawan Kotwal, IAS, Divisional Commissioner, Jammu
3. Dr. M. K. Ranjitsinh, Chairman, WTI, New Delhi
4. Shri Sri Gopal Reddy, IPS, ADG, Home guards, Auxiliary
5. Shri S. D. Swatantra, IFS, Retired PCCF
6. Shri Pritam Chand, IFS, PCCF (WL) / Chief Wildlife Warden J&K
7. Shri Suresh Chugh, IFS, Chief Conservator of Forests, FCA O/o PCCF
8. Shri Yawar Ali, Advocate, J&K High Court
9. Shri Kaleem Ahmad, Representative WECS
10. Dr. M. K. Bhandari, Additional Chief Executive Officer, SMVDB Katra
11. Shri Anil Gupta, Special Secretary, Tourism Department
12. Shri Ashok Kumar, Special Secretary Technical, Forest Department
13. Shri Sanjeev Verma, Deputy Commissioner, Jammu
14. Shri Upendra Pachnanda, CCF (WL) / RWLW Jammu
15. Shri Gh. Rasool, Technical Officer, Revenue Department
16. Shri M. J. Sharma, Joint Director, Forest Protection Force Jammu
17. Shri Tahir Shawl, Wildlife Warden Jammu East Kathua
18. Smt Ifshan Dewan, Wildlife Warden Headquarters
19. Shri Tahir A. Mirza, Wildlife Prosecutor
20. Shri Deepak Khanna, IFS, CCF Ecotourism / Wildlife (Member Secretary)