

Attachment 1

WLS Permission letter with vide no.:
WLP/32/b/32-37/2018-19, Dated 03.04.2018

No: WLP/32/B/ 32 -37 /2018-19

Office of the
Principal Chief Conservator of Forests
Block No.B/1, Aranya Bhavan,
Ch-3 Circle, Sector-10 A,
Gujarat State, Gandhinagar.
Date: 3/04/2018

Sub: Proposal for Clearance under Wildlife Protection Act – 1972

Proposal for laying of underground Natural Gas Pipeline from
Gujarat State Petronet Limited, Gandhinagar.

Ref:

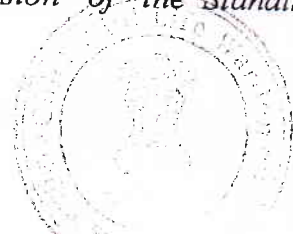
1. Chief Conservator of Forests, North Gujarat Wildlife Circle, Gandhinagar's letter No. WLP/A/6/1071-72, dated 01-09-2017
 2. Recommendation of the State Board for Wildlife, Gujarat circulated vide this office's letter no. WLP/28/A/1713 dated 24-10-2017
 3. This Office's letter No: WLP/32/A/1769-70 dated 02-11-2017 submitting proposal to Forest & Environment Department, Government of Gujarat.
 4. Forest and Environment Department, Government of Gujarat's letter No. VPS/102017/2492/W dated 07-12-2017 to the Secretary MoEF & CC.
 5. Recommendation of Standing Committee of National Board for Wildlife, circulated vide MoEF & CC, GoI's letter no. F. No. 6-4/2018 WL dated 08-02-2018
 6. Hon'ble Supreme Court of India's Order dated 05-10-2015 in I.As filed in reference to Writ Petition (Civil) 202/95.
1. A proposal has been received under Section – 29 of Wildlife (Protection) Act, 1972 from Gujarat State Petronet Limited, Gandhinagar for laying of gas pipeline from Chotila to Anjar using 5.67 hac of land of Wild Ass Sanctuary between Haripur village of Malia Miana taluka of Morbi district and Shikarpur village of Bhachau taluka of Kutch district. The proposed gas pipeline passing through Wild Ass Sanctuary for a length of 5675 meter and the width is 10 meter, therefore, the proposed gas pipeline shall be using 5.67 ha area of Wild Ass Sanctuary. The proposed gas pipeline shall also be passing through Eco

Sensitive Zone of Wild Ass Sanctuary using 98.37 ha area of Eco Sensitive Zone. The proposed gas pipeline shall be laid underground at a depth of 1.2 meter.

2. The proposal was placed before the State Board for Wildlife (SBWL) in its 13th meeting held on 16-10-2017 for consultation. The SBWL has approved and recommended the proposal in its meeting vide reference no. 2 above with certain conditions.
3. The proposal was sent to Forest and Environment Department, Government of Gujarat vide reference no. 3 above for onward submission to MoEF&CC, GoI. The said proposal was submitted to MoEF & CC, GoI for consideration of Standing Committee of National Board for Wildlife (NBWL) vide reference no. 4 above. The proposal was discussed in 47th meeting of the Standing Committee of NBWL held on 25-01-2018 and the Standing Committee of NBWL recommended the proposal vide reference no. 5 above in its meeting with certain conditions.
4. Hon'ble Supreme Court of India has passed an order dated 05-10-2015 in reference to different I.As in Writ Petition (Civil) 202/95 vide reference no. 6 above. The order of the Hon'ble Supreme Court of India is reproduced as under:

"All matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, including rationalization of boundaries etc. will be considered by the Standing Committee of the National Board for Wildlife ("NBWL") on its own merits and in conformity with the orders and directions passed by this Court from time to time, i.e. on 14.02.2000, 13.11.2000, 9.5.2002, 16.12.2002,, 25.11.2005 and 14.09.2007 and other subsequent clarificatory orders/judgment(s) passed by this Court including the Goa Foundation Judgment, i.e. Goa Foundation Vs. Union of India & Ors., reported in (2014) 6 SCC 590.

We request the NBWL to furnish a copy of the orders passed by it within 30 days' time to the C.E.C. The C.E.C. is at liberty, if, for any reason, they are aggrieved by the decision of the Standing



Committee of NBWL to approach this Court by filing an appropriate petition/application.

In all those matters where there is already decision of the Standing Committee of the NBWL shall abide the parties with all the conditions imposed therein.

If any party is aggrieved by the decision of the Standing Committee of the NBWL, they are at liberty to approach an appropriate forum for appropriate relief(s).

With the aforesaid observations and directions, we dispose of the Interlocutory Applications/matters specified in Annexure-II to the note supplied by Shri Harish Salve, learned amicus curiae."

5. Therefore in view of the references mentioned and explained above, the permission is hereby granted under Section -29 of Wildlife Protection Act - 1972 to Gujarat State Petronet Limited, Gandhinagar for laying of gas pipeline from Chotila to Anjar using 5.67 hac of land of Wild Ass Sanctuary between Haripur village of Malia Miana taluka of Morbi district and Shikarpur village of Bhachau taluka of Kutch district. The proposed gas pipeline shall also be passing through Eco Sensitive Zone of Wild Ass Sanctuary using 98.37 ha area of Eco Sensitive Zone. The proposed gas pipeline shall be laid underground at a depth of 1.2 meter. Subject to following conditions.

Conditions:

1. The User Agency shall not violate any regulatory provisions under Section - 9, 17 A, 27, 29, 30, 31 & 32 of Wildlife (Protection) Act, 1972.
2. The User agency shall not harm or destroy wildlife habitat including fauna and flora of the Wild Ass Sanctuary.
3. The User Agency shall not use the area for the proposed work other than the area permitted.
4. The User Agency shall not establish any temporary or permanent labour camp in the Wild Ass Sanctuary.
5. The User Agency or his contractor shall not create any fire places inside the Wild Ass Sanctuary.
6. All the material required for the work shall be prepared outside the sanctuary.



7. The work in the Sanctuary will be allowed only in the day time from 8 AM to 6 PM.
8. Approval under Forest Conversation Act, 1980, if required, shall be obtained separately for use of forest land.
9. The User Agency shall deposit NPV for the use of land of Protected Area as per the existing rates.
10. The User Agency shall restore the land in its original form after completion of the work.
11. As per recommendation of Standing Committee of National Board for Wildlife in its 47th Meeting held on 25.01.2018, the User Agency shall prepare a "Wildlife Mitigation Plan" within one Month. Wildlife Mitigation Plan shall be approved by the Chief Wildlife Warden. The User Agency shall start the work only after the approval of the Wildlife Mitigation Plan by the Chief Wildlife Warden.


(G. K. Sinha)

Chief Wildlife Warden
Gujarat State, Gandhinagar.

To,

1. Chief Conservator of Forests,
Wildlife Circle,
Gandhinagar.
2. The Senior Manager (ROU & Civil)
Gujarat State Petronet Limited, Gandhinagar



Copy Submitted to: Additional Director General of Forests (WL), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Baug Rad, Ali Ganj, New Delhi for information.

Copy Submitted to: Additional Chief Secretary, Forest and Environment Department, Sachivalaya, Gandhinagar for information.

Copy to: Additional Principal Chief Conservator of Forests, Land, Gujarat State Gandhinagar for information and necessary action.

Copy to: Deputy Conservator of Forests, Wild Ass Sanctuary, Dhrangadhra for information and necessary action.