

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO. OF 2005

IN

I.A. NO.548 OF 2000

IN

WRIT PETITION (CIVIL) NO.202 OF 1995

T.N. GODAVARMAN THIRUMULPAD

PETITIONER

VERSUS

UNION OF INDIA AND ORS

RESPONDENTS

AND IN THE MATTER OF

VASUNDHARA

THROUGH ITS PRESIDENT MADHU SARIN

KALPAVRIKSH

THROUGH ITS MEMBER

ASHISH KOTHARI

NAME (S) OF THE APPLICANT/INTERVENOR

AN APPLICATION FOR MODIFICATION AND DIRECTIONS

TO THE HON'BLE CHIEF JUSTICE OF

INDIA AND HIS COMPANION JUSTICES

THE HUMBLE APPLICATION OF THE APPLICANT

ABOVENAMED MOST RESPECTFULLY SHOWETH

1. That the present Application is being moved in order to draw the attention of this Hon'ble Court to the large scale hardship being faced by the forest dwelling communities including tribals residing in areas declared as sanctuary under the provisions of Wild Life (Protection) Act, 1972 in view of the implications of the order dated 14-2-2000 in I. A 548 in W.P 202 of 1995.
2. That the Applicant No 1 is a Society registered under The Societies Registration Act, 1860 and has been working for the last 12 years on issues concerning tribals and forests, particularly on promoting official recognition of community based forest management and conservation through people's own initiatives being practiced by an estimated 6 to 7000 villages in Orissa. Applicant No 2 is an environmental Action group working for the last 25 years, and a registered society. It has worked on the protection of forests and wildlife, as well as the livelihood of those dependent on forests. It was the technical coordinator of India's National Biodiversity Strategy and Action Plan, a Government of India process. It has also been leading an international network (TILCEPA) of professionals and practitioners working on participatory conservation. For a number of years it has been promoting the need for management of protected areas that helps achieve both conservation and

the livelihood security of traditionally resident communities in such areas; as also the recognition of biodiversity rich sites being conserved by adivasi and other local communities across India.

3. That the Applicants herein are concerned at the large scale hardship being faced by communities living in and around the Protected Areas comprising of National Parks and Sanctuaries in view of the implication of the order dated 14-2-2000 passed by this Hon'ble Court in I.A 548 and circular issued by the Ministry of Environment and Forests dated 20-10-2004 and the Central Empowered Committee dated 2-7-2004. The Applicants main contention is that the order dated 14-2-2000 and the circulars have failed to consider the legal difference that exists between National Parks and Sanctuaries. The Scheme of the Wildlife (Protection) Act, 1972 provides for the continuation of admitted rights in Sanctuaries.

4. That in response to the application filed by the Amicus Curiae which prayed for clarification as to whether the order dated 12.12.1996 in Writ Petition No. 202 of 1995 contained a ban against the removal of any fallen trees or dry standing trees from the areas notified under section 18 or 35 of the Wild Life (Protection) Act, 1972, in view of their continued removal by the Karnataka Forest Department this Hon'ble Court while taking

the Application on record passed the following Order which is reproduced for reference:

"Issue notice to all the respondents. In the meantime, we restrain respondent No. 2 to 32 from ordering the removal of dead, diseased, dying or wind fallen trees, drift wood and grasses, etc from any National Park or Game Sanctuary or forest. If any order to the contrary has been passed by any of the respondent states, the operation of the same shall stand stayed"

5. That it is pertinent to point out that the order of the Hon'ble Court applied initially to every national park, Game Sanctuary and forest. However by virtue of order dated 28.02.2000 this Hon'ble Court modified the order dated 14.02.2000 by deleting the word 'forest'. The order of the Hon'ble court dated 28.02.2000 is reproduced for reference:

" In the order dated 14.02.2000 the word forest in the 2nd line from bottom at page 4, are ordered to be deleted. The sentence would read thus as: '...In the meantime, we restrain respondent No. 2 to 32 from ordering the removal of dead, diseased, dying or wind fallen trees, drift wood and grasses, etc from any National Park or Game Sanctuary...'

4. That the order dated 14.02.2000 in IA 548 was further clarified on 3.04.2000 in response to the representation made by the state of Rajasthan wherein this Hon'ble Court made the following order which is reproduced below for reference:

"In clarification of the order dated 14 February 2000 on representation being made on behalf of the State of Rajasthan, it is clarified that the said interim order will have no application in so far as plucking and collection of tendu leaves is concerned."

6. That it is further relevant to point out that this Hon'ble Court while dismissing IA No. 617 and 618 by its order dated 10.05.2001 held as follows:

"These I. A's are dismissed as infructuous in view of the fact that the removal of forest produce such as leaves, harra, Sal seeds, Mohua flowers, and Mohua seeds from forest other than National Parks and Sanctuaries is not prohibited."

7. That a further clarification made by this Hon'ble Court in IA No. 707 Dated 18.02.2002 wherein this Hon'ble Court clarified that the order prohibiting the cutting of trees does not apply to bamboos and cane other than those in National Parks and Sanctuaries. The operating part of the order of this court is reproduced herein:

" It is clarified that the order of this court prohibiting cutting of trees does not applies to bamboos including cane which really belongs to the grass family, other than those in National Parks and Sanctuary. In other words, no bamboos including cane in National parks and sanctuary can be cut but the same can be cut else where."

8. That it is clear from the combined reading of all the relevant orders relating to IA No 548 that this Hon'ble Court has been aware of the legal differences between National Parks and Sanctuaries on the one hand and areas that are categorised as forest on the other. Through the various modifications and clarification subsequent to the order dated 14.02.2000, this Hon'ble court has sought to clarify that the orders of this court will not apply to the right to access forest produce from forest areas. It is relevant to point out that particular attention was laid on the fact that rights, concessions and privileges conferred on people to avail forest produce was safeguarded by this Hon'ble Court whenever doubts arose. Thus in respect to Uttaranchal it clarified by order dated 23.01.1998 as follows

" we clarify that the local residents of Uttrakhand (8 districts) shall be permitted to avail the rights and concessions in respect of forest produce meant for bona-fide personal use of local population, which are located 1000 mts

or more above the sea level...care shall be taken to ensure that grant of rights to the local population does not effect forest conservation in Uttrakhand area of the State of Uttar Pradesh".

8. That the Applicant would in view of the above background bring to the notice of this Hon'ble Court of the circulars/orders brought out by the Ministry of Environment and Forest dated 20.10.2003 wherein the relevant para reads as follows:

"Para 1.2 (iii), now clarifies that rights and concessions cannot be enjoyed in the Protected Areas (PAs) in view of the orders of the Supreme Court dated 14.02.2000, restraining removal of dead, diseased, dying or wind-fallen trees, drift wood and grasses etc. from any National Park or Game Sanctuary."

Hereto annexed and marked as **Annexure A** is a true and typed copy of the circular dated 20.10.2003 issued by the Ministry of Environment and Forest.

9. That a further clarification and circular was sent to all concerned officials of the State Governments by the Central Empowered Committee constituted by this Hon'ble Court in Writ Petition 202 of 1995 wherein by letter dated 2.07.2004 the Central Empowered Committee has drawn attention of the State Governments to the fact that any Non forestry Activity, felling of trees/bamboos removal of biomass,

miscellaneous construction activities, etc in protected areas are not permissible without prior permission of the Hon'ble Supreme Court. The circular further states :

“ A NUMBER OF INSTANCES HAVE COME TO THE NOTICE OF THE CENTRAL EMPOWERED COMMITTEE WHERE FELLING OF TREES / BAMBOO, DIGGING OF CANALS, MINING, UNDERGROUND MINING, COLLECTION OF SAND / BOULDERS LAYING OF TRANSMISSION LINES / OPTICAL FIBER CABLE / PIPELINES, CUTTING OF GRASS, COLLECTION OF MINOR FOREST PRODUCE, GRAZING, CONSTRUCTION / WIDENING OF ROADS ETC. HAVE BEEN ALLOWED TO BE UNDERTAKEN IN THE PROTECTED AREAS WITHOUT OBTAINING PERMISSION FROM THE HON'BLE SUPREME COURT ON THE PLEA THAT THESE ACTIVITIES ARE PART OF THE MANAGEMENT PLANS.

YOU ARE REQUESTED TO ENSURE STRICT COMPLIANCE OF THE HON'BLE SUPREME COURT'S ORDER SO THAT NONE OF THE ABOVE PROHIBITED ACTIVITIES ARE ALLOWED TO BE UNDER TAKEN IN THE PROTECTED AREAS. IF, FOR BETTER MANAGEMENT OF THE PROTECTED AREA ANY OF THE ABOVE PROHIBITED ACTIVITIES ARE REQUIRED TO BE UNDERTAKEN EITHER BY THE PROJECT AUTHORITIES OR THE FOREST DEPARTMENT, PRIOR PERMISSION OF THE HON'BLE SUPREME COURT SHALL BE OBTAINED BEFORE UNDERTAKING THEM.

HERETO ANNEXED AND MARKED AS **ANNEXURE B** IS A TRUE AND TYPED COPY OF THE LETTER OF THE CENTRAL EMPOWERED COMMITTEE DATED 2-7-2004

9. That the applicant herein respectfully submits that the order of this Hon'ble Court in IA No. 548 dated 14,02.2000 together with the circular issued by the Ministry of Environment and Forest dated 20.10.2003 and further clarification by the Central Empowered Committee dated 02.07.2004 has not considered the legal distinction between National Parks and Sanctuaries.

11. That it is pertinent to mention here in view of the subject matter of the present application it is necessary to appreciate the difference between a National Park and a Sanctuary as also the meaning of the word 'protected areas'. Section 2(21) of the Act defines National Park as follows:

"National Park" means an area declared, whether under section 35 or section 38, or deemed, under sub-section (3) of section 66, to be declared, as a National Park;

Further, Section 2(26) of the Act defines Sanctuary as follows:

"Sanctuary" means an area declared, whether under section 12[26A] or section 38, deemed, under sub-section (3) of section 66, to be declared, as a wild life sanctuary;

12. That the principle difference between a National Park and Sanctuary is evident from the combined reading of clause c of Sub section 2 of Section 24 and Subsection 3 of Section 35. By virtue of Section 19, the Collector has been empowered to inquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of a sanctuary. By virtue of Section 35 sub clause(3) similar duties are also conferred on the collector with respect to determination and investigation of rights in a land proposed to be declared as a National Park and as such Section 19 is

applicable to a National Park . However, the Collector has the option of allowing the continuation of any right within the limits of the Sanctuary. The relevant provision reads as follows:

"24. Acquisition of rights. - (1) In the case of a claim to a right in or over any land referred to in section 19, the Collector shall pass an order admitting or rejecting the same in whole or in part.

(2) If such claim is admitted in whole or in part, the Collector may either _

a) exclude such land from the limits of the proposed sanctuary, or

b) proceed to acquire such land or rights,

[c) allow, in consultation with the Chief Wild Life Warden, the continuation of any right of any person in or over any land within the limits of the sanctuary."

However Clause c of the above provision which allows for the continuation of rights is not applicable for National Parks. The relevant provision reads as follows:

"35. Declaration of a National Park.....

.....(3) Where any area is intended to be declared as a National Park, the provisions of sections' [(19 to 26 A (both inclusive except clause (c) of sub-section (2) of section 24)] shall, as far as may be, apply to the investigation and determination of claims, and extinguishments of rights, in relation to any land in such area as they apply to the said matters in relation to any land in a sanctuary

That from the above scheme of the Act, it is clear that the Act contemplates the continuation of Rights in Sanctuaries when expressly provided by the Collector in consultation with the Chief Wildlife Warden. Further clause (d) of Section 33 of the Act permits the Chief Wild Life Warden to permit the grazing and movement of livestock in a Sanctuary. The Applicant/ intervenor in this respect would like to bring to the Notice of this Hon'ble Court of some instances wherein rights were specifically conferred by law. Thus in the case of Rakschham Chhitkul Sanctuary located in District Kinnaur, Himachal Pradesh, the Notification under Section 26 A of the Act on 7-9-2001 specifically provides for the continuation of the rights conferred on villagers vide Forest Settlement Report of 1921. Similarly in the case of Lipa Asrang Sanctuary in Kinnaur District and Rupi Bhaba Sanctuary in Kinnaur District, the rights granted to local inhabitants vide the Forest Settlement Report have been allowed to be continued. It is pertinent to point out that the Forest Settlement of 1921 provides for free grazing to all animals of the right holder in specified areas and no ceiling has been fixed on the number of cattles that might be grazed. The settlement also provides for rights to cut grass even in demarcated protected forest. Similarly the notification of the Eturnagaram Wildlife Sanctuary in Warangal District of Andhra Pradesh clearly provides that the collection of Minor forest Produce

shall be permitted with the specific permission of the Chief Wildlife Warden, Andhra Pradesh from time to time. Hereto annexed and marked as **Annexure C (Colly)** is a true and typed copy of the first three Notifications dated 7-9-2001 issued by the Government of Himachal Pradesh and the Notification issued by the Government of Andhra Pradesh dated 17-8-1999 .

13. That in view of the above provision it is clear the Act provides for continuation of rights in an area declared as a Sanctuary if the same is allowed at the time of Settlement. It is pertinent to point out that and in the final notifications of many sanctuaries existing rights have already been admitted. Applicant respectfully submits that the circular issued by the Respondent No. 1 and the circular of the Central Empowered Committee have failed to take into account the legal difference between National Parks and Sanctuaries and assumes similar status for both. It is pertinent to point out that this Hon'ble Court had intended to prohibit the commercial exploitation of timber from National Parks and Sanctuaries as the same was detrimental to the ecological integrity of the National Parks and Sanctuaries. However, the arbitrary extension of the same to stay all bonafide rights, concessions and privileges is detrimental to the livelihood of millions of

forest dweller who depend on these forests for their livelihood and survival.

14. That to treat both National Parks and Sanctuaries as similar in law is detrimental to both conservation as well as survival livelihoods of the people living in such areas. Studies have shown that an estimated 3.5 million people across the country live within or around areas declared as National Parks or Wild Life Sanctuaries who continue to depend heavily on their biomass resources for their survival Applicant/ Intervenor would like to bring to the Notice of this Hon'ble Court the findings of the Report titled "National Parks and Sanctuaries: A Status Report" published by the Indian Institute of Public Administration in 1989 which are summarized hereunder:

Human Dependence on Protected Areas in India

Kind of dependence	National Parks	Sanctuaries
<i>Population inside (mostly pre-dating declaration of the PA)</i>	56% (of 32 NPs responding)	72% (of 100 Sanctuaries responding)
<i>Population adjacent (many of which traditionally dependent on PA's resources)</i>	83% (of 23 NPs responding)	87% (of 115 Sanctuaries responding)
<i>Rights and leases inside PAs</i>	43% (of 44 NPs responding)	68% (of 187 Sanctuaries responding)

<i>Dependence for fuelwood (including as a right or concession)</i>	54% (of all NPs and Sanctuaries responding)	
<i>Dependence for NTFPs (including as a right or concession)</i>	47% (of all NPs and Sanctuaries responding)	
<i>Dependence on grazing (including as a right)</i>	67% have grazing, 60% have it as a recorded right (of 36 NPs responding)	83% have grazing, 68% have it as a recorded right (of 187 Sanctuaries responding)
<i>Total population inside PAs</i>	At least 3 million, estimated on the basis of figures from about 200 NPs and Sanctuaries	

15. That the circulars club collection of NTFP and grazing of cattle, cutting of grasses in Sanctuaries in the same category as digging of Canals, mining, laying of transmission lines, removal of sand and boulders. Applicant would like to reiterate that as per the provisions of the Act, grazing of cattle is a permissible activity (with the permission of the Chief Wildlife Warden) as also the cutting of grasses under the provisions of Section 29 of the Act. Wherein it is specifically provided that removal of forest produce is permissible with the permission of the Chief Wildlife Warden (to be granted after the satisfaction of the State

Government in consultation with the National Board for Wildlife). The circular issued by the Respondent No 1 and the Central Empowered Committee has failed to take into account the provisions of Section 29 of the Act.

16. That it is respectfully submitted that the Applicant herein is concerned about the need to protect wildlife and its habitat and therefore seeks a modification or clarification of the Orders of the Hon'ble Court as well as the Central Empowered Committee in a manner which allows for continuation of bonafide rights of the local inhabitants of Sanctuaries.

17. That it is further submitted that the Circular of the Respondent No 1 and the Central Empowered Committee do not conform to order dated 14-2-2000. This Hon'ble Court had restricted the application of the order to National Parks and Sanctuaries whereas the circular issued by the Ministry of Environment and Forests dated 20-10-2003 as well as of the Central Empowered Committee dated 2-7-2004 includes within its scope all types of Protected Areas. "Protected Area" has been defined in the Act as :

(24A) "Protected area" means a National park, a Sanctuary, a Conservation Reserve or a Community Reserve notified under sections 18, 35, 36A and 36C of the Act".

It is pertinent to point out that these two categories were included in the Act as a result of the Amendment Act of 2002. The Statement of

Object and Reasons of the Amending Act of 2002 states the following with respect to Conservation and Community Reserve:

"The declaration of these two new types of reserves i.e. conservation reserve and community reserve are aimed at improving the socio-economic conditions of the people living in those areas as well as conservation of Wildlife. Conservation reserve and community reserve would be managed on the principles of sustainable utilisation of forest produce. The members of the local communities would be involved in their management through management committees."

18. That the Ministry of Environment and Forests and the Central Empowered Committee has thus sought to expand the scope of the order of 14-2-2000 which is arbitrary and violative of the provisions of the Act as amended in 2002.

19. That in view of the above facts the action of the Ministry of Environment and Forests as well as the Central Empowered Committee is clearly arbitrary and violative of the Article 14 of the Constitution. This Hon'ble Court through the order dated 14-2-2000 sought to stop destructive activities in National Parks, Sanctuaries and Forests. Through subsequent modification and clarifications it sought to ensure that in view

of the dependence of people on forests, the orders will not apply to forests and also that it will not apply to the collection of NTFP's from such forests. That a similar clarification is also necessary for Sanctuaries in view of the fact that rights and concessions have been conferred by law on the people living inside such sanctuaries to extract NTFPs and other such activities.

20. That the blanket restriction on resource collection and use is affecting the Fundamental Right to Life of millions of tribals, fisherfolk, and other forest-dwelling or wetland-dependent communities across the country. As an example, Applicant would like to bring to the notice of this Hon'ble Court the order of the Government of Orissa to ban the collection of Kendu leaves from all Sanctuaries. Hereto annexed and marked as **Annexure D** is a true copy of the letter by dated 19-8-2000.

21. That in view of the restriction being placed on the access to forest produce a lot of hardship is being faced. The applicants herein would like to draw the attention to the newspaper reports as well as other reports on the hardship being faced by the people. Hereto annexed and marked as **Annexure E** are true copies of newspaper and other reports on the hardship being faced by the people.

22. That this Hon'ble Court in Pradeep Kishen vs State of Madhya Pradesh [(1996) 8 SCC 599] has

emphasised the need to protect the forest as well as the livelihood of the communities dependent on such forests. The Hon'ble Court observed " ...while every attempt must be made to preserve the fragile ecology of the forest and the Tiger Reserve, the rights of tribals formerly living in the area must receive proper consideration". In the instant case, the Hon'ble Supreme Court upheld the order of issued by the State of Madhya Pradesh permitting collection of Tendu leaves from Sanctuaries and National Park by villagers living around Sanctuaries and National Parks in view of the fact that since final Notification under Section 26 A and 35 is yet to be issued and rights are yet to be settled. The Hon'ble Court held that the State Government was not in a position to bar the entry of villagers living in and around the Sanctuaries and the National Park so long as their rights were not settled or acquired and final notification issued.

23. That the Directive Principles of State Policy specifically provides in Article 39 (a), that the citizen, men and women equally, have a right to an adequate means of livelihood. The denial of legitimate forest products is contrary to the provision of Article 39 (a) of the Constitution.

24. That the Government of India is party to the U.N. Convention on Biological Diversity (CBD for short), which it ratified in 1992, whose Conference of Parties at its 7th meeting in February 2004, agreed to a Programme of Work on

Protected Areas in which the right of involvement and benefit-sharing of local communities living within and around protected areas is guaranteed. Specifically, the Programme of Work, which India is legally bound to implement, commits each country to: "Goal 2.1: To promote equity and benefit-sharing

Target: Establish by 2008 mechanisms for equitable sharing of both costs and benefits arising from the establishment and management of protected areas.

Goal 2.2: To enhance and secure involvement of indigenous and local communities and relevant stakeholders

Target: Full and effective participation by 2008, of indigenous and local communities, in full respect of their rights and recognition of their responsibilities in the management of existing, and the establishment and management of new, protected areas". The said Programme of Work also "Recalls the obligations of Parties towards indigenous and local communities in accordance with Article 8(j) and related provisions and notes that the establishment, management and monitoring of protected areas should take place with the full and effective participation of, and full respect for the rights of, indigenous and local communities consistent with national law and applicable international obligations". Finally, it also

notes that protected areas should contribute to the alleviation of poverty. The various orders referred to above are in violation of this international commitment made by the Government of India, as it will only lead to forcible resettlement, severe hardships and greater poverty, and undermining of any possibility of "full and effective participation" of traditional communities.

- 24.** That this Hon'ble Court had held in T.N Godavarman Thirumulpad (through K.M Chinappa) vs Union of India and Ors [(2002)10 SCC 606] I in respect to the mining activities of the Kudremukh Iron Ore Company that "Duty is cast upon the Government under Article 21 of the Constitution of India to protect the environment and the two salutary principles which govern the law of the environment are: (i) the principles of sustainable development and (ii) the precautionary principle" This Hon'ble Court further held " It needs to be highlighted that the Convention on Biological Diversity has been acceded to by our country and, therefore, it has to implement the same. As was observed by this Court in Vishaka and Ors. vs. State of Rajasthan and Ors. (1997(6) SCC 241), in the absence of any inconsistency between the domestic law and the international conventions, the rule of judicial construction is that regard must be had to international convention and norms even in construing the domestic law. It is, therefore, necessary for the Government to keep in view the international obligations while exercising discretionary powers under the Conservation Act unless there are compelling reasons to depart therefrom"
25. That the National Wildlife Action Plan 2002 -2016 formulated by the Ministry of Environment and Forests provides for peoples Participation in the Wildlife Conservation. The Action Plan recognizes the fact that:

“An age-old feature of forest as well as non-forest natural tracts in India is an intimate interspersion of human habitation through them. The people here have all along been traditionally dependent upon the natural biomass resources for their subsistence, income supplementing and socio-cultural well being. A variety of external factors such as increased commercial extraction of timber and other forest produce to meet urban demands, development projects and a phenomenal rise in both human and livestock populations have led to widespread shrinkage and degradation of these natural areas. This has adversely affected the people as well as the conservation status of forests and wildlife”

The Action plan further states that:

“Winning local support, particularly of the youth, is imperative for effective species and habitat conservation. It is now well recognised that the local communities are put to a lot of hardship after notification of any area as national park or sanctuary, because of denial of the forest usufructs and other natural produce like fish and other marine products. They are also exposed to the threats from wild animals to the life and property. For effective conservation of wildlife it is necessary that Government of India launches programmes and schemes which can compensate for the loss of opportunities suffered by the communities.”

The National Wildlife Action Plan 2002 -2016 recommends among other that the following actions are required to achieve the above objective:

- Develop and implement guidelines for providing incentives and measures for benefit sharing among local communities e.g.
- Reward local individuals for harmonizing livelihood earnings with wildlife conservation.
- Assign access over water and biomass resources (including materials generated from management operations), but in conformity with the prescriptions applicable to the concerned management zone in the PAs.

Applicants/ Intervener submits that the implementation of the Action plan will be adversely affected by the circulars issued by the Central Empowered Committee and Ministry of Environment and Forest. Further, it will be a serious setback and disincentive for the large number of communities conserving wildlife and natural forest and wetland ecosystems on their own initiatives while simultaneously securing their livelihoods through sustainable extraction of forest/wetland products. The Applicant No. 2 has collected documentation of over 300 such initiatives across the country, including communities that protect vital wildlife populations Hereto annexed and marked as **Annexure E** is a true and typed copy of the National Wildlife Action Plan, 2002-20016.

PRAYER

It is respectfully prayed that this Hon'ble Court may be pleased to:

- A. Modify the order dated 14-2-2000 in order to allow for the continuation of the rights, concessions and privileges for use of the people living in sanctuaries as well as continuation of rights, concessions and privileges with respect to NTFP's till final declaration of National Park.
- B. Quash the order of the Ministry of Environment and Forests dated 20-10-2003 in so far as it prohibits all rights and concessions in Protected Areas.
- C. Quash the order of the Central Empowered Committee dated 2-7-2003 and the Ministry of Environment and Forests dated 20-10-2003 in so far as it has included all kinds of "Protected Areas" within the scope of the order of 14-2-2000.
- D. To direct the Ministry of Environment and Forests and the Central Empowered Committee to issue a clarification on the same so as to ensure that bona fide rights and concessions are not affected in Sanctuaries where legally admitted in their final notifications and Sanctuaries and National Parks where final Notification under Section 35 (4) has not taken place
- E. Pass such other order(s) as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS YOUR APPLICANT AS IS DUTY BOUND
SHALL EVER PRAY

FILED BY

ANITHA SHENOY

ADVOCATE FOR THE APPLICANTS