

प्रभागीय वन अधिकारी का कार्यालय
OFFICE OF THE DIVISIONAL FOREST OFFICER
लिटिल अण्डमान / LITTLE ANDAMAN

Hut Bay dated the 26th September, 2020.

To

The Chief Conservator of Forests (Territorial),
Van Sadan, Haddo,
Port Blair.

Sub: Diversion of 70. 9037 Sq. kms of Forest area and 0.3693 Sq. Kms of deemed forest for sustainable development of Little Andaman Island –submission of revised Part-II- reg:
Ref: PCCF (CRZ&FC) letter No. PCCF/FCA/326/Vol-II/198 dated 11/09/2020.

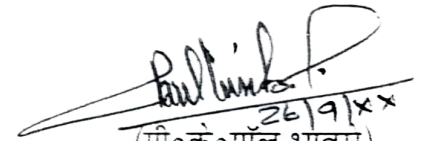
Sir,

Kindly find enclosed herewith the revised Part-II along with Annexures for diversion of 7127.3 Ha. of Forest land (70. 9037 Sq. kms of Forest area and 0.3693 Sq. Kms of deemed forest) for sustainable development of Little Andaman Island envisaged by the NITI Ayog in favour of ANIIDCO.

Submitted for further course of action please.

Encl: As above

Yours faithfully,



(पी०के०पॉल, भावस)

(P.K. Paul, IFS)

प्रभागीय वन अधिकारी

Divisional Forest Officer

लिटिल अंडमान / Little Andaman

Copy to:

1. The Principal Chief Conservator of Forests (ANI) Van Sadan, Haddo, Port Blair for favour of information.
2. The Principal Chief Conservator of Forests (CZ&FC), Van Sadan, Haddo, Port Blair for information and necessary action.

PART -II

State Serial Number of the proposal:

7.	Location of the project/scheme																
i.	Union Territory	Andaman & Nicobar Islands															
ii.	District	South Andaman District															
iii.	Forest Division	Little Andaman Forest Division															
iv.	Area of forest land proposed for Diversion (in ha.)	7127.3 Ha. of forest land. Out of the given proposed forest land, an area of 773.4 Ha. of notified forest has been reserved for PVTG (Particularly vulnerable tribal group - Onge) under ANI(PAT) regulation 1956.															
v.	Legal status of Forest	7090.37 ha. of notified Reserved Forests & 36.93 Ha. of Deemed Forests on notified Revenue land.															
vi.	Density of vegetation	Varies from moderate dense to very dense forest having (55% for ROP and 70-80% for the rest) canopy density.															
vii.	Species wise (scientific names) and girth wise enumeration list of trees (enclosed)	<p>Being very vast tract of forest land, 0.25 percent of sampling enumeration was carried out. 08 representative blocks were taken on the notified forest and 02 representative blocks were taken over deemed forest for the purpose of enumeration. No Forests is available in 05 Ha. of proposed Deemed Forests on revenue land (Survey No. 231/1 of Netaji Nagar). Hence no enumeration could be carried out in that plot.</p> <p>Approximately 2440193 numbers of trees and 1693713 numbers of Cane, Bamboo and other NTFP are available on the proposed area. The Distribution of trees over notified Reserved Forest and Deemed forest is as under:</p> <table border="1"> <thead> <tr> <th colspan="2">Notified Forest</th> <th colspan="2">Deemed Forest</th> <th>Total in Nos.</th> </tr> </thead> <tbody> <tr> <td>Trees</td> <td>2431748</td> <td>Trees</td> <td>8445</td> <td>2440193</td> </tr> <tr> <td>NTFP</td> <td>1688013</td> <td>NTFP</td> <td>5700</td> <td>1693713</td> </tr> </tbody> </table> <p>The species wise & girth class wise enumeration list is enclosed. (Annexure - A1 & A2)</p>	Notified Forest		Deemed Forest		Total in Nos.	Trees	2431748	Trees	8445	2440193	NTFP	1688013	NTFP	5700	1693713
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viii.	Brief note on vulnerability of the forest area to erosion.	The proposed area for diversion spread over a vast tract of forests having unique configuration/land use. Geologically, the island is very recent and the area is prone to soil erosion. The existing forest cover provides the binding force to hold the sub-surface with soil. The forest type is tropical rain forest and the island receives about 2020 to 3774 mm rainfall annually distributed over 08 months and removal of forest cover will lead to severe top soil erosion.
ix.	Approximate distance of proposed site for diversion from forest boundary.	The proposed site is vast in nature which includes all revenue villages and therefore the entire common boundary between the notified Forest land & Revenue land in Little Andaman Island is within the proposed site.
x.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, the details of the area and comments of the Chief Wildlife Warden to be annexed).	No, the area does not form part of Protected Area but it is the habitat of certain Schedule-I animal and some rare & threatened species such as Crocodile /Dugong / Turtles / King Cobra/Andaman Wild Pig etc.
xi.	Whether any rare/endangered/unique species of flora and fauna found in the area, if so details thereof.	<p>The Andaman and Nicobar Islands (ANI) including Little Andaman Island are an internationally acknowledged hot spot for biodiversity. These islands have over 2500 species of flowering plants (223 species endemic – not found anywhere else in the world), 5100 species of animals (100 freshwater, 2100 terrestrial and 2900 marine), 179 species of corals, making it the richest coral reef in India, 55 species of mammals (32 species endemic), 244 species of birds (96 endemic) and 76 species of reptiles (24 endemic).</p> <p>There are about 84 major tree species (Angiosperms), all major species of Mangroves and its associates, about 38 species of Climbers, 20 species of Herbs and 30 species of Shrubs found in Little Andaman. Out of the above 44 species have been found under the Category of Rare Endangered and Endemic. The list is enclosed as Annexure-B.</p>

		<p>There are 10 species of Mammals, 81 species of Birds, 22 species of Reptiles, 129 species of Fish, 239 species of Corals, 6 genera of Echinodermata, 75 species of Butterflies, 25 species of flying insects found in Little Andaman. The list of 72 species of fauna which have been found under the category of Rare, Endangered, Unique is enclosed as Annexure-C.</p>
xii.	<p>Whether any protected archaeological heritage site defense establishment of any other important monument is located in the area. If so, the details thereof with NOC from competent authority.</p>	No
8.	<p>Whether the requirement of forest land as proposed by the user agency in Col.2 of Part-I is unavoidable and barest minimum for the project. If so, recommended area item wise with details of alternatives examined.</p>	<p>The project proponent has furnished a certificate in this regard. The entire plan of development encompasses 20540 ha. forest land as per the vision document and is divided into three phases which consists of high end tourism project with facilities like International Airport, exclusive Resorts & Hotels, Global brand Medical Facilities & wellness centres, Beach front homes, Opera House, Film City, Very High End Forest Resorts & Cottages, Casino, etc. such facilities can be developed in any other island with less forest cover. This proposal is for the first phase which is of 7127.3 ha. of forest land. Detailed layout Plan of the proposed diversion and EIA reports are not made available with the proposal. Hence assessment of impacts on the biodiversity anticipated due to construction of structures individually as well as in clustered units are not done. Further, the User Agency has not provided any documents regarding exploring of alternate sites for this purpose item wise for supporting their views.</p>
9.	<p>Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.</p>	No

10.	Details of compensatory afforestation scheme:	
i.	Details of non-forest area/degraded forest area identified for Compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.	The User Agency has not provided any details for the Compensatory Afforestation Scheme.
ii.	Map showing non forest area/degraded forest area identified for compensatory afforestation.	
iii.	Detailed Compensatory afforestation scheme including species to be planted, implementing, agency, time schedule, cost structure etc.	
iv.	Total financial outlay for Compensatory afforestation scheme.	
v.	Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view (To be signed by the concerned DCF).	
11.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in Col.7 (xi, xii) 8 and 9 above.	Enclosed as Annexure-E .
12.	Division/District profile :	
i.	Geographical area of division	73799.2 ha
ii.	Total forest area of the division	70365.2 ha. includes reserved area for tribals.
iii.	Total forest area diverted since 1980 with number of cases.	<ol style="list-style-type: none"> 1. Vishnu Nallah Minor Irrigation Scheme – 88.4 ha. 2. Ramkrishna Pur Minor Irrigation Scheme – 70.99 ha. 3. Establishment of Stone Quarry by ALHW, Hut Bay – 3.13 ha. 4. Fish Landing Centre – 0.08 ha. 5. Radar Station – 0.0035 ha. 6. Water Treatment Plant, at Sunder Pur – 0.2 Ha. (Proposed)

iv.	Total compensatory afforestation stipulated in the division since 1980.	The compensatory Afforestation for Irrigation Projects (159.39 ha.) of this division was taken up at Diglipur Forest Division. An area of 3.13 Ha. of CA was taken up on the non-forest land in this division in lieu of the diversion of forest land for Stone Quarry. The stipulation for Fish Landing Centre at V.K Pur (0.08 ha.), 10 times the trees proposed to be felled is to be raised (70 trees) in the degraded forest area. For the smaller Projects no CA was stipulated.
	a) Forest land including penal compensatory afforestation.	Nil
	b) Non Forest land	01 No. (Survey No. 561/1) measuring 3.13 hectare at Hut Bay village.
v.	Progress of compensatory afforestation as on date	
	a. Forest land	70 trees is to be raised in the degraded forest for the project of Fish Landing Centre at V.K Pur (0.08 ha.). The plantation activity shall commence during 2021-22.
	b. Non-forest land	Compensatory afforestation raised at survey No. 561/1 measuring 3.13 hectare at Hut Bay village during 2013-14. Presently the yearly maintenance work is carried out.
13.	Specific recommendation of the DCF/DFO for acceptance or otherwise of the proposal with reasons.	The specific comments are furnished separately as under.
Point No.	Issues & Recommendations	
A	<p>The present proposal for diversion of 7127.3 Ha. of forest land (7090.37 Ha. notified forest and 36.93 Ha. deemed forest) is part of the 1st Phase of the sustainable development of Little Andaman which extends over an area of about 10466 Ha. (7090.37 ha. of notified Reserved Forest land and 337.5 ha. of revenue land which also includes 36.93 Ha. of deemed forest) in the eastern part of Little Andaman Island. The Revenue land consists of 05 villages and also includes all Govt. establishments.</p> <p>The entire plan of development (Phase I, II & III) in vision document comprises 20540 ha. forest land which consists of high end tourism project with facilities like International Airport, exclusive Resorts & Hotels, Global brand Medical Facilities & wellness centres, Beach front homes, Opera House, Film City, Very High End Forest Resorts & Cottages, Casino, etc. and such facilities could be developed in any other island with less forest cover. The User Agency has not provided any document for exploring alternate site for the purpose.</p> <p>The EIA Report has not been provided with the Part-I. Hence impact on the Environment, Flora & Fauna due to this development could not be assessed. Further Detailed Site Layout Plans are also not made available for the proposed diversion. However, the following issues are relevant and required to be considered for the proposed diversion.</p>	

B

The Hon'ble Supreme Court of India had passed a landmark order dated 07/05/2002 in IA No 502 of 1999 in WP(C) No. 202 of 1995 to conserve and protect the Biodiversity, to stop felling of trees, to conserve the tribal reserves, closure of saw mills, removal of encroachments with prime idea to protect the entire eco-system of the islands which is reproduced below.

"(1) All felling of trees from the forest of Little Andaman islands, the National Park and Sanctuaries, the tribal reserves and all other areas shall stand suspended".

The Apex Court further passed order that:

"(19) The approvals accorded by Ministry of Environment & Forests under the Forest (Conservation) Act, 1980, shall be reviewed by a Committee consisting of Secretary, Environment & Forests, Director General of Forests and at least one non-official member of the Forest Advisory Committee constituted under the Forest (Conservation) Rules to restrict the approvals to the barest minimum needed to serve emergent public purposes. Felling of trees shall commence only after the process of compensatory afforestation has actually been undertaken on the ground. In future, the proposals shall be considered for approval only after detailed Environment Impact Assessment has been carried out through an independent agency identified by Ministry of Environment & Forests."

C

Further, the Hon'ble Supreme Court had accepted the report of Prof. Shekhar Singh in toto and certain relevant recommendations are as under:

3) *In addition to areas covered under 1 & 2 above, no felling of trees should be allowed in any unworked forest area, i.e. area where felling of trees as per working plans, working schemes, felling schemes or approved working plans, has not taken place earlier. **There should also be no diversion of forest land from any such unworked area or from areas covered under 1 and 2 above, without the specific orders of the Supreme Court.***

8) *There should be no expansion of monoculture or commercial plantations on forestland. The existing plantations of oil palm, rubber and teak are reportedly no longer viable and should be phased out. The land so released should, in so far as it is forestland, be regenerated as specified earlier. Consequently, the Andaman and Nicobar Islands Forest Plantation and Development Corporation Ltd. (ANIFPDCL) should be wound up as it was primarily set up to promote commercial forestry and plantations, especially in Little Andaman.*

28) *For the conservation and protection of the forests and other ecosystems, an effective action plan should be prepared by the ANI Forest Department, in consultation with local NGOs and experts. This plan should also envisage a suitable enhancement of the protected area network, especially in the main islands of the Andaman and in the Nicobar Group. All unworked forest areas in Diglipur, Mayabunder, Middle Andamans and Baratang should be made into national parks, leaving a buffer belt between the national park boundary and the edge of revenue settlements, for protection by village protection committees. In addition, there should be a consolidation of the nearly hundred small island parks and sanctuaries and they should be constituted into viable units encompassing the marine areas surrounding them. This plan, after being approved by the MoEF, should be strictly implemented. The necessary funds, vehicles, equipment, human power, police help and legal power required for the effective implementation of this action plan should be made available by the ANI administration.*

40) *No concrete or permanent infrastructure for tourism should be built on any forest area in the Islands. Tourist activities in forest areas should be restricted to tented accommodation or temporary wooden prefabricated structures that can be*

dismantled easily and moved to another site. These areas should remain under the control of the forest department who should be responsible for ensuring that the quantum and type of tourism is such that it does not in any way degrade the forests or other ecosystems.

41) A proper eco-friendly tourism plan should be developed for the Islands within one year. This plan should also do an economic and a distributional analysis to highlight how tourism can make a net contribution to the economy of the Islands and how the economic benefits can be equitably distributed among the various segments of the local society and generate local employment.

42) Such a plan must be in conformity with the requirement for conserving the ecological and cultural integrity of the Islands and not pose a security threat to this strategically important area.

It is evident that the Hon'ble Supreme Court had laid the cardinal principle for the protection and conservation of the rich biodiversity prevailing in the tropical forest and to preserve the natural forest and its ecosystem in A & N Islands.

Further, with the same principles, the Govt. of India has closed down the ANIFPDCL with the aim to protect and conserve the forest area initially leased to ANIFPDCL for forest operations and ROP Plantation.

D The entire Red Oil Palm (ROP) Plantation of 1593 ha. raised by ANIFPDCL on the Reserved Forest land is also falling within this diversion proposal. On the closure of the ANIFPDCL the above area was handed back to the Forest department. As per the directions of the Hon'ble Supreme Court vide its order dated 07.05.2002, the area has to be brought back to its natural profile. However, the A & N Administration has filed an I.A. No. 179389 of 2018 in I.A. No. 502 of 1999 in W.P. (C) No. 202 of 1995 for revival of the Red Oil Palm plantation in the Hon'ble Supreme Court.

E The proposed diversion includes natural habitat for various Wild Animals as per the list of flora and fauna enclosed above. However, the nesting ground of all types of Sea Turtles requires special mention for its conservation and preservation. All types of turtles are included in the Part-II of Schedule-I of WL(P) Act, 1972. Special attention is required for the conservation of Leatherback Sea Turtle as its nesting ground is dwindling sharply and the South Bay and West Bay are only few of the nesting grounds. The present proposal includes the Sea Beaches at Butler Bay (Phase -I), South Bay (Phase - II) and West Bay (Phase -III) which are known for Turtle Nesting since long and the records of the visit of Turtles for Nesting purpose for last 12 years is enclosed as **(Annexure - D)**.

F The proposed diversion includes the following diverted forest areas in the past

1. Ramkrishna Pur Minor Irrigation Scheme – 70.99 ha.
2. Establishment of Stone Quarry by ALHW, Hut Bay – 3.13 ha.
3. Fish Landing Centre at VK P – 0.08 ha.

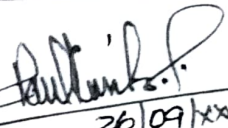
Further, the compensatory Afforestation raised on non-forest land of 3.13 ha. in lieu of the Stone Quarry at Hut Bay is also falling within the proposed diversion. The action to notify the area into Reserved Forest is under process.

G	<p>a) The department of Environment and Forests has raised 369 ha. of plantations from 2005-06 to 2019-20 in the proposed area and in the event of diversion of forest area the objective of raising cane/bamboo/NTFP/Coastal Belt Plantations and other plantations would be failed.</p> <p>b) The proposed diversion includes 8.65 ha. of Padauk plantation (State Tree) which was raised by Department of Environment and Forests during 70's and need to be conserved as a sample plot as well as heritage plantation.</p>
H	<p>A portion of the proposed forest is the catchment area for 2 minor irrigation projects as well as catchment area for water supply in the villages and habitations. Any disturbance in the catchment area will have adverse impact on the irrigation projects as well as supply of water.</p>
I	<p>The CRZ Area in Little Andaman is 100 mtr. from HTL and as per the developmental proposal, the CRZ area is also included for tourism purposes including other infrastructure. The sea beach at Hut Bay is also identified site for collection of sea sand by IOM Chennai and this may be excluded from the proposed area to facilitate collection of sea sand for general public.</p>
J	<p>The proposed area (under Phase-1) includes all the establishment of the Department of Environment & Forests namely Divisional Office, Range Office, Forest Sub-Station, Forest Nursery, Forest Camps, Check Post and other establishments. In the event of diversion these infrastructures need to be re-established. Further, the department has already paid the cost of all buildings taken over from ANIFPDCL which were available on forest land and now falling within this proposed diversion. A decision in this regard need to be taken for final disposal of the assets taken over.</p>
K	<p>All the three phases of development of Little Andaman shall involve very large forest area having natural tropical rain forests. The diversion shall have special environmental concerns regarding ecosystem and its permanent loss in due course of time. This being the island ecosystem such large diversion of forest land shall have obvious environmental loss leading to irreversible damage and will also act adversely on mitigation of impact of climate change. Further, this island is prone to disasters like Earthquake, Tsunami and Cyclones. The major earthquake followed by tsunami of 2004 had devastating effects on the sea front of Little Andaman Island and also inflicted heavy damage to life & property.</p>
L	<p>The total forest area of Little Andaman Island is 70005 ha. and out of which 50323 ha. is set aside as reserved area for tribals (Onges & Nicobarese) for their hunting ground as well as collection of honey, tubers, medicinal plants etc. The balance area of 19682 ha. is left and out of which this diversion proposal of 7090.37 ha. of forest land has to be met. Out of the proposed forest area, 773.4 Ha. of notified forest has also been reserved for tribals (PVTG - Onge).</p> <p>The minor forest produce and other timber requirements of the villagers/ local population, needs to be met from the left out forest. In the event of diversion, the above forest will not be available for meeting the demand of the local public and this aspect need to be considered by making necessary provisions for timber and NTFP.</p>

M	<p>The total geographical area of Little Andaman Island indicated in the proposal is 675.16 Sq. Km. area whereas the recorded area as available in all the publication and records of Andaman & Nicobar Administration is 734.39 Sq. Km. Such reduction in the geographical area of Little Andaman shall lead to reduction in total geographical area of Andaman & Nicobar Islands as well as the total notified forests. It was also observed from the map provided along with the proposal that there are areas outside the Survey of India boundary which has not been clarified by the user agency.</p>
N	<p>In view of the above it is submitted that the issues raised above are very relevant, genuine and based on facts and needs to be considered carefully before taking a final view as large tract of Tropical Rain Forest that cannot be raised elsewhere with such biodiversity. Further, as pointed out above, necessary prior permission of the Hon'ble Supreme Court would be required for diversion of Forest land in Little Andaman. Site specific comments could not be furnished in the absence of Detailed Project Report, EIA and Layout Plans. The report has been compiled in a short duration of time and the information as enclosed is limited to that extent, due to the prevailing lockdown and restrictions for containment of COVID-19.</p>
O	<p>In view of the above, the proposal may be accepted by considering the issues raised herein above.</p>

Date : 26.09.2020

Place : Hut Bay, Little Andaman

Signature : 
 Name : 26/09/xx
 प्रभागीय वन अधिकारी
 Divisional Forest Officer
 official ~~डिवा~~ अण्डमान / Little Andaman