

1. Guidelines On Religious Structures in Sanctuaries- Environment

Apex wildlife body readies guidelines on 'religious structures' in sanctuaries. The Standing Committee of the National Board for Wildlife (SCNBWL) has drafted strict guidelines to regulate and restrict the diversion of forest land for religious structures within protected areas, triggered by a controversial proposal in Gujarat. These guidelines treat any construction after 1980 as encroachment and mandate that existing structures can only undergo limited expansion for essential public utilities or conflict mitigation, ensuring ecological integrity over ad-hoc development.

1. Context and Background

Origin of Guidelines- The SCNBWL has drafted these guidelines to strictly regulate the diversion of forest land within Wildlife Sanctuaries and National Parks for the construction of religious structures.

Trigger Event- The guidelines were necessitated by a controversial proposal regarding the Balam Ambaji Wildlife Sanctuary in Gujarat, where diversion of forest land was requested for a religious structure.

Initial Approval & Reversal- Although the proposal initially received approval, it was subsequently withdrawn.

Reasons for Withdrawal

1. Absence of Forest Rights- There were no recorded forest rights under the *Forest Rights Act, 2006*.
2. Risk of Precedent- Authorities feared setting a dangerous nationwide precedent that could trigger similar demands in other protected areas

2. Necessity for the Guidelines

Preventing Fragmentation- To stop ad-hoc approvals that could incrementally weaken conservation laws and fragment habitats.

Legal Uniformity- To establish a clear, legally grounded framework for evaluating proposals for religious institutions, ensuring consistency across states.

Balancing Interests- To effectively address cultural and religious sentiments without compromising ecological integrity.

Precedent Control- To prevent the proliferation of religious structures in protected areas, which is a significant threat to biodiversity.

3. Key Features of the Draft Guidelines

General Principle on Construction- Any construction or expansion on forest land that occurred after **1980** (when the *Forest Conservation Act* came into force) is to be strictly treated as encroachment.

Exceptional Regularisation

- a. Regularisation is not the norm. It may be considered only in exceptional cases.
- b. The State must issue a reasoned and documented order justifying the need for regularisation.
- c. Such proposals will be referred to the Ministry for case-by-case consideration.

Strict Restrictions on Expansion- Proposals seeking to "expand area or footprint" of existing structures will generally not be considered.

Limited Expansion Clause- "Limited expansion" may be permitted *only* under two specific conditions-

Mitigating Ecological Conflict- If the expansion helps reduce conflict between humans and wildlife.

Public Utilities- If the expansion is necessary to create public utilities for managing existing pressures (e.g., sanitation or safety for existing pilgrims).

4. Legal Framework Governing Protected Areas

The following acts provide the statutory basis for protecting these areas-

Act	Key Provisions & Significance
Wildlife (Protection) Act, 1972	Governs the management of sanctuaries and national parks. Prioritizes habitat protection. Places strict restrictions on human activity within protected zones.
Forest (Conservation) Act, 1980	Prohibits the diversion of forest land for non-forest purposes without prior Central Government approval.

	Reinforces the principle of ecological primacy over development.
Forest Rights Act (FRA), 2006	Recognizes individual and community forest rights. Mandates that any claim over land (including for religious or cultural structures) requires formal recognition of forest rights under this Act.

5. National Board for Wildlife (NBWL)

Nature- A statutory apex body constituted in 2003 following the 2002 amendment to the *Wildlife (Protection) Act, 1972*.

Role- Serves as the highest policy-making authority for wildlife conservation in India.

Nodal Ministry- Ministry of Environment, Forest and Climate Change (MoEFCC).

Evolution History

- 1952- Originally established as the Indian Board for Wildlife (IBWL).
- First Chairman- Sri Jayachamaraja Wadiyar, Maharaja of Mysore.
- 2003- The IBWL was reconstituted as the NBWL.

Composition of NBWL

Position	Designation
Chairperson	Prime Minister of India
Vice-Chairperson	Union Minister for Environment, Forest and Climate Change
Member-Secretary	Additional Director General of Forests (Wildlife) & Director, Wildlife Preservation
Other Members	5 NGO representatives. 10 eminent conservationists/ecologists/environmentalists.

6. Standing Committee of NBWL

Function- Functions as a specialised executive body under the NBWL to handle day-to-day statutory duties.

Crucial Role- It examines and approves proposals related to activities and projects within protected areas.

Chairperson- Union Minister for Environment, Forest and Climate Change.

Composition- Consists of not more than ten members, nominated by the Minister from among the existing NBWL members.

Source- <https://www.thehindu.com/sci-tech/energy-and-environment/apex-wildlife-body-readies-guidelines-on-religious-structures-in-sanctuaries/article70515467.ece#~~~text=These%20guidelines%E2%80%9494though%20still%20being,meeting%2C%20the%20meeting%20records%20note>.