

127

Reply for RTI

Request No. WLIOI/R/2017/50001

Date of Receipt 22.01.2017

1. Whether Wildlife Institute of India (WII) has submitted any interim report with regard to height and noise level for flights to fly over the Kedarnath Wildlife Sanctuary (KWLS) to Chief Wildlife Warden of Uttarakhand State

No, WII has not submitted any interim report with regard to height and noise level for flights to fly over the Kedarnath Wildlife Sanctuary (KWLS) to the Chief Wildlife Warden (CWLW), Uttarakhand.

However, in response to a request from the CWLW (Letter No. 1947/29-1 dated 08.01.2016), WII had proposed some interim measures based on 'precautionary principle' to reduce impacts on wildlife of Kedarnath WLS due to helicopter services vide letter No. WII/UK/KWS-Heli/2015 dated 13.01.2016

2. If Yes, please provide a copy of the said report.

Copy of WII's letter along with annexure are enclosed.



ATTESTED
09/02/17
CPIO, Wild Life Institute of India, Dehradun

126
V.B. Mathur
Director

17/HAND
No.WII/UK/KWS-Heli/2015
13 January 2015

To

The Principal Chief Conservator of Forest &
Chief Wildlife Warden
Government of Uttarakhand
85, Rajpur Road
Dehradun- 248001
Email: cwlwua@yahoo.co.in

Sub: National Green Tribunal, New Delhi Appl. No. 327/2015 Environment Association vs
Union of India regarding operation of helicopter flights over Kedarnath WS – reg.

Ref: Your letter No. 1947/29-1 dated 08 January 2016

Sir,

You are kindly aware that the Wildlife Institute of India has initiated the study on assessment of impacts on wildlife due to helicopter services in Kedarnath Valley in autumn 2015 and this would continue until summer 2016. Based on our initial field observations and perusal of regulatory norms laid by DGCA, we propose the following interim measures based on 'precautionary principle' to reduce impacts on wildlife of Kedarnath WS due to helicopter services in Kedarnath Valley:

1. According to the Noise Pollution (Regulation and Control) rules, 2000 (Annexure-I), the ambient air quality standard for noise for 'Silence Zone' is 50dB. In pursuance of Rule 3(2) of the above Rules, the Government of Goa has included Wildlife Sanctuaries and Reserved Forests under the 'Silence Zone' category (Annexure-II). Our measurements ($n=1,521$) of noise levels due to helicopter flights that were recorded at six locations along the flight paths during autumn 2015 ranged from 46 dB to 89 dB with a mean of 70 dB (± 6.5 SD), well above the 50 dB upper noise limit prescribed for 'Silence Zone'. Lowest noise levels were observed at Sonprayag where the helicopters tend to fly highest, due to a bend in the Valley. This demonstrates a correlation between helicopter flying height and noise level. It is important that noise levels due to helicopter flights are kept within the noise limit of 50dB for 'Silence Zone'. The Government of Uttarakhand may also consider issuing a notification in this respect as has been done by the Government of Goa (Annexure-II).

Dushy
14/01/16

ATTESTED

CPD, Wild Life Institute of India, Dehradun

2. As per the norms laid by DGCA (Annexure-III), the flights should be operated above 600m (2000') from the ground. Our altitude records of helicopter flights (n=7) made during autumn 2015 revealed that with the exception of one, all helicopter flights have flown less than 600m above ground. The compliance of the above mentioned regulations needs to be strictly adhered so to reduce /minimise disturbances to wildlife due to noise besides having flying safety consideration.
3. The State Forest Department or any other agency could monitor the helicopter operator's compliance with regulatory norms laid by DGCA by regular checking of aviation records submitted by the different operators. Monitoring the helicopter altitude and position could be done using equipment such as Laser Distometer, Lidar Gun and setting up of Automatic Dependent Surveillance unit.

We shall be able to submit our final report after completion of field work ending June 2016 during which additional observations on flight operations will be made.

Yours faithfully,


(V.B. Mathur)
Director

Encl.: as above


ATTESTED
CPYO, Wild Life Institute of India, Dehradun

124

Annexure - I

OFFICIAL GAZETTE

Government of Goa

SERIES II NO. 15

EXTRAORDINARY No. 5

15th JULY, 2008

Department of Science, Technology & Environment.

No.7/4/98/STE/DIR/Part I/557

NOTIFICATION

In pursuance of Rule 3 (2) of the Noise Pollution (Regulation and Control) Rules, 2000 (said rules), Government of Goa, hereby notifies the categorization of areas in the State of Goa into Industrial, Commercial and Residential or Silence Areas/Zones, for the purpose of implementation of Noise standards for different areas.

Area Code	Category of Area / Zone
A	<p>Industrial Areas:</p> <p>All areas, which are included within the industrial estates, mining areas, barge loading facilities and related activity, jetties along the riverfronts and all other Industries / Industrial Areas not falling within the above specified areas and zoned as Industrial as per the Regional Plan, 2001 notified by Town and Country Planning Department, Government of Goa, shall be categorized as Industrial Area.</p> <p>For the purpose of designating a specific area to be an Industrial zone, the Department of Science, Technology & Environment, in consultation with Directorate of Industries, Trade & Commerce, Department of Tourism and Goa State Pollution Control Board shall within six months from the date of this Notification identify the areas falling within and designate on a map Industrial zone having regard to the predominant character of the locality.</p>



ATTESTED

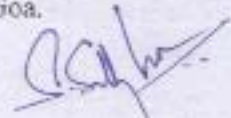
CPJO, Wild Life Institute of India, Dehradun

123

B & C	<p>Commercial Area and Residential Area :</p> <p>All areas which are declared as Commercial/Residential (Settlement Zones) as per the Regional Plan, 2001 or the Outline Development Plans for the respective urban areas in the State of Goa, notified by Town and Country Planning Department, Government of Goa, shall be categorized as Commercial / Residential Areas.</p> <p>For the purpose of designating a specific area to be Commercial/Residential Area/zone, the 'Authority' shall within six months from the date of this Notification survey the area falling within his jurisdiction and designate on a map Commercial/ Residential Area /zones or a mixed category area, having regard to the predominant character of the locality.</p> <p>For the purpose of identifying a specific area to be Commercial/Residential Zone for the purpose of permissions under Rule 5(1) of the said rules, the 'Authority' shall examine and survey the area concerned and permit the use of Loudspeaker/ Public Address System, on case to case basis, after satisfying himself that the specific area is substantially Commercial or substantially Residential as the case may be. For this purpose the 'Authority' shall accept an application from any 'person' desirous to use Loudspeaker/Public Address System, 03 (three) days prior, to enable the 'Authority' to carryout the site inspection and survey, failing which the 'Authority' shall not accept the application.</p>
D	<p>Silence Zone:</p> <p>All areas comprising not less than 100 meters around hospitals, educational institution, courts, religious places, <u>wildlife sanctuaries</u>, <u>reserve forests</u>, turtle nesting sites, Heritage/Archeological sites of State/National/ International importance and all areas which are identified to be falling within the silence zone as identified by Road Transport Authority, Department of Transport, Government of Goa shall be categorized as Silence Zone.</p> <p>For the purpose of designating a specific area to be Silence zone, the 'Authority' shall within six months from the date of this Notification survey the area falling within his jurisdiction and designate on a map Silence zone having regard to the predominant character of the locality.</p>

The 'Authority' (as notified vide Notification No.7/4/98/STE-DIR/Part-1/922 dated 04/12/2007, Sr. No. 01 to 12) as listed below, shall carry out the survey to designate the specified areas / zones viz. 'B', 'C' and 'D' and maintain the limits of sound for all areas /zones as prescribed in the schedule to said rules.

- (1) The District Collector, Collectorate (North), Panaji-Goa.
- (2) The District Collector, Collectorate (South), Margao-Goa.
- (3) The Additional Collector (I) and Addl. District Magistrate, North Goa, Panaji.
- (4) The Additional Collector (I) and Addl. District Magistrate, South Goa, Margao-Goa.
- (5) The Dy. Collector & Sub-Divisional Magistrate, Tiswadi, Panaji-Goa.
- (6) The Dy. Collector & Sub-Divisional Magistrate, Ponda-Goa.
- (7) The Dy. Collector & Sub-Divisional Magistrate, Bardez, Mapusa-Goa.
- (8) The Dy. Collector & Sub-Divisional Magistrate, Bicholim-Goa.
- (9) The Dy. Collector & Sub-Divisional Magistrate, Pernem-Goa.



7

ATTESTED

CPIO, Wild Life Institute of India, Dehradun

122

- (10) The Dy. Collector & Sub-Divisional Magistrate, Salcete-Goa.
- (11) The Dy. Collector & Sub-Divisional Magistrate, Mormugao, Vasco-Goa.
- (12) The Dy. Collector & Sub-Divisional Magistrate, Quepem-Goa.
- [(13) The Dy. Collector & Sub-Divisional Magistrate, Canacona-Goa.]¹

By Order and in the name of the Governor of
Goa
sd/-

(Michael M. D'Souza)

Director /Ex-Officio, Jt. Secretary (STE)

Salgao, 14th July, 2008.

(1) In the Notification above, in the last para after Sr. No.(12) new sr. no. (13) is inserted as at (1) above vide addendum in (Series II No.44 dated 28/01/2010).

S. S. S.

ATTESTED
07/07/12
CPIO, Wild Life Institute of India, Dehradun

ATTESTED

CLERK AND THE NOTARY IN CHARGE

121

Annexure - II

Extract of
Relevant page

**THE NOISE POLLUTION
(REGULATION AND CONTROL)
RULES, 2000**

(AS AMENDED TO DATE)



ATTESTED

CPYO, Wild Life Institute of India, Dehradun

ATTESTED
CPYO, Wild Life Institute of India, Dehradun

120

THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

¹[S.O.123(E) Whereas, the increasing ambient noise level in public places from various sources, inter-alia, industrial activity, construction activity, ²[fire crackers, sound producing instruments], generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people; it is considered necessary to regulate and control of noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas, a draft of Noise Pollution (Regulation and Control) Rule, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O.528 (E), dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And, whereas, copies of the said Gazette were made available to the public on the 1st day of July, 1999;

And, whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:-

The Noise Pollution (Regulation and Control) Rules, 2000.

¹ As published in the Gazette of India, Extraordinary, Part II, Section 3(i), vide S.O. 123(E), dated 11.2.2000 and amended by the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1016(E), dated 22.11.2000.

² Inserted by Rule 2 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 504(E), dated 11.01.2010.

SCHEDULE

see rule 3(1) and 4(1)

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

- Note:-
1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
 2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
 3. Silence zone is an area comprising not less than 100 metres around hospitals, educational institutions, courts, religious places or any other area which is declared as such by the competent authority.
 4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: It is an energy mean of the noise level over a specific period.

Note: The principal rules were published in the Gazette of India vide number, S.O.123(E), dated 14th February, 2000 and subsequently amended vide S.O.1046(E), dated 22nd November, 2000, S.O. 1088(E), dated 11th October, 2002, S.O. 1569(E), dated the 19th September, 2006 and S.O.50(E), dated 11th January, 2010.

Substituted by Rules 4 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1046 (E) dated 22.11.2000

-9- ATTESTED

CPIO, Wild Life Institute of India, Dehradun

[Signature]

118 (25)

कार्यालय प्रमुख वन संरक्षक (वन्य जीव) उत्तराखण्ड

85, राजपुर रोड, देहरादून (उत्तराखण्ड) email : cwlwun@yahoo.co.in

पत्र संख्या - 1944 / 29-1 देहरादून, दिनांक 8 जनवरी 2016

सेवा में,

निदेशक,
भारतीय वन्यजीव संस्थान,
धनदबनी, देहरादून।

विषय:- मा० राष्ट्रीय हरित प्राधिकरण, नई दिल्ली में योजित मूल आवेदन संख्या- 327/2015 दोआब पर्यावरण समिति बनाम यूनियन ऑफ इण्डिया व अन्य के सम्बन्ध में।

महोदय,

उपयुक्त विषयक संदर्भित पत्र के क्रम में अवगत कराना है कि मा० राष्ट्रीय हरित प्राधिकरण नई दिल्ली में योजित आवेदन सं० 327/2015 का प्रस्तरदार प्रतिउत्तर उत्तराखण्ड शासन द्वारा अनुमोदनोपरान्त केस का प्रतिउत्तर अभिलेख अधिवक्ता के माध्यम से दिनांक 04.11.2015 को मा० राष्ट्रीय हरित प्राधिकरण, नई दिल्ली में प्रस्तुत किया गया। जिसके फलस्वरूप मा० राष्ट्रीय हरित प्राधिकरण दिल्ली में योजित आवेदन सं० 327/2015 का अन्तिम निर्णय दिनांक 10.12.2015 को पारित हो चुका जिसके बिन्दु संख्या 02 पर आपके स्तर से कार्यवाही होना सुनिश्चित किया गया था जिसके क्रम में आप आवश्यक धनराशि उपलब्ध करायी गयी है। तदनुसार कार्यवाही करने का कष्ट करें।

1. The State of Uttarakhand shall take Immediate steps to submit its proposal for notification of Eco Sensitive Zone Covering Kedarnath Wild life Sanctuary as Well as the wildlife Sanctuary. This Proposal must be Submitted to Ministry of Environment Forest Of Climate Change Within Three Month from the date of pronouncement of this judgment.

We declined to prevent flying of Helicopters in the area. However, we Direct the state Government to issue Specific direction in consonance with the aviation policy with Specific reference to the Eco Sensitive Zones of Kedarnath Wildlife Sanctuary in relation to height and level of noise that the helicopter being used by the Company should be permitted to generate. We direct the Uttarakhand Environment protection and Pollution Control Board to give their Input to the state Government within 2 Weeks of Passing this order.

3. Issuance of such of notification and other requisite steps as may be directed by the Central Government, the State Government shall Issue measures and steps which should be taken by the Company based on the precautionary principle.

अतः अनुरोध है कि कृपया मा० राष्ट्रीय हरित प्राधिकरण, नई दिल्ली द्वारा दिये निर्देशानुसार अग्रेत्तर कार्यवाही करने की कृपा करें।

भवदीय,

(डी०वी०एस०खाती)

प्रमुख वन संरक्षक (वन्य जीव) /
मुख्य वन्य जीव प्रतिपालक,
उत्तराखण्ड।

ATTESTED

CPIO, Wild Life Institute of India, Dehradun

64
12/01
A. S. Sathyanarayanan
Dean
Pls see the 2 discs
12/1/16

