

Minutes of the meeting to discuss the Ecologically Sensitive Areas (ESA) of the Western Ghats held under the Chairmanship of Shri C. K. Mishra, Secretary, MoEF&CC on 15th February, 2019 at the Ministry of Environment and Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi.

A meeting to discuss the Ecologically Sensitive Areas (ESA) of the Western Ghats was held under the Chairmanship of Shri C.K. Mishra, Secretary, MoEF&CC on 15th February, 2019 at the Ministry of Environment and Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi. The representatives from the state Government of Karnataka, Tamil Nadu, Maharashtra, Goa and Kerala were present in this meeting. Representative from the state of Gujarat was not present without any intimation. The list of participants attended the meeting is annexed (**Annexure-A**).

2. At the outset, the Chairperson welcomed the representatives of the state Governments and the Experts present in the meeting. With brief introduction of the participants, Chairperson mentioned that the purpose of this meeting is to understand the concerns of the respective state Governments on the draft Notification dated 03.10.2018, declaring Ecologically Sensitive Areas of the Western Ghats and to proceed towards a meaningful conclusion. He also elaborated that considering the importance of the Western Ghats and the recommendation of the High Level Working Group (HLWG) exclusion of a state from the Ecologically Sensitive Areas is not possible. Similarly, fragmentation of the area, to notify ESA, in a state wise manner is also not feasible. It was further stated by the Chairman that while demarcating an ESA, the states should follow the basic administrative unit as village.

3. The Chairperson, further, elaborated that under the Section 5 of the Environment (Protection) Acts, 1986, Direction is already invoked in the entire ESA area prohibiting five categories of activities. So, it is for the benefits of the state Governments, they should engage themselves in discussion for emerging a possible solution rather than rejecting and withdrawing from the Notification process. Thereafter, he invited the state Governments to present their cases:-

- a) The representatives of the state Government of Karnataka have mentioned that HLWG recommended an area of 20,668 sq km with 1576 villages as ESA in the state and the draft Notifications of the Ministry was published with the same area. The Cabinet Sub-Committee constituted by the state held wide based consultation with Members of Parliament & State Legislature, Members & Presidents of Zilla Panchayats, Presidents of Taluka Panchayats, Representatives of the farmers' organizations and Non-government Agencies. The proceedings of the Cabinet Sub-Committee were placed before the Cabinet and the state Government is not in favour of the draft Notification and rejected it. In addition, state also discussed some of its disagreements due to (i) areas that were not within the Ecologically Sensitive Area are included in the ESA of the state (ii) there is large repetition in village names (99 villages

repeatedly appeared in all the draft Notifications) (iii) there is provision of phased closure and prohibition of the new quarrying and sand mining (iv) prohibition of the new and expansion of building, construction and townships and healthcare establishments and (v) the Notification is totally silent on the financial incentives to the state, in contrary to the recommendation of the HLWG.

- b) The representatives of state Government of Maharashtra have elaborated that the HLWG had recommended an area of 17,340 sq km as ESA of the state with 2133 villages. The State Level Committee with consultative meetings held at village level has decided to realign the ESA area retaining 1745 villages, removing 388 villages and adding 347 villages to the original village list of HLWG. Accordingly, it has recommended for an area of 15,359.49 sq km with 2092 villages. The state Government has also submitted the views on the comments received from the stakeholders.
- c) The representatives of state Government of Tamil Nadu have discussed that HLWG had recommended an area of 6914 sq km as ESA with 135 villages/Reserved Forests (RF)/ Reserved Lands (RL) and cultural landscapes in the state. After the draft Notification dated 27.02.2017, the boundary of the ESA in the state was examined and it was found that only 55 villages and 57 RF/RLs are included in ESA identified by HLWG and names of some of the villages as well as RFs were repeated. Accordingly, state Government has recommended an area of 6665.47 sq km as ESA spread over 55 villages comprising of 205 RFs/RLs and non-forest enclaves. The state will submit the geo-coordinates of the boundary of the ESA shortly.
- d) The representatives of state Government of Kerala have mentioned that HLWG had recommended an area of 13,108.7 sq km with 123 villages as ESA in the state. The Government of Kerala, based on physical verification had earlier, excluded an area of 3114.30 sq km and the draft Notifications were published with an area of 9993.70 sq km with 123 villages. Now, due to better governance and administration, earlier 123 villages have been bifurcated to 128 villages. Considering the discrepancies observed in the Maps and number of villages included in the ESA, Government of Kerala has submitted a fresh proposal with an area of 8656.46 sq km as ESA in the state with 92 villages (covering a total area of 12007.39 sq km). The proposal of Kerala has reorganized the list of villages and restricted the ESA area only to Reserve Forests, Protected Areas, and World Heritage Sites and excluded uninhabited areas, plantations, water bodies, rocky out crops from the village area.
- e) The representative from the state Government of Goa has intimated that the HLWG had recommended an area of 1461 sq km as ESA of the state with 99 villages. Now, after the draft Notification dated 03.10.2018, state has decided to recommend an area of 707 sq km as ESA in Goa with 69 villages. The state Government is working on its proposal and it will be submitted shortly.

4. Based on elaborate discussion with the representatives of the state Governments and the Experts present in the meeting, to facilitate the Notification process for declaring the ESA of the Western Ghats the following have emerged:

- i. Considering the importance of the Western Ghats, there will be no fragmentation of the Ecologically Sensitive Areas. There will be one single Notification covering entire ESA to protect the ecology of the Western Ghats;
- ii. In order to expedite the Notification process, the state Governments will submit their final proposal including ESA area, list of villages, Maps and GPS co-ordinates along with proper justifications, in case of deviation, from the recommendation of the HLWG within a month to this Ministry;
- iii. Along with the ESA proposal, state Governments may also submit their disagreements/ concerns/ views on the Prohibited and Regulated activities in the Ecologically Sensitive Areas along with the proposed financial incentives, if any, for their concerned state;
- iv. State Governments (except Gujarat and Maharashtra) will share their views on the comments received from the stakeholders (already compiled and forwarded to the states) on the Draft Notification dated 03.10.2018;
- v. Based on submission of the states, Expert Committee including few Members from the state could be constituted to make an early assessment on the recommendations of the state;
- vi. During the process, MoEF&CC will rectify the genuine errors and update the list of villages appearing in the ESA of the draft Notification (both in English and Hindi version).

5. The meeting ended with a vote of thanks to the Chair.

Annexure-A**Meeting on ESA of the Western Ghats held on 15th February, 2019****List of Participants****Ministry of Environment, Forest and Climate Change**

1. Shri C. K. Mishra, Secretary, Chairperson.
2. Shri Subrata Bose, Director (SC-'F'), MoEF&CC.
3. Shri Lalit Kapur, Senior Consultant, MoEF&CC.
4. Shri Pankaj Verma, Add.Director (SC-'E'), MoEF&CC.

Members of Expert

5. Dr. K. Sankar, Director, Sálím Ali Centre for Ornithology and Natural History.
6. Shri Gautam Talukdar, Scientist 'E', WII, Dehradun.
7. Dr. K. Ambrish, Scientist 'E', B.S.I.
8. Dr. C Raghunathi, Scientist 'E', Z.S.I, Kolkata.
9. Shri. Arun Kumar, Deputy Director, F.S.I, Dehradun.

Representative of State Governments

10. Shri Sandeep Dave, ACS (Forest), Government of Karnataka.
11. Shri Brijesh Kumar, APCCF Karnataka Forest Department, Government of Karnataka.
12. Dr. Usha Titus, Principal Secretary (Environment), Government of Kerala.
13. Dr. Veena N Madhavan, Director Environment, Department of Environment, Government of Kerala.
14. Dr. Jude Emtranvel, Scientist Environment, Directorate of Environment, Government of Kerala.
15. Shri VikasKharage, Principal Secretary (Forest), Government of Maharashtra.
16. Shri A. Ashraf, PCCF, Government of Maharashtra.
17. Shri Swaprul Peshbhakar, DSP Maharashtra Forest Department, Government of Maharashtra.
18. Shri S. Yuvaraj, APCCF(FCA), Government of Tamil Nadu.
19. Shri Sanjay Gihar, Secretary (Environment), Government of Goa.
20. Shri Sanjeev, Joglekar, DSP Environment, Government of Goa.
