

## **MINUTES OF 51<sup>st</sup> MEETING OF THE EXPERT COMMITTEE FOR DECLARATION OF ECO-SENSITIVE ZONE AROUND PROTECTED AREAS HELD ON 21<sup>st</sup> JUNE, 2023 IN THE MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE.**

The 51<sup>st</sup> Meeting of the Expert Committee on Eco-Sensitive Zone (ESZ) was held under the Chairmanship of Shri Tanmay Kumar, Additional Secretary, Ministry of Environment, Forest & Climate Change on 21<sup>st</sup> June, 2023 in Teesta Hall, Indira Paryavaran Bhawan, New Delhi. The list of the participants is **Annexed**. Participants from State of Himachal Pradesh could not participate in the meeting and participants from State of Kerala joined through Video Conference link.

**Opening remarks by Chairman:** At the outset, Chairman welcomed the Expert members, representatives from States of Assam, Arunachal Pradesh, Karnataka, Kerala, Maharashtra and other participants of the meeting. Chairman invited the attention of all State Governments towards the recent Hon'ble Supreme Court judgment dated 26<sup>th</sup> April 2023 passed in I.A 1000 of 2003 in W.P(C) No.202 of 1995: T.N. Godavarman Vs UOI & Ors *vide* which the Hon'ble Supreme Court has modified the directions dated 3<sup>rd</sup> June 2022 regarding the minimum Eco-sensitive zone extent of 1.0 km from the protected area boundary. He mentioned that while ensuring environmental safeguards through the process of Eco-sensitive Zone notifications, there is also a need to unlock the potential of development in the country so that environment and development are in harmony with each other. State Governments were requested to expedite the proposals which were held up due to the 3<sup>rd</sup> June 2022 order of Hon'ble Supreme Court and submit them to the Ministry for early processing. Thereafter, the State Government representatives were asked to present their proposals as per items listed below.

### **Agenda-wise deliberations are given below:**

**Confirmation of the minutes:** Minutes of the 50<sup>th</sup> meeting expert committee for declaration of the ESZ around protected areas held on 7<sup>th</sup> February, 2023 were confirmed by the Committee.

### **Item No. 3.1: Deepar Beel Wildlife Sanctuary, Assam**

The draft notification of declaration of the ESZ around Deepar Beel Wildlife Sanctuary, Assam was published vide S.O. 3204(E) dated 25<sup>th</sup> August, 2021. The proposal was earlier considered in 49<sup>th</sup> Expert Committee meeting held on 2<sup>nd</sup> May, 2022 wherein the representative of Govt. of Assam requested for deferment of proposal as the State Government sought time to have public consultation in view of large number of objections received on the draft notification.

During this meeting, the PCCF & CWLW, Assam, Shri Sandeep Kumar mentioned that in view of public objections on earlier published draft notification, the State Govt. has revised the proposal. After deliberations, the committee suggested to publish the re-notification of draft based on the revised proposal of the State Govt.

The Chairman highlighted that there are three proposals of Assam namely Bherjan Bhorajan Wildlife Sanctuary (WLS), Dehing Patkai WLS and Integrated proposal of Kaziranga Tiger Reserve (+7 PAs) which are being reviewed and monitored in the Empowered Coordination Committee. In view of this, the State Govt. was requested to

expedite these proposals on top priority so as to enable the Central Govt. for publication of ESZ notifications of above protected areas. Also, the State Govt. was asked to submit the fresh proposals for Pobitra WLS, Bordoibam-Beelmukh Sanctuary and Marat Longri Sanctuary which are yet to be submitted by the State Government.

**Decision taken:** The State Government will submit the revised proposal for re-notification of draft of Deepar Beel Wildlife Sanctuary, Assam. The proposal was deferred.

### **Item No. 3.2: Integrated proposal for Kamlang Tiger Reserve & Namdapha Tiger Reserve, Arunachal Pradesh**

The draft notification of declaration of the ESZ around Kamlang Tiger Reserve, Arunachal Pradesh was published vide S.O. 2052(E) dated 2<sup>nd</sup> May, 2022. The proposal was considered in 50<sup>th</sup> Expert Committee meeting held on 07.02.2023. In view of the Supreme Court order dated 03.06.2022 in the matter W.P(C) No.202 of 1995: T.N. Godavarman Vs UOI & Ors. Regarding 1 km Eco-sensitive zone boundary, the Committee suggested to integrate the proposal with adjoining Namdapha Tiger Reserve or approach CEC for relaxation in Zero extent of ESZ boundary. Thereafter, the State Govt. submitted a combined proposal for Kamlang Tiger Reserve and Namdapha Tiger Reserve vide letter dated 02.05.2023. Later vide email dated 16<sup>th</sup> June 2023, State requested that an integrated proposal may be considered for above PA's.

Following are the key features of the Integrated proposal:

**Area of PA:** Kamlang Tiger Reserve = 783 sq.km.  
Namdapha Tiger Reserve = 1985.24 sq.km.

**Proposed ESZ area:** 450.39 sq.km.

**Proposed ESZ extent:** Zero to 11.92 km

*(Zero ESZ has been proposed in the Eastern and Southern part of Namdapha NP & TR as the boundary is over laying with Indo-Myanmar International Boundary)*

Shri Damodar A.T., DCF (WL & Biodiversity), made the presentation on the integrated proposal and informed that Kamlang Tiger Reserve shares common boundary with Namdapha Tiger Reserve. It was also informed that land use features within and outside Protected Areas includes Reserved Forests, Anchal Reserved Forests (ARF) areas, USF (Unclassed State Forests) areas, Subsistence Agriculture, Dwelling houses, School buildings and Religious buildings, et

Shri Hemant Singh, AIG, NTCA informed that the revised integrated proposal has been received which is in accordance with NTCA guideline that allows entire buffer zone of protected area to be part of ESZ. Dr. Vishaish Uppal, WWF (Expert Member) mentioned that the name of ESZ notification should be combined as Kamlang- Namdapha ESZ notification. WII representative Dr.

Gautam Talukdar suggested that while preparing ESZ boundary, the boundary of villages should be kept in mind. The Committee informed that 2011 ESZ Guideline does not place village as a "unit" for marking ESZ boundary.

Chairman emphasized on the need of cadastral maps jointly signed by Revenue officer and Forest officer to be prepared for ESZ notifications for the ease of interpretation. He also highlighted that the matter related to ESZ finalisation of Namdapha and Kamlang is being reviewed and monitored in the Empowered Coordination Committee under the

chair of Cabinet Secretary and hence it needs to be expedited on top priority so as to enable the Central Govt. for publication of these ESZ notification.

**Decision taken: The committee decided that the presentation on integrated proposal of Kamlang and Namdapha to be shared with all the expert members and their comments to be received within 15 days.** Upon consideration of comments received from Experts, the draft notification on integrated proposal of Kamlang and Namdapha to be processed for approval.

**Item No. 3.3: Integrated proposal for Sessa Orchid WLS, Eagle Nest WLS and Pakke Tiger Reserve**

The draft notification for declaration of ESZ around Sessa Orchid WLS, was published on 4<sup>th</sup> April, 2022 *vide* S.O No. 1567(E). The proposal was considered in 50<sup>th</sup> Expert Committee Meeting held on 7<sup>th</sup> February, 2023 and the Expert Committee suggested that the proposal of Sessa Orchid Wildlife Sanctuary can be integrated with the ESZ of the Eagle Nest Wildlife Sanctuary so as to make it in conformity with the Hon'ble Supreme Court's Order of 3<sup>rd</sup> June, 2022. Accordingly, the State Govt. submitted the integrated proposal for Pakke WLS & Tiger Reserve, Eagle Nest WLS and Sessa Orchid WLS dated 13<sup>th</sup> March, 2023. Later *vide* email dated 16<sup>th</sup> June 2023, the State informed that an integrated proposal may be considered for above PA's.

Following are the key features of the Integrated proposal:

**Area of PA:** Pakke Tiger Reserve=861.95 sq.km.  
Sessa Orchid WLS= 100 sq.km.  
Eagle Nest WLS =217 sq.km.

**Proposed ESZ area:**766.20 sq.km.

**Proposed ESZ extent:**1 to 15 km

*(Pakke WLS & TR shares common boundary with the Nameri National Park & Tiger Reserve of Assam State in the southern part of Pakke Wildlife Sanctuary & Tiger Reserve)*

Shri Damodhar A.T, DCF (WL & BD) made the presentation on the integrated proposal and informed that Sessa Orchid WLS, Eagle Nest WLS and Pakke Tiger Reserve exist as common protected Area. It was informed that Pakke TR is important in maintaining contiguity within the North-East Indian forests and is centrally located within the Western Assam and Arunachal forests on the West. Sessa Orchid WLS is known for indigenous orchids. The biodiversity of Eagle Nest WLS is reflected in diverse faunal communities like red pandas, various bird species & also rare butterflies, etc.

In the meeting, it was suggested that the GPS coordinates should give attributes of the villages and other features for ease of interpretation. He also highlighted that the power has been delegated to State Govt. for preparing as well as approving the Zonal Master Plan.

**Decision taken: The committee decided that the presentation on Integrated proposal for Sessa Orchid WLS, Eagle Nest WLS and Pakke Tiger Reserve to be shared with all the expert members and their comments to be received within 15 days.** Upon consideration of comments received from Experts, the draft notification can be processed for approval.

### Item No. 3.3: Pong Dam Wildlife Sanctuary, Himachal Pradesh

The draft notification of declaration of the ESZ around Pong Dam Wildlife Sanctuary, Himachal Pradesh was published vide S.O. 2021(E) dated 29<sup>th</sup> April, 2022, for inviting stakeholders/public comments.

**Decision taken:** The proposal was deferred as per the request received from State Govt. vide email dated 20<sup>th</sup> June, 2023.

### Item No. 3.4: Sharavathi Valley Wildlife Sanctuary, Karnataka

The final notification of the ESZ around Sharavathi Valley Wildlife Sanctuary was published on 2<sup>nd</sup> August, 2019, with an extent of 1.0-13.8 km and ESZ area 530.72 sq.km. Govt. of Karnataka re-organized the protected area vide notification dated 7<sup>th</sup> June, 2019 and revised the protected area from 431.23 sq.km to 930.16 sq.km area and renamed the protected area as Sharavathi Valley Lion Tailed Macaque (LTM) Sanctuary, Karnataka. The re-organized PA consists of the Sirsi, Shimoga and Honnavara Divisions. At the south of these divisions, lies another protected area, namely the Mookambika WLS, Karnataka. The ESZ for Mookambika WLS is already notified vide notification dated 13<sup>th</sup> April, 2017. Due to the re-organization of the protected area, the Govt. of Karnataka proposed re-notification of the ESZ with an extent of 1-5.25 km and area of 679.15 sq.km. The revised proposal for the re-organized Sharavathi Valley Lion Tailed Macaque (LTM) Sanctuary, was received at the Wildlife Division of the Ministry vide letter dated 29<sup>th</sup> November, 2022. The draft was re-notified on 14<sup>th</sup> March, 2023 for inviting stakeholder/public comments. The salient features of the notification are as follows:

**Area of PA:** 930.16 sq.km.

**Proposed ESZ area:** 679.15 sq.km.

**Proposed ESZ extent:** 1 to 5.25 km

Dr. K.T. Hanumantappa, Chief Conservator of Forests, Shivamogga made the presentation on the draft notified published on 14<sup>th</sup> March, 2023. He informed that there are no comments received on the draft notification. He mentioned that the ESZ extent is 1.0 to 5.25 km, however adjoining Mookambika Wildlife Sanctuary the ESZ extent is zero kilometer. He further indicated that there are typographical errors which are as follows:

Page No.	Para/Point	As per draft notification	Corrections/changes to be made
42	1	348.4 sq.km.	348.29 sq.km
42	1	55.5 sq. km. area of Sagar division	To be deleted
43	Extent and boundaries of ESZ-Annexure point No.3	Annexure III C	Annexure-II-C
43	Extent and boundaries of ESZ-Annexure point No.5	Annexure-IV	Annexure-IV-A
43	Extent and boundaries of ESZ-Annexure point	Annexure-V	Annexure-IV-B

	No.6		
43	To be added as (Annexure point No.7)	-	7) List of reserved/notified forests within ESZ of Sharavati valley LTM sanctuary is provided in Annexure-IV-C (The whole statement to be added)
65	Area statement of ESZ of Sharavati valley LTM sanctuary Sl. No. 01	Shivamogga Wildlife	Sagar Division

The Committee suggested that the State Govt should give written justification for the typological errors made in the draft notified and that the said draft needs not be published again in the public domain for comments.

The Chairman reiterated that the State Government should convert the ESZ map into cadastral maps and get it approved by Revenue and Forest authorities so as to bring about greater transparency . He opined that the final published ESZ notifications should be made available to the District collectors by the State Govt so that the same is made available to the Patwaris under the joint signatures of both the Revenue and Forest Officers . It was emphasised that the aforesaid exercise should be carried out in parallel with the task of notifying the ESZ .

**Decision taken:** Based on the deliberations held and presentation made, Committee recommended for finalization of draft notification for declaration of ESZ around Sharavathi Valley Wildlife Sanctuary, Karnataka subject to the condition that State Govt. will give written justification for the typological errors in the draft notified for zero ESZ extent.

### **Item No. 3.5:Gudekote Sloth Bear Wildlife Sanctuary, Karnataka**

The final notification of the ESZ around Gudekote Sloth Bear Sanctuary was published on 6<sup>th</sup> July, 2017, with an extent of 1.0-7.0 km and ESZ area 120.04 sq.km. Govt. of Karnataka re-organized the protected area vide notification dated 16.05.2019 and revised the protected area from 4761.17 sq.km to 16,766.66 sq.km. area. Due to the re-organization of the protected area, the Govt. of Karnataka proposed re-notification of the ESZ with an extent of 1.0 -5.7 km and area of 234.54 sq, km. The revised proposal for the re-organized Gudekote Sloth Bear Sanctuary, was received at the Wildlife Division of the Ministry vide letter dated 13<sup>th</sup> September, 2022. The draft was re-notified on 14<sup>th</sup> March, 2023 for inviting stakeholder /public comments.

The salient features of the notification are as follows:

**Area of PA:**167.66 sq. km

**Proposed ESZ area:**234.54 sq.km.

**Proposed ESZ extent:** 1.0-5.7 km

Shri T. Heeralal, Chief Conservator of Forests, Ballari made the presentation on the draft notified on 14<sup>th</sup> March, 2023. He informed that the comments received on the draft notification have been considered by the State Govt. Gudekote Sloth Bear Sanctuary has rocky hilly terrain which supports thorny scrub and dry deciduous forests. It forms a habitat for about 150 species of birds and reptiles such as Star Tortoise, Python, Russell's Viper, Red Sand Boa, Cobra, etc.

The Committee noted that the comments received on the draft notification have been duly considered by the State Govt. However, the proposed ESZ map needs to be converted into cadastral map, which has to be jointly signed by Revenue and Forest department's officers.

**Decision taken:** Based on the deliberations held and presentation made, the Committee recommended for finalisation of draft notification for declaration of ESZ around Gudekote Sloth Bear Wildlife Sanctuary, Karnataka.

### **Item No. 3.6: Neyyar and Peppara Wildlife Sanctuary, Kerala**

A revised proposal was received from the State Govt and re-notified on 25<sup>th</sup> March, 2022. Later in compliance to the interim order dated 13<sup>th</sup> May, 2022 of the Hon'ble High Court of Kerala on Instant WP(C) No.15989 of 2022 titled as "Kerala Independent Farmers Association versus The Union of India & Ors", the Malayalam version of the draft notification was sought from State Government *vide* letter dated 24<sup>th</sup> May, 2022. The Malayalam version of the draft notification was received from the State Govt on 22<sup>nd</sup> February, 2023 and published on 25<sup>th</sup> March, 2023 for inviting stakeholder /public comments.

The salient features of the notification are as follows:

**Area of PA:** Neyyar Wildlife Sanctuary -128 sq.km.

Peppara Wildlife Sanctuary - 53 sq.km.

**Proposed ESZ area:**70.906 sq.km.

**Proposed ESZ extent:** 0 (zero) to 2.72 km

*(Zero extent of Eco-sensitive Zone in north–east, east, and south east boundaries of the Neyyar andPeppara Wildlife Sanctuaries are interstate boundary shared with Tamil Nadu and also with Kalakkad Mundanthurai Tiger Reserve and Kanniyakumari Wildlife Sanctuary of Tamil Nadu)*

The Chief Wildlife Warden, State Forest Department, Kerala made an online presentation and informed that the comments received have been taken into consideration by the State Govt. The Neyyar Wildlife Sanctuary & Peppara Wildlife Sanctuary are the southern most protected areas in the State of Kerala and form part of core area of the Agasthayamalai Biosphere Reserve and also part of Periyar Elephant Reserve in Western Ghats. These two Wildlife Sanctuaries with rich biodiversity are named after the two rivers Neyyar and Peppara, respectively and fall under the administrative control of the Thiruvananthapuram Wildlife Division.

In the meeting, it was pointed out that the ESZ extent shown in the presentation is different from the ESZ extent published in the draft notified. There is discrepancy in the ESZ extent in North, South, South West and North West. It was also observed that the Eco-sensitive Zone area is 70.906 sq.km. as per the draft, however, in the presentation the area was mentioned as 52.036 sq.km.

As per the draft notified, villages falling within the Eco-Sensitive Zone of Neyyar Wildlife Sanctuary are Kallikkadu, Amboori and Vazhichal; whereas in Peppara Wildlife Sanctuary are Mannookara and Vithura. However during the meeting it was shown that due to the densely populated villages of Amboori, Kallikadu and Vazhichal; the ESZ

extent in South is kept as zero.

The Committee was of the view that the State Govt. should give written confirmation of the ESZ extent and number of villages falling in the ESZ as per the published draft notification. In case of change in ESZ extent, then a written justification is required from the State Govt.

**Decision taken:** Based on the deliberations held and presentation made, the Committee recommended for finalisation of draft notification for declaration of ESZ around Neyyar and Peppara Wildlife Sanctuary, Kerala subject to the condition that State Govt. will give written justification for the discrepancy in the ESZ extent as noted above.

### **Item No. 3.7: Nagzira, New Nagzira, Koka, Navegaon, and Navegaon Wildlife Sanctuary, Maharashtra**

The final notification was published *vide* S.O. 612 (E) dated 25<sup>th</sup> February, 2016 with an ESZ extent up to 12 km and ESZ area 2,333.39 sq.km. The State Government *vide* letter dated 30<sup>th</sup> August, 2022 proposed rationalisation of the ESZ boundary by way of exclusion of 1.3991 sq.km. and inclusion of 5.121 sq.km. of area in the ESZ. Additional information sought from the State was received on 20<sup>th</sup> January, 2023. Thereafter, concurrence of NTCA was obtained on the proposal on 24<sup>th</sup> January, 2023. The draft re-notification was re-notified on 24<sup>th</sup> February, inviting comments of stakeholder/public.

**Area of PA:**653.67 sq.km.

**Proposed ESZ area:**2,337.112 sq.km.

**Proposed ESZ extent:** 2.0 km to 15.3 km

Shri Kulraj Singh, DCF made the presentation and informed that the comments received have been taken into consideration by the State Govt. The Sanctuaries and Park comprise the Core or Critical Tiger Habitat of Nawegaon–Nagzira Tiger Reserve (NNTR), Gondia. NNTR is located in the heart of central Indian landscape and serving as corridor link between six tiger reserve in north and three tiger reserves in south. The tiger reserves to the north of NNTR are Achanakmar, Kanha, Satpura, Melghat and the twin Pench TRs. The tiger reserves to the south of NNTR are Tadoba Andhari, Indravati and Kawal Tiger Reserve.

The Committee noted that the comments received on the draft notification have been duly considered by the State Govt. However, the proposed ESZ map needs to be converted into cadastral map, which has to be jointly signed by Revenue and Forest department's officers.

**Decision taken:** Based on the deliberations held and presentation made, Committee recommended for finalisation of draft notification for declaration of ESZ around Nagzira, New Nagzira, Koka, Navegaon, and Navegaon Wildlife Sanctuary, Maharashtra.

### **3.8 Any Other Agenda:**

The Committee deliberated and the following points were flagged for further action of ESZ division:

- i. Ministry may come up with a timeline for preparation of the Zonal Master Plan. For the purpose, a Committee is to be constituted by ESZ Division so as to prepare the timeline,

- which will be the reference document for State Govt.
- ii. A study on the impact of declaration of Eco-Sensitive Zones around Protected Areas, National Parks, and Wildlife Sanctuaries needs to be carried out across the country by selecting a representative ESZs from each region (North, South, East, North-East and West), so that the best practices/success stories can be shared with the State Governments and other stakeholders. Study will be jointly carried out by the respective State Governments, involving Ministry's officials, and if required Ministry may hire a third party for assistance.
  - iii. ESZ Division may initiate the process of developing a web-portal for ease of interchange of the information. All the final notifications, draft notifications, public comments, presentations of the State Governments, etc. will be accommodated on the proposed portal. The portal may be linked with PARIVESH portal of the Ministry.
  - iv. State Government should convert the ESZ map into cadastral maps and get it approved by Revenue and Forest authorities so as to bring about greater transparency . The final published ESZ notifications should be made available to the District collectors by the State Govt so that the same is made available to the Patwaris (Village Revenue Functionaries) under the joint signatures of both the Revenue and Forest Officers . It was emphasised that the aforesaid exercise should be carried out in parallel with the task of notifying the ESZ .

Meeting ended with vote of thanks to and from the Chair.

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## **Annexure**

### **List of Participants**

#### **Members of Expert committee**

1. Shri Tanmay Kumar, Additional Secretary, Chairman, MoEFCC
2. Dr. S.Kerketta, Adviser/Scientist 'G', ESZ Division, MoEFCC
3. Dr. S.C. Garkoti, Ex-Adviser (MoEFCC)
4. Dr. Sunil Nautiyal, Director, G.B. Pant National Institute of Himalayan Environment & Sustainable Development
5. Shri Ajay Agarwal, Director, Central Pollution Control Board
6. Dr. C. Raghunathan, Scientist 'F', Zoological Survey of India
7. Dr. Sudhansu Sekhar Dash, Scientist 'E', Botanical Survey of India
8. Dr. Sanjay Singh, Scientist 'E', Indian Council of Forestry Research and Education
9. Shri Hemant Singh, Assistant Inspector General of Forest, NTCA
10. Shri Paresh Kumar Duria, Town & Country Planner, TCPO MoHUA
11. Dr. Vishaish Uppal, Director, WWF India

#### **Officials of ESZ Division, MoEFCC**

12. Dr. Ritesh Joshi, Additional Director/Scientist 'E'
13. Dr. Veenu Joon, Joint Director/ Scientist 'D'
14. Ms. Kanchan Puri, Scientist 'B'
15. Ms. Chhavi Yadav, ASO
16. Ms. Ritu Narwaria, Consultant
17. Dr. Priyamvada, Consultant



### **Officials of Government of Assam**

18. Shri Sandeep Kumar, PCCF(WL) CWLW, Assam Forest Department
19. Shri P. Monica Kishore, IFS, DFO, Guwahati, Assam Forest Department

### **Officials of Government of Arunachal Pradesh**

20. Shri Damodhar A.T, DCF, Arunachal Pradesh

### **Officials of Government of Karnataka**

21. Shri T. Heeralal, Chief Conservator of Forests, Karnataka Forest Department
22. Dr. K.T. Hanumantappa., Chief Conservator of Forests, Karnataka Forest Department

### **Officials of Government of Maharashtra**

23. Shri Kulraj Singh, DCF, Gondia, Maharashtra Forest Department
24. Shri Pawan Jeph, FD(Add ch.) NNTR, Maharashtra Forest Department

### **Officials joined through Video conference link:**

25. Dr. Gautam Talukdar, Scientist, Wildlife Institute of India (Member)
  26. Chief Wildlife Warden, Trivendrum
  27. PCCF, Arunachal Pradesh
  28. Representative of Forest Survey of India (Member)
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