

Annexure 1

MINUTES OF REVIEW MEETING WITH STATE ENVIRONMENT AND FORESTS MINISTERS OF WESTERN GHATS REGION (GUJARAT, MAHARASHTRA, GOA, KARNATAKA, KERALA AND TAMIL NADU) HELD ON 07.07.2015 UNDER THE CHAIRMANSHIP BY MOS (IC) (E,F & CC) TO REVIEW THE PROGRESS OF DEMARCATION OF ECOLOGICALLY SENSITIVE AREA BY PHYSICAL VERIFICATION

A Meeting was held under the chairmanship of Minister of State (Independent Charge) on 07.07.2015 with State Environment and Forest Ministers of the Western Ghats Region covering the States of Gujarat, Maharashtra, Goa, Karnataka, Kerala and Tamil Nadu for reviewing the progress in demarcation of Ecologically Sensitive Area (ESA) by physical verification by State Governments of Western Ghats region. The list of participants is given in Annexure I. No representative from the State Government of Maharashtra attended the meeting.

2. The Hon'ble MEF&CC welcomed the Forest Ministers of Gujarat, Goa and Karnataka and the officers of the State Governments of the Western Ghats region to the meeting. He gave a brief chronology of the events with respect to the two reports on Western Ghats and the issuance of a draft notification declaring Ecologically Sensitive Area in Western Ghats. It was recalled that the Ministry had constituted the Western Ghats Ecology Expert Panel (WGEEP) under the Chairmanship of Prof. Madhav Gadgil in 2010. Subsequently the Ministry constituted a High Level Working Group (HLWG) under the chairmanship of Dr. K. Kasturirangan to examine the recommendation of WGEEP in a holistic manner. He further stated a draft notification in the Gazette of India declaring Ecologically Sensitive Area in the Western Ghats based on the recommendations of the High Level Working Group seeking comments/responses from Stakeholders was issued on 10th March, 2014.

3. Hon'ble MEF&CC informed that as per the Environment (Protection) Rules, 1986, as amended from time to time, the Ministry has 545 days from the date of publication of a draft notification to finalize the notification. Accordingly, the last date for finalization of the draft notification is 9th September 2015. He emphasized that the time line needs to be adhered to.

3. He further added that, while responding to the aforesaid draft notification, some of the State Governments of the Western Ghats region had represented that since Kerala had been allowed to demarcate ESA by physical verification they also desire to undertake demarcation of ESA within their State by physical verification.

4. Based on the requests received, the Ministry on 9th June 2014 gave an opportunity to the State Governments of Western Ghats region for undertaking demarcation of ESA within their jurisdiction by physical verification, if they so desire, and submit their proposals to the Ministry within a period of two months i.e. by 9th August 2014, except for the State of Kerala which had already undertaken such an exercise. Thereafter, the time limit was extended from time to time until 30.06.2015. It was informed that no State has so far submitted a complete proposal with respect to demarcation of ESA by physical verification.

5. After the overview, the Hon'ble MOS (IC) (E, F & CC) requested representatives of each State to present their status of progress/views with respect to demarcation of ESA by physical verification within their jurisdiction. The status of progress/views presented by the State Governments of Western Ghats region are given below:

(a) GUJARAT

The Principal Chief Conservator of Forests, Government of Gujarat informed that the total area covered under the ESA demarcated by HLWG is 449 sq. km. which covers 64 villages in four Districts of Navsari, Dang, Tapi and Surat. The process of physical verification done by the State was explained. It was informed by the PCCF that already final notification declaring eco-sensitive zone around Purna Wildlife Sanctuary in Dang District and Vansada Wildlife Sanctuary in Navsari District have been brought out by the Ministry. There are villages which fall inside the already notified ESZ and are also present in the draft notification of ESA in Western Ghats. It was enquired whether the villages already notified under these two notifications need to be renotified under the Western Ghats Ecologically Sensitive Area. It was also pointed out that villagers of 19 villages in Tapi district had earlier represented to the Ministry against inclusion of their villages in the proposed ESA as this may affect their

rights under the Forest Rights Act. Secretary (EF&CC) clarified that settlements of Forest Rights need to be settled by the State Government as per the Act and the same would not be affected by declaration of ESA. The State Government informed that the process of physical verification would be completed in time.

(b) GOA

The Hon'ble Minister of Forests, Government of Goa informed that the State Government had earlier conveyed to the Ministry that recommendations of WGEEP and HLWG are not acceptable to the State Government as they are not based upon ground realities. Government of Goa had requested the Ministry for giving an opportunity to the State Government for undertaking demarcation of ESA by physical verification. In response to the opportunity given to the State Governments for physical verification, the State Government had constituted 3 Committees consisting of senior revenue officials to carry out physical verification and undertake consultations with various stakeholders. During the whole process the Chairman, Kerala State Biodiversity Board was also consulted.

The Hon'ble Forest Minister of Goa informed that the process of physical verification has been completed and another month's time may be given for conveying the final views of the State government on the extent of area in the State of Goa. The Hon'ble Forest Minister of Goa also informed about the progress made by Government of Goa with respect to demarcation of private forests.

(c) KARNATAKA

The Additional Chief Secretary, Government of Karnataka informed that an area of 20,668 sq. kms. has been proposed as Ecologically Sensitive Area by the HLWG. The State Government proposes that the reserved forests, protected forests, wildlife sanctuaries, national parks and the proposed Eco-sensitive Zones around the wildlife sanctuaries and national parks for inclusion in the ESA in Western Ghats. The total area covered under the proposal of the Karnataka Government is 18,000 sq. km which is about 2000 sq. km. less as compared to the ESA recommended by HLWG. It was informed that the current proposal

does not include any non-forest areas in the ESA. It was also informed that while 34 talukas were covered under the HLWG recommendations 40 Talukas have been included in the current proposal of Government of Karnataka.

The process adopted by the Government of Karnataka for undertaking demarcation of ESA by physical verification was elaborated. It was explained that a cabinet Sub-Committee had visited the areas falling under the proposed ESZ and had held wide spread consultations with the local communities. It was the view that if new areas other than those falling under ESA such as existing forest areas, National Parks and Wildlife Sanctuaries and their ESAs are included, it would result in widespread protests.

The State Government agreed that Mining, Thermal Power, Red Category of industries could be banned within ESA. However sand mining, stone quarrying, and health care establishments, eco-tourism, etc should be regulated in the proposed ESA. It was also mentioned that Category B industries falling within ESA should be continued to be treated as Category B and not Category A requiring clearance from the Central Government. The Hon'ble MEF&CC mentioned that the general policy of categorization of projects/activities is being examined by the Ministry.

The PCCF, Government of Karnataka highlighted that coupled with the imposition of restrictions in the ESA proposed by the HLWG the recommendations of providing incentives to the local communities residing in the ESA should also be implemented. It was highlighted that in this regard many recommendations have been given in the HLWG report. Secretary (EF&CC) informed the members that the XIVth Finance Commission has already recommended the devolution of additional funds to the states based upon environment and ecology considerations. After discussion, it was decided that the State Government may develop a proposal and submit to the Ministry for consideration.

Government of Karnataka offered 115 acres of land to establish the Decision Support and Monitoring Centre establishment of which was recommended by HLWG. Secretary (EF&CC) suggested that the proposal for establishment of the institute may be developed jointly by all the states of the Western Ghats region with creation of a corpus fund. The Institute could

be on similar lines as GB Pant Institute for Himalayan environment set up for study of Himalayas.

(d) KERALA:

The Principal Secretary, Government of Kerala informed that Kerala already undertook the demarcation of ESA by physical verification before the draft notification was issued and its proposal was included in the draft notification. According to the physical verification done by the State Government, the area of 13,108 sq. km. proposed by HLWG was reduced to 9993 sq. km. out of which 9107 sq. km. was forest area while 887 sq. km. was non-forest area. He stated that the people residing in the non-forest area had some problems. Accordingly, the 887 sq. km. of non-forest area under the proposed ESA needs to be re-looked. He also stated that in the non-forest areas there were existing quarries which have been operating for last 20-30 years.

He informed that the State Government of Kerala undertook village level survey. The State Government had constituted two committees which visited all the 123 villages in the ESA proposed by HLWG. The Committee also undertook physical verification by remote sensing with ground truthing. He informed that the Government of Kerala has decided to put up the revised area of the ESA for approval the State Cabinet by end of this month.

The Principal Secretary, Government of Kerala raised the issue of man-animal conflict in Kerala and the level compensation being paid. It emerged that in order to reduce man-animal conflict, boundaries of ESZ/areas near to human habitation should be reinforced by deep trenches and not electric fencing. Hon'ble MEF&CC suggested that the states of the Western Ghats Region must also protect and conserve the elephant and tiger corridors within the Western Ghats Region to minimize such conflicts.

(e) TAMIL NADU

The Principal Secretary, Forests, Government of Tamil Nadu stated that the State Government had earlier sought an additional time period of three months. However, keeping in view that the last date for finalization of the draft notification the State Government would strive to give their proposal by 30th July 2015. He also informed that the approximate area arising out of the physical demarcation would come to around 6150 sq. km. This area includes National Parks, Wildlife Sanctuaries and ESZs around the Protected Areas and also includes elephant and tiger corridors in the State. It was also informed that the non forest area in the proposed ESA has been kept to the barest minimum. It was informed that of the total 41 PAs in the State of Tamil Nadu, out of which 4 have been notified and 37 are under process.

After hearing from the State Governments, Hon'ble MEF&CC observed that full justification needs to be provided for any alteration of ESA in Western Ghats by the respective State Governments before it can be examined. Secretary (EF&CC) emphasized that any reduction in area of the proposed ESA by the State Governments need to be supported by full justification for the same and the maps of ESA demarcated by physical verification also needs to be provided with geo-coordinates of the boundaries to the Ministry.

MOS (IC) (E, F & CC) also highlighted that there is lot of misinformation with respect to the concept of Ecologically Sensitive Area in the minds of people because of which many apprehensions have arisen in the mind of local people which include that they would not be allowed to build houses, run their businesses and further that they would be dislocated. The main reason behind these apprehensions is that correct information is not passed on to them. He stated that one of the most important outcomes of this meeting would be to reassure all the people living in the proposed ESA that they can peacefully live and work in the ESA. Through the declaration of ESA effectively only commercial mining and highly polluting industries would be prohibited and other activities would be regulated.

With reference to the issue of regulating sand mining and quarrying in the proposed ESA raised by the States, the Hon'ble MoEF&CC observed that this could be regulated for local needs only. It also emerged that the material may not be permitted to be transported outside the ESZ and the quantity of material to be mined out may also be restricted to cater to local needs. However, Commercial mining of minerals shall not be permitted in the ESA. In case of Red category of Industries, the 17 highly polluting Industries identified by CPCB shall not be permitted to be established within the proposed final ESZ. There is also a possibility to cap the existing capacities of already established units. Secretary (EF&CC) also drew reference to the Taj Trapezium Notification wherein, the capacity of existing industries was capped.

Hon'ble MEF&CC also mentioned that the Ecosystem services and goods provided by the Western Ghats are very important and a package of incentives for people living in the proposed Ecologically Sensitive area may be worked out by the States.

The following emerged from the proceedings of the meeting:

- (1) It was resolved to reassure people that nothing substantial is going to change within the ESA in Western Ghats as far as their livelihoods and day to day activities. There would be no dislocation of people living in the ESA.
- (2) Highly polluting industries which includes thermal power plants and commercial mining would be prohibited in the ESA. The other activities would be regulated.
- (3) The State Governments of the Western Ghats region would submit detailed proposals of demarcation of ESA by physical verification. This would include detailed justification and maps of the area demarcated as ESA latest by 31st July 2015. In case such proposals are not received by 31st July 2015, the proposals given in the draft notification would become applicable.
- (4) The Ministry would consider the proposals received from the States in the month of August and finalize the same by middle of August.

The meeting ended with a Vote of Thanks to the Chair.

LIST OF PARTICIPANTS TO THE REVIEW MEETING CHAIRED BY MOS (IC) (E,F & CC) ON 07.07.2015 WITH STATE ENVIRONMENT AND FORESTS MINSTERS OF WESTERN GHATS REGION (GUJARAT, MAHARASHTRA, GOA, KARNATAKA, KERALA AND TAMIL NADU)

Shri Prakash Javadekar

Hon'ble Minister of State (Independent Charge),
Environment, Forest and Climate Change,
Government of India

Shri Mangubhai Patel

Hon'ble Minister of Environment and Forest,
Government of Gujarat

Smt. Alina Saldanha

Hon'ble Minister of Environment and Forest & Museum
Government of Goa

Shri B. Ramanatha Rai

Hon'ble Minister of Forest, ecology and Environment,
Government of Karnataka

Officers of the Ministry of Environment, Forest and Climate Change

1. Shri Ashok Lavasa, Secretary,
2. Shri Hem Pande, Addl. Secretary
3. Shri Vinod Ranjan, ADG WL
4. Dr. S.K. Kanduri, IGF (WL),
5. Dr. T. Chandni, Advisor
6. Shri Vinay Srivastava, PS to HMEFCC
7. Shri Lalit Kapur, Director
8. Dr. Amit Love, Scientist 'D'
9. Shri Arvind Shukla, Technical Officer

Officers of the State Governments of Western Ghats region

Gujarat

1. Shri. S.C. Pant, PCCF(WL)

Karnataka

1. Shri M. Madan Gopal, Addl. CS, Forest, Environment and Ecology
2. Shri Vinay Lutra, PCCF

Kerala

1. Shri P. Mara Pandian, Principal Secretary

Tamil Nadu

1. Shri Hansraj Verma, Principal Secretary (F&WL)
2. Shri Vinod Kumar, PCCF
3. Shri Rampati, Addl. PCCF
