

Government of India
Ministry of Environment, Forest & Climate Change
(ESZ Division)

Date: 20th November, 2019

Progress Report w.r.t the Hon'ble NGT Order dated 3.09.2019 in the
Matter of Executive Application No. 19/2019 in O.A. No. 597/2018 filed by
Goa Foundation Vs Union of India & Ors

1. In compliance with the Hon'ble NGT Order dated 24th August, 2018, the Ministry of Environment, Forest and Climate Change (MOEF & CC) has republished the draft Notification S.O 5135 (E), dated 03.10.2018 for declaring Ecologically Sensitive Areas (ESA) around the Western Ghats, covering an area of 56,825 square kilo meters. Soft copy of the draft Notification is available on the Ministry's website i.e. envfor.nic.in.
2. After republishing the draft Notification, MOEF & CC has filed the affidavit before Hon'ble NGT enclosing a copy of draft Notification, which was taken on the record by the Hon'ble NGT vide its Order dated 06.12.2018.
3. In order to finalise the draft Notification, a meeting under the Chairmanship of Secretary, MOEF & CC with the Officials of all concerned six States were held in the Ministry on 15.02.2019.
4. Based on elaborate discussion with the representatives of the state Governments and the Experts present in the meeting, to finalization of

Notification for declaring the ESA of the Western Ghats the following course of action has been adopted:

- 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. Based on submission of the states, an Expert Committee including Members from the state would be constituted to make an early assessment on the recommendations of the state;
 - v. 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 MOEF &CC has forwarded the above said minutes to all six states vide letter dated 26.02.2019. Further, MOEF & CC has sent reminders to all concerned States on 08.04.2019,02.05.2019 and 5.09.2019. Response received from all concerned six States.

6. Further, the Ministry has constituted a Working Group on 23.08.2019 to examine the modifications suggested by the HLWG report, records, maps or otherwise, the contiguity of areas especially involving multiple States, extant Court orders on the issue. A copy of O.M dated 23rd August, 2019 enclosed at **Annexure-1**.

7. First meeting of Working Group was held in the Ministry on 20th September, 2019. A copy of minutes is enclosed at **Annexure-2**.

8. Second Working Group meeting was held in IIRS Dehradun during 22-24th October, 2019. During the meeting the submitted information maps of all six States was compared with the HLWG. A few clarifications were required from the States; therefore, another meeting of Working Group scheduled on 22nd November to 23rd November, 2019 with all the concerned six States of Western Ghats to rectify the deficiency, if any.

9. The finalised information will be considered by the Expert Committee in the Ministry before finalizing the notification.

10. The draft Notification declaring Ecologically Sensitive Areas in the Western Ghats has a validity of 545 days (i.e. upto 31.03.2020).

**F. No. 2/37/2017-ESZ
Government of India
Ministry of Environment, Forest and Climate Change
(ESZ Division)**

Indira Paryavaran Bhawan
Jor Bagh Road, Ali Ganj
New Delhi-110 003
Dated: 23rd August, 2019

OFFICE MEMORANDUM

Subject: Constitution of Working Group to examine the recommendations of the States on the proposed Ecologically Sensitive Areas of the Western Ghats -reg.

This Ministry has re-published the draft Notification to declare Ecologically Sensitive Areas (ESA) of the Western Ghats on 03.10.2018. Thereafter, to discuss the ESA of the Western Ghats a meeting under the Chairmanship of Secretary was held on 15th February, 2019. Based on the discussion in the meeting, states were asked to submit final recommendation of their respective state.

2. In the process, Ministry has received inputs from the states. In order to examine the views of the states a Working Group including the following Members is constituted with the approval of Competent Authority:-

- (i) Adviser, ESZ Division, Head of the Group
- (ii) One Scientist each nominated by the Head of Institution as Member

- (a) Indian Council of Forestry Research & Education (ICFRE)
- (b) Wildlife Institute of India (WII)
- (c) Forest Survey of India (FSI)
- (d) India Institute Remote Sensing(IIRS)

3. The Working Group will inter-alia examine the modifications suggested by the States on grounds of duplicity in counting of villages, exclusion of areas other than reserved forests etc and ascertain from HLWG report, records, maps or otherwise, the contiguity of areas especially involving multiple states, extant court orders on the issue and the public comments received. The working Group will submit its findings by 31st October, 2019.

4. In view of the above, it is requested to nominate one Scientist from the above mentioned organisation early (latest by 29th August, 2019).

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To,

1. The Director General
Indian Council of Forestry Research and Education,
Post New Forest, Dehradun-248006.
2. The Director
Wildlife Institute of India, Chandrabani,
Dehradun-248001.

3. The Director General
Forest Survey of India Kaulagarh Road, Post IPE,
Dehradun-248195, Uttarakhand.
4. Director
Indian Institute of Remote Sensing,
Indian Space Research Organization, 4, Kalidas Road,
Dehradun-248001, Uttarakhand.

Copy to:

1. PS to Hon'ble Minister (E, F & CC)
2. PS to Hon'ble MOS (E, F & CC)
3. PPS to Secretary, MoEF & CC
4. PPS to AS (RA), MoEF & CC
5. PS to ADV (SCG), MoEF & CC

MINUTES OF FIRST MEETING OF WORKING GROUP ON WESTERN GHATS HELD ON 20TH SEPTEMBER 2019 IN THE MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

The first meeting of the Working Group constituted for examining the recommendations of the States on proposed Ecologically Sensitive Areas of the Western Ghats was held under the Chairmanship of Dr. Satish C Garkoti, Scientist 'G'/Advisor on 20th September, 2019 in the Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, New Delhi. The following Members were present in the Meeting: -

- I. Shri Arijit Roy, Scientist 'G', IIRS, Dehradun
- II. Dr. J. A Johnson, Scientist 'E', WII, Dehradun.
- III. Dr. Gautam Talukdar, Scientist 'E', WII, Dehradun.
- IV. Shri. Sanjay K Agarwal, Dy. Director, Forest Survey of India, Dehradun.
- V. Dr. T. N. Manohara, Scientist 'E', ICFRE, Dehradun.
- VI. Dr. Subrata Bose, Director (SC-'F'), MoEF & CC.
- VII. Shri Pankaj Verma, Addl. Director (SC-'E'), MoEF & CC.

2. At the outset, the Chairman welcomed the Members and all the participants. The Chairman briefly apprised the Members about the (i) Report of the High Level Working Group (HLWG) (ii) the Ecologically Sensitive Areas of the Western Ghats (iii) the draft Notifications published so far to declare the Ecologically Sensitive Areas of the Western Ghats (iv) earlier discussions held during the meeting under the Chairmanship of Secretary (E, F & CC) (v) the recommendations of the States on the ESA area of respective State (vi) the ongoing court cases to finalise the Notification and (vii) the purpose of constitution of this Working Group.

3. Thereafter, discussions held to plan the strategy to proceed ahead in this long pending matter. With elaborate discussion, the Members agreed that the villages proposed by the States shall be compared with the base Map prepared by the HLWG for declaring the Ecologically Sensitive Areas of the Western Ghats, to find out the deviation proposed by the States in terms of location, contiguity of villages, forest land, protected areas included in their respective states.

4. It was further discussed that the base Map of HLWG was prepared with the villages listed as per Survey of India and related attributes. To make a comparative study, with the list of villages provided by the State, village boundary maps are needed which may be procured from the Census of India. The member from the ICFRE stated that he will pursue with the State Govts. of Maharashtra and Karnataka.

5. To ascertain the availability of the base map used in HLWG, the members called Shri Prasanth Tiwari, Sr. Technical Associates, Decision Support System (DSS) of the Forest Conservation (FC) Division, MoEF & CC to make a presentation, with the available maps and attributes. The members took note of the available status of the baseline map. Considering the status of the base map and to proceed ahead, the following line of action emerged:

- I. Ministry may request Census of India or any other agency, if required to seek village maps etc. for 6 States (Kerala, Tamil Nadu, Karnataka, Goa, Maharashtra, and Gujarat)
- II. Based on the available data, IIRS will prepare the baseline map.
- III. FSI will provide the available layers of information to IIRS in support of preparing baseline map.
- IV. Shri Prashant Tiwari, Sr. Technical Associates will be associated with the Working Group and a communication in this regard may be issued.
- V. Once the baseline maps are ready and information of village boundary map of the States are available, the Officials from the Ministry will visit to Dehradun to expedite the work.

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