

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
IN  
ORIGINAL APPLICATION NO. 227 OF 2024 (SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the news item published in The Hindu, Chennai edition e-paper dated 30.07.2024, titled "Wayanad landslides Live updates : 54 killed, over 100 feared missing in Kerala hill station; relief operations delayed".

And

MoEF&CC, New Delhi and others.

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Dated at Chennai this the 2<sup>nd</sup> day of September, 2025.

MoEF&CC, New Delhi and others.

*Me. Sarashwathy*

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Me. Sarashwathy

Standing Counsel for MoEF&CC

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**Affidavit on behalf of Ministry of Environment, Forest and Climate Change vide Order dated 11.08.2025 of this Hon'ble Tribunal**

I, Suresh Kumar Adapa S/o Shri Ramulu, aged about 46 years, presently working as Scientist "E" in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEFCC), at Regional Office, Bengaluru do hereby, in my official capacity, solemnly affirm and state on oath as follows-

1. That I am acquainted with the facts and circumstances of the instant case and duly competent to swear the present affidavit on behalf of the MoEFCC on the basis of the official records maintained therein.
2. It is humbly submitted that the above mentioned matter came up for hearing before this Hon'ble Tribunal on 11.08.2025 and the Hon'ble Tribunal had inter-alia directed as under:-



**Suresh Kumar Adapa**  
Scientist "E" / Additional Director (S)  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office  
Kendriya Sadan, Koramangala  
Bengaluru - 560034

...2. *Despite our earlier direction, the report of the MoEF&CC has not been filed. The learned counsel for the MoEF&CC submits that a letter was sent to the State Government on 19.03.2025 seeking certain particulars, which are awaited. However, a copy of the said communication has also not been placed on record. If an appropriate reply is not filed before the next hearing, the concerned officer will be summoned to appear before us.*

3. It is humbly submitted that the State Government of Kerala, *vide* their letter dated 02.11.2024 has submitted a revised proposal for consideration to declare Western Ghats Ecologically Sensitive Area (WGESA) in the State of Kerala, based on the recommendations of their local self-Governments.
4. It is humbly submitted that a committee has been constituted by the Ministry to examine the proposals/suggestions received from the Western Ghats States encompassing Gujarat, Goa, Maharashtra, Karnataka, Kerala and Tamil Nadu for finalization of the draft notification. The Committee has examined the latest proposal of the Government of Kerala based on which additional information has been requested by the Ministry *vide* letter dated 19.03.2025. Copy enclosed as **Annexure-1**.
5. It is humbly submitted that further to follow up regarding the reply on requisite additional information, a virtual meeting was held on 26.05.2025 with the State Government of Kerala, wherein the State Government has informed that the requisite information as sought *vide* letter dated 19.03.2025 will be submitted soon to this answering respondent.
6. It is humbly submitted that this answering respondent also notify Eco-sensitive Zones around Protected Areas and the status of ESZ notifications w.r.t. the State of Kerala is given in tabular form. annexed herein as **Annexure-2**.

  
**Suresh Kumar Adapa**  
Scientist "E" / Additional Director (S)  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office  
Kendriya Sadan, Koramangala  
Bengaluru - 560034

7. It is humbly submitted that this answering respondent may issue final notification on Western Ghats ESA with respect to the States lying in Western Ghats, once committee submits its report.
8. It is humbly submitted that the answering respondent without prejudice reserves its right to file an additional affidavit at a later stage, if so necessary.
9. It is humbly submitted that in view of the above-mentioned facts, this answering respondent Ministry humbly submits that the Hon'ble Tribunal may pass any such order as may deem fit in the interest of justice.

*A. Suresh Kumar*  
*25/08/25*  
**DEPONENT**

**Suresh Kumar Adapa**  
Scientist "E" / Additional Director (S)  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office  
Kendriya Sadan, Koramangala  
Bengaluru - 560034

### VERIFICATION

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the answering respondents. No part of it is false and nothing material has been concealed there from.

Verified at Bengaluru on this 25<sup>th</sup> day of August 2025.

*A. Suresh Kumar*  
*25/08/25*  
**DEPONENT**

**Suresh Kumar Adapa**  
Scientist "E" / Additional Director (S)  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office  
Kendriya Sadan, Koramangala  
Bengaluru - 560034

By E- mail

No. 1/04/2012- ESZ-RE (Pt.)  
Government of India  
Ministry of Environment, Forest & Climate Change  
(ESZ Division)

Annexure-1

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6<sup>th</sup> Floor, Prithvi Block,  
Indira Paryavaran Bhawan,  
Jorbagh Road,  
New Delhi-110003  
Dated: 19.03.2025

To

**The Chief Secretary,**  
Government of Kerala,  
North Sandwich Block, Secretariat,  
Thiruvananthapuram,  
Kerala – 695001  
E-mail: [chiefsecy@kerala.gov.in](mailto:chiefsecy@kerala.gov.in)

**Sub.:** **Submission of information for declaration of Western Ghats Eco-Sensitive Area (WGESA) in the State of Kerala- reg.**

**Ref:** 1. MoEFCC letter Nos: 01/04/2012-ESZ-RE (Pt) dated 19.02.2025 and 23.12.2024.  
2. Government of Kerala, Environment (A) Department letter No. ENVT-A2/61/2022-ENVT dated 02.11.2024.

Madam,

A meeting to discuss the proposal of the Government of Kerala in respect of the Western Ghats ESA was held on 17.03.2025 at the Secretariat, Government of Kerala, Thiruvananthapuram. In this regard, the Committee in the course of the deliberation had requested the State Government to review and make available the following information/clarification /documents namely:

- a) the area proposed to be excluded in the Idukki region which would create a large gap and hence, discontinuity in the Western Ghats ESA, thereby, compromising the ecological integrity of the region as a whole. A review or reassessment therefore becomes urgent in view of the possible significant impact of hot winds from adjoining Tamil Nadu on the agriculture and water regime of the area in the absence of a well-protected forest and tree cover dynamic in the proposed exclusion area.
- b) review the inconsistencies between the present proposal of Government of Kerala with the data and the proposal(s) submitted by the State Government earlier, particularly regarding the inclusion of forest areas (9,107 sq. km) available in the draft ESA as mentioned in Letter no. A2/271/2017/Envvt, dated 02.02.2022 of the Chief Secretary, Government of Kerala furnished to the Government of India. As discussed, the State may like to identify additional forest areas suitably for inclusion in the final Western ESA of the State, as may be possible. To this effect, the HLWG Report may please be referred to review if suitable forest areas, hitherto left, may be added (without impinging on private lands) to provide continuity to the Western Ghats.



- c) a detailed note may be furnished, on the extent of areas proposed for exclusion from the draft ESA notification (village, taluka and district, and area in hectares) that are potentially covered under various conservation laws of the State viz. the Eco-fragile Land Act, existing or proposed Eco-Sensitive Zones around Protected Areas, Wetland Rules, and Protection of River Banks Act, and any other relevant legislation. Additionally, specific measures provided under the regulations that will otherwise provide protection to the ecology of that area along with the copies of the legislations/ rules, etc.
  - d) a detailed note may be furnished, on the steps taken/ planned to preserve and develop the natural tree cover and other ecological features like water sources/ wetlands in those areas of the Cardamom Hill Reserve that are proposed to be excluded from the draft WGESA, and the scope of prescribing special State-level provisions for the same.
  - e) a detailed note may be furnished describing justification on any of the relaxations sought by Government of Kerala on activities listed in the draft ESA notification, as outlined by the Chief Secretary during the meeting.
  - f) a copy of the note / proposal seeking financial assistance to the State from the 16th Finance Commission as special assistance for the WGESA in the State, if formulated may be shared.
  - g) point wise detailed justification sought by the Ministry *vide* Ref. No. 1 cited above.
2. The State Government is requested to furnish the above clarification /information/ documents within a fortnight to enable the Western Ghats Committee in proceeding further and finalise the WGESA of the State.

Yours faithfully



(Dr. S. Kerketta)

Member Convenor, WGESA Committee

[s.kerketta66@gov.in](mailto:s.kerketta66@gov.in)

Mob. 9937167512

**Copy to:**

1. The Secretary, Environment Department, Government of Kerala. Email: [secy.envt@kerala.gov.in](mailto:secy.envt@kerala.gov.in)
2. The Director, Directorate of Environment and Climate Change, Thiruvananthapuram. Email: [envt.dir@kerala.gov.in](mailto:envt.dir@kerala.gov.in) ; [environmentdirectorat@gmail.com](mailto:environmentdirectorat@gmail.com)
3. Guard file

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

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**STATUS OF ECO-SENSITIVE ZONES (ESZ) NOTIFICATION - KERALA**

<b>I.</b>	<b>Number of Protected Areas KERALA</b>	<b>24 PAs</b>
<b>II.</b>	<b>Number of ESZ proposals (Protected Areas) received in the Ministry</b>	<b>18 (for 24 PAs)</b>
	II (a) Number of Final ESZ Notification (Protected Areas) Issued	1 (for 1 PA)
	II (b) Number of ESZ proposals (Protected Areas) where draft notification expired and revised proposal awaited from State Govt.	-
	II (c) Number of ESZ proposals (Protected Areas) and additional information awaited from State Govt.	9 (for 14 PA)
	II (d) Number of ESZ proposals (Protected Areas) under process in the Ministry	8 (for 9 PA)
<b>III.</b>	<b>Number of ESZ proposals (Protected Areas) not yet received</b>	<b>0</b>

**II (a) FINAL NOTIFICATION ISSUED**

S. No.	Name of the Protected Areas	Present Status
1.	Mathikettan Wildlife Sanctuary	Final Notification published on 28.12.2020

**II (c) DETAILS OF THE PROPOSALS FOR WHERE ADDITIONAL INFORMATION AWAITED FROM STATE GOVT.**

1.	Malabar Wildlife Sanctuary (WL-Division)	Re-Notification issued on 05.08.2020 and expired on 31.07.2022  Revised Proposal received on 13.10.2023 and Additional Information received on 15.07.2024.
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		<p>Sent to WII for comments on 22.07.2024. Comments received on 13.09.2024.</p> <p>Additional information sought from State Govt. vide letter dated <b>18.09.2024</b> regarding geo-coordinates, maps, land details, villages etc. is still awaited from the State Govt.</p> <p>Proposal/Addl. Information received on 20.02.2024, 15.07.2024 and 06.01.2025.</p> <p>Sent to WII for comments on 18.02.2025. WII comments received on 15.04.2025.</p> <p>Letter issued on <b>29.04.2025</b> to Addl. Chief Secretary, Kerala for submit the additional information those indicated by WII in their comments. The information is still awaited from the State Govt.</p>	
2.	Thattakkad Sanctuary (WL-Division)	Wildlife (WL-Division)	<p>Re-draft published on 29.09.2020 and expired on 24.09.2022</p> <p>Revised Proposal received on 13.10.2023 and addl. Information received on 04.05.2024. Proposal forwarded to WII for comments on <b>15.05.2024</b>. Comments of WII received on <b>22.05.2024</b>.</p> <p>Additional information sought from State Govt. vide letter dated <b>29.05.2024 and 12.07.2024</b> regarding land details, demographic patterns, maps etc. is still awaited from the State Govt.</p>
3.	Wayanad Sanctuary (WL-Division)	Wildlife (WL-Division)	<p>Draft published on 28.01.2021 and expired on 23.01.2023</p> <p>Proposal received on 13.10.2023 &amp; Proposal/Information received on 20.02.2024. Additional information sought from State Govt. vide letter dated <b>14.03.2024 and 12.07.2024</b> regarding flora and fauna, kml/shape files is still awaited from the State Govt.</p>
4.	Periyar Tiger Reserve (2 PAs) (WL-Division)		<p>Initial draft notification published on 31.03.2016 and expired on 27.09.2017.</p> <p>Revised proposal received on 22.06.2021 and Additional information received on 25.01.2022.</p> <p>Letter issued on 19.05.2022 to CWLW &amp; 03.08.2022 19.05.2023 to Principal Secretary (F) for offer your remark on the observations made by WII; or submit revised proposal</p>

		<p>incorporating the suggestions made by WII. Information received on 05.08.2023 by mail.</p> <p>Additional information sought from State Govt. vide letter dated <b>22.08.2023</b> for provide the details of consultation with the State Govt. of Tamil Nadu in accordance with the guidelines of the Ministry dated 9<sup>th</sup> February, 2011 as made mandatory by Hon'ble Supreme Court of India order dated 26.04.2023. Additional information sought from State Govt. vide letter dated <b>12.07.2024</b> regarding flora and fauna, kml/shape files and map is still awaited from the State Govt.</p>
5.	Chimmony Wildlife Sanctuary (WL-Division)	<p>Re-draft published on 25.11.2020 and expired on 20.11.2022.</p> <p>Additional information sought from State Govt. vide letter dated <b>03.03.2024 and 12.07.2024</b> regarding flora and fauna, kml/shape files.</p> <p>Adtl. Information received on <b>23.12.2024</b>. Mail sent on <b>08.01.2025</b> for submit the GIS Shape/ KML Files of Protected Area and their ESZ.</p> <p>Sent to WII for comments on 03.02.2025. Comments of WII received on 19.02.2025. Letter issued on <b>26.02.2025</b> to Additional Chief Secretary, Kerala for submit the additional information. The information is still awaited from the State Govt.</p>
6.	Eravikulam National Park (+4 PAs) (WL-Division)	<p>Re-draft published on 12.01.2021 and expired on 07.01.2023</p> <p><i>State requested for submission of revised proposal vide Ministry letter dated 15.05.2023 and reminder dated 07.06.2023.</i></p> <p><i>Revised proposal received on 12.12.2024 and referred to State Govt. for additional information. Revised proposal received on 21.12.2024 and additional information received on 11.04.2025.</i></p> <p>Sent to WII for comments on 09.05.2025. Comments of WII received on 03.06.2025.</p> <p>Letter issued on <b>08.06.2025</b> to Additional Chief Secretary, Kerala for submit the additional details as those indicated by WII in their comments. The information is still awaited from the State Govt.</p>
7.	Choolannur Pea Fowl Sanctuary	<p>Re-draft published on 25.11.2020 and expired on 20.11.2022</p>

	(WL-Division)	<i>State requested for submission of revised proposal vide Ministry letter dated 15.05.2023 and reminder dated 07.06.2023. Reminder sent on 01.01.2025</i>
8.	Peechi Wildlife Sanctuary (WL-Division)	<p><b>Re-draft published on 25.11.2020 and expired on 20.11.2022</b></p> <p>Revised proposal received on 13.10.2023. Additional Information received on <b>20.02.2024</b> and Information received on <b>04.05.2024</b>.</p> <p>Additional information sought from State Govt. vide letter dated <b>16.05.2024</b> and <b>12.07.2024</b> regarding word files and kml/shape files etc.</p> <p>Adtl. information received on <b>04.12.2024</b>. <b>Sent to WII for comments on 09.12.2024</b>. Letter issued on <b>29.01.2025</b> to Addl. Chief Secretary, Kerala for submit the additional details those indicated by WII. The information is awaited from State Govt.</p>
9.	Aralam Wildlife Sanctuary (WL-Division)	<p><b>Re-draft published on 20.07.2020 and expired on 15.07.2022</b></p> <p><i>State requested for submission of revised proposal vide Ministry letter dated 15.05.2023 and reminder dated 07.06.2023.</i></p> <p><b>Revised proposal received on 31.01.2025 and forwarded to WL-Division.</b> Letter issued on <b>10.02.2025</b> to Additional Chief Secretary, Kerala for submit the additional information. The information is awaited from State Govt.</p>

**II (b) DETAILS OF THE PROPOSALS (PROTECTED AREAS) UNDER PROCESS IN THE MINISTRY.**

S. No.	Name of the Protected Areas	Present Status
1.	Mangalavanam Bird Wildlife Sanctuary (ESZ-Division)	<p>Re-draft published on 07.09.2020 and expired on 02.09.2022</p> <p>Proposal received on <b>13.10.2023</b> and after comments of WII and examination in WL-Division. The proposal was received on <b>17.10.2024</b> in ESZ-Division.</p>

		<b>Re-draft notification published on 02.05.2025. The proposal will be considered in 58th ESZ Expert Committee Meeting for further recommendation.</b>
2.	Silent Valley National Park	<p><b>Re-draft published on 27.10.2020 and expired on 27.10.2022</b></p> <p>Revised proposal received on <b>13.10.2023</b> and Additional information sought from State Govt. vide letter dated <b>17.11.2023</b> regarding geo-coordinates, maps, shape/kml files etc. Information received on 07.01.2025 forwarded to WII for comments and after comments of WII and State Govt.</p> <p>Proposal received in ESZ-Division on 25.04.2025 and under examination.</p>
3.	Parambikulam Tiger Reserve (WL-Division)	<p>Draft re-notified on 28.01.2021 and expired on 23.01.2023</p> <p>Revised proposal received on 13.10.2023 &amp; Proposal/Information received on 20.02.2024. Additional information sought from State Govt. vide letter dated <b>14.03.2024 and 12.07.2024</b> regarding flora and fauna, kml/shape files.</p> <p>Additional Information received on 23.12.2024. Sent to NTCA and WII for comments on 02.01.2025. Comments of WII received on 15.01.2025 and NTCA comments received on 05.02.2025.</p> <p>Letter issued on <b>16.02.2025</b> to Additional Chief Secretary, Kerala for consider the suggestions of WII and NTCA and submit the proposal and essential information.</p> <p><b>Proposal/Addl. information received on 11.03.2025 and forwarded to WII and NTCA for comments on 23.06.2025.</b></p>

4.	Shendurney Wildlife Sanctuary (WL-Division)	<p>The information is still awaited from the State Govt.</p> <p>Revised proposal received on 13.10.2023 and 20.02.2024.</p> <p>Additional information sought from State Govt. vide letter dated <b>14.03.2024</b> and <b>12.07.2024</b> regarding areas, maps, shape/kml files etc.</p> <p>Additional Information received on 23.12.2024. Sent to WII for comments on 17.12.2024.</p> <p>Letter issued on <b>21.05.2023</b> to Additional Chief Secretary, Kerala for submit the revised proposal.</p> <p>Proposal/additional information received on 20.02.2024 and 23.12.2024. Sent to WII for comments on 17.12.2024 and comments of WII received on 14.01.2025.</p> <p>Letter issued on <b>29.01.2025</b> to Addl. Chief Secretary, Kerala for submit the additional details those indicated by WII. Additional Information received on 07.05.2025.</p> <p>Again, Sent to WII for comments on 13.05.2025.</p>
5.	Neyyar & Peppara Wildlife Sanctuary (2 PA) (WL-Division)	<p>The draft re-notified on 25.03.2022 and expired on 19.03.2024.</p> <p>Reminder sent on 01.01.2025. Revised proposal received on 31.01.2025 and forwarded to WL-Division.</p> <p>Proposal received in ESZ-Division on 12.06.2025 and under examination.</p>
6.	Karimpuzha Sanctuary	<p><b>Proposal received on 06.11.2023.</b></p> <p>Additional information sought from State Govt. vide letter dated <b>21.11.2023</b> and <b>12.07.2024</b> regarding extent, maps, kml/shape files etc. is still awaited from the State Govt.</p> <p>Proposal received in ESZ-Division on 27.04.2025 and under examination.</p>

7.	Idduki Wildlife Sanctuary	<p>Re-draft published on 05.08.2020 and expired on 08.08.2022</p> <p>Revised proposal received on <b>13.10.2023</b> and addl. Information received on <b>20.02.2024</b></p> <p>Letter issued on <b>13.03.2024 and 12.07.2024</b> to Addl. Chief Secretary, Kerala for submit the Gazette Notification of the PA and GIS Shape/KML.</p> <p>Additional Information received on 23.12.2024. Sent to WII for comments on 26.12.2024.</p> <p>Comments of WII received on 14.01.2025. Referred to State Govt. for information as per comments of WII.</p> <p>Proposal received in ESZ-Division on 24.04.2025 and under examination.</p>
8.	Kottiyoor Wildlife Sanctuary (WL-Division)	<p>Re-draft published on 24.08.2020 and expired on 19.08.2022</p> <p>Revised proposal received on <b>13.10.2023</b> and Addl. Information received on <b>03.09.2024</b>. Sent to WII for comments on 05.09.2024. Comments of WII received on 11.09.2024. Additional information sought from State Govt. vide letter dated <b>18.09.2024</b> regarding geo-coordinates, maps etc.</p> <p><b>Additional information received on 03.07.2025 and sent to WII for comment on 03.07.2025.</b></p>

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