

**Minutes of the fourteenth meeting of Western Ghats Ecology Expert Panel (WGEEP)
held at Indian Institute of Science, Bengaluru, from 16th to 17th August 2011**

The Western Ghats Ecology Expert Panel met from 16th to 17th August 2011 at Indian Institute of Science, Bengaluru.

The following members of the WGEEP were present:-

Prof. Madhav Gadgil Chairman
Shri B J Krishnan Member
Dr. V.S. Vijayan Member
Prof R. Sukumar Member
Ms. Vidya S. Nayak Member
Dr. Renee Borges Member
Dr. G.V. Subrahmanyam Member Secretary

Dr. R.V.Varma, Chairman, Kerala State Biodiversity Board; Dr. Ligia Noronha, TERI, Delhi; Dr. K.N. Ganeshiah, UAS, Bengaluru; Dr. R.R. Navalgund, Director, Space Application Centre, Ahmedabad; Prof. S P Gautam, Chairman, Central Pollution Control Board; Dr. D.K. Subramaniam, IISc, Bengaluru; all Members of the Panel could not attend the meeting. Dr. S.N. Prasad, SACON, Hyderabad, and Shri Sanjay Upadhyay, Advocate, Supreme Court of India and Managing Partner, ELDF, New Delhi, also participated in the meeting. Dr. Amit Love (Deputy Director, MoEF) was also present during the meeting.

1. Prof Madhav Gadgil, Chairman, WGEEP, initiated the meeting by saying that as this was the last meeting of the WGEEP all the substantive sections of the report should be deliberated upon and finalized. He informed the members that Dr. Ligia Noronha, member, WGEEP, has volunteered to finalize the draft final report. Further, he added that it has been suggested that the executive summary of the report should be made concise to make it more meaningful. Prof Gadgil also said that Panel should stick to the timeline of 31 August 2011 for submission of the report.

2. Prof Gadgil projected the contents page of the draft final report. He then projected each section of the draft final report in chronological order and gave a brief summary of the section while highlighting the substantive points.

3. Prof Gadgil went through the initial sections of the report, which dealt with the Introduction to the report, mandate of the Panel, organization of the report and the activities undertaken by the Panel. He informed the members that the details of the activities undertaken by the Panel would be given in the Appendices.

4. This was followed by a section on the boundaries of the Western Ghats. The members of the Panel discussed in detail the delimitation of Western Ghat boundaries. Dr. Vijayan opined that if altitude was used as one of the criteria for delimiting the boundaries of Western Ghats then crucial riparian habitats present on the western slopes of the Western Ghats may be left out. Dr. Renee Borges also highlighted the case of steep escarpments present in the Bhimashankar area of the Maharashtra Western Ghats that may also be left out. Finally, it was decided by the Panel that the boundaries proposed by WGEEP could be rationalized and firmed up by the proposed Western Ghats Ecology Authority.

5. Dr. S.N. Prasad made a detailed presentation on the geospatial database on ecological sensitivity. He presented the outputs of the project which included state-wise details on ecological sensitivity grid scores, maps delineating eco-sensitive zones with taluka boundaries and also the boundaries of the Western Ghats from the ecological point of view. The database generated has been made available in the public domain. The WGEEP has accepted the findings of the study which formed the basis for delineating and demarcating the eco-sensitive zones in the Western Ghats region.

6. After this section, the sections on the environmental setting of the Western Ghats and the concept of 'develop sustainably and conserve thoughtfully' was projected. Prof. Gadgil initiated the discussion on categorizing the whole Western Ghats into three zones of varied ecological sensitivity and the implications of such a zonation. The members deliberated upon the methodology adopted for classifying the Western Ghats into three zones, viz ESZ1, ESZ2 and ESZ3, and the ESZ assignment to various talukas of Western Ghats. It was felt that the main text of the WGEEP report should have a succinct summary of the methodology adopted whereas the details of the methodology could be given in the Appendix. The detailed methodology would also include the limitations of the methodology adopted.

7. The terms Ecologically Sensitive Area (ESA) and Ecologically Sensitive Zone (ESZ) were discussed by the members with special reference to implementation of provisions which would be given in the proposed draft notification. It was felt that the proposals for declaration of ESAs received from civil society groups and generated through the process of active public participation by WGEEP would be tabulated and presented in a separate box in the main report.

8. After this the section on the existing ESZs and the lessons learnt was projected. The institutional mechanism for administering ESAs was discussed in detail. The Panel felt that the three-tiered approach suggested by it wherein there would be a Central Western Ghats Ecology Authority and six State Western Ghat Ecology Authorities followed by District Ecology Committees would provide a good mechanism for managing the ecology and environment of the Western Ghats. The District Ecology Committees would act as an agency of the WGEA for implementation of various plans. The Panel also deliberated

upon the relative advantages of the District Ecology Committees over the High Level Monitoring Committees (HLMCs) which are presently being set up for each ESA which is notified. The members discussed the experiences gained from the establishment of the present ESAs, and the management of these ESAs through HLMCs. The case study provided by Shri Devrat Mehta, Chairman, High Level Monitoring Committee, Mahabaleshwar-Panchagani was discussed. The Panel members were of the opinion that management of ESAs should be people-oriented.

The section on buffering of protected areas detailed the experiences and case studies on declaration of ESAs around Protected Areas. As per the decision of the Indian Board of Wildlife and Supreme Court directions, the Government has to declare areas around National Parks and Wildlife Sanctuaries as a ecologically sensitive areas. These areas would act as a buffer for the protected area buffer. Professor Madhav Gadgil informed the members that case studies relating to declaration of ecologically sensitive areas around protected areas would be included in the report. One of the case studies relates to Bhimashankar Wildlife Sanctuary in Maharashtra wherein a large wind mill project was coming up.

9. This was followed by detailed discussion on the section containing broad sectoral guidelines for ESZ1, ESZ2 and ESZ3. Dr. Vijayan said that the use of chemical fertilizers should be completely phased out from the Western Ghats over a fixed period of time. After deliberations, the Panel recognized the importance and relevance of moving towards organic agriculture but felt that rather than prescribing fixed timelines it would be more prudent to create enabling policies which promote organic agriculture. It was decided that the Panel would recommend provisions such as subsidies given to the fertilizer industry be used for the promotion of organic agriculture.

Ms Vidya Nayak highlighted the importance of regulating uncontrolled industrial development in coastal areas because they will also adversely affect the ecology of the Western Ghats. She also flagged the issue of land use and establishment of SEZs in the Western Ghats. The Panel members carefully went through the prescribed guidelines for each sector in ESZ1, ESZ2 and ESZ3 and agreed upon the prescriptions provided therein.

After this the section dealing with the specific cases of Gundia and Athirappilly hydroelectric projects was discussed and this was followed by discussion on the industrial development and mining in Ratnagiri and Sindhudurg districts of Maharashtra and iron ore mining in Goa. The panel finalized the recommendations for all the four matters referred to it by the Ministry of Environment and Forests, Government of India.

10. Prof Madhav Gadgil initiated discussion on the modalities for submission of the WGEEP's report to the Government. He also flagged items which would finally constitute the main report of WGEEP. It was decided that the report of WGEEP will

have two parts. Part 1 would be the main report of WGEEP covering all the TORs of the Panel while Part 2 would include elaborate discussions on the ecology of the Western Ghats and detailed write ups on various sectors.

11. Prof Madhav Gadgil initiated the discussion on the structure and function of the proposed Western Ghats Ecology Authority. He projected the section of the report, which deals with the proposed WGEA. Prof Gadgil highlighted a few salient points to initiate discussion on WGEA which were (i) concept of Environmental Ombudsman, (ii) charging fees from project proponents for EIA, (iii) the possibility of the Biodiversity Management Committee (BMC) acting as the District Ecology Committee, and (iv) empanelment of EIA consultants. The members of the Panel were in agreement on the concept of having an Environmental Ombudsman in the District Ecology Committee. It was felt that the Biodiversity Management Committee should not be given the role of a District Ecology Committee as the role, mandate and composition of these two committees differ greatly.

12. There was detailed discussion on the role of WGEA in the EIA process. It was felt by the members that the concept of collection of fees by WGEA might create a conflict of interest. Shri Sanjay Upadhyay, Advocate, Supreme Court of India and Managing Partner, ELDF, New Delhi, was of the opinion that WGEA should be free from any fee collected from project proponents. Dr. V.S. Vijayan also expressed similar views. This was followed by discussion on the empanelment of EIA consultants and selection of competent agencies to do EIA. Dr G.V. Subrahmanyam informed the Panel members that there is already a scheme for accreditation of EIA consultants and the project proponent is free to choose from the accredited consultants. Prof Raman Sukumar opined that it should be clarified whether WGEA will be a body selecting Competent Agencies for doing EIA or be a body which would give professional opinion on specific projects. Dr. G.V. Subramanyam was of the opinion that WGEA should be a professional body.

Prof Gadgil said that WGEA should catalyze the process wherein people's groups do careful analysis of the environmental impacts of development projects and that WGEA should promote independent data generation on Western Ghat ecology and biodiversity by citizens' groups.

13. Prof Gadgil requested Shri Sanjay Upadhyay to provide his views on the proposed WGEA. At the outset, Shri Sanjay Upadhyay mentioned that he has prepared a write up on the proposed WGEA. In his write up, he has used the formulation of Shri B.J. Krishnan on the proposed Authority and supplemented it with additional points.

14. Shri Sanjay Upadhyay projected the salient points with reference to powers, functions, composition and constitution of WGEA. Some of the salient points were:

- (i) Respective State Governments would be consulted before constitution of the Central and State WGEAs as is done in the case of SEIAA.
- (ii) The recommendations of the WGEA would be ,ordinarily binding` on the lines of the National Board of Wildlife resolutions.
- (iii) The boundaries of the ESZ1, ESZ2 and ESZ3 would be provisional and the notification of these will suggest the process for firming up and rationalizing these boundaries with a comprehensive process of public participation.
- (iv) The members of the proposed WGEA would be technical experts and eminent people with practical experience.
- (v) The District Ecology Committee (DEC) would be the nodal agency for public participation at the grassroots level. The DEC would be involved in the planning process at the district level and mainstream environmental concerns into the planning process. It would be the body to scrutinize district plans with respect to the ecology of the Western Ghats.
- (vi) The authority would check the veracity of facts presented in EIAs carried out for developmental projects to be undertaken in this region. Shri Sanjay Upadhyay also detailed the basic tenets of the proposed notification for the Western Ghats Ecology Authority.

15. Professor Madhav Gadgil thanked Shri Sanjay Upadhyay for preparing a note on the proposed WGEA and for giving a presentation on this topic to the Panel at a very short notice.

16. Finally, after detailed deliberations on the contents of the draft final report the Panel members adopted the draft final report of Western Ghats Ecology Expert Panel and authorized the Chairman to submit the final report to the Ministry.

17. Dr. G. V. Subrahmanyam, Member Secretary, WGEEP, proposed a formal vote of thanks to the Chairman and the members of the Panel for their active and whole-hearted participation in the deliberations of the Panel.
