

**No. 1-4/2012-RE (Pt.)
Government of India
Ministry of Environment and Forests**

Paryavaran Bhavan
CGO Complex, Lodi Road
New Delhi - 110 003
Dated: 20th December 2013

OFFICE MEMORANDUM

Sub: High Level Working Group Report on Western Ghats - reg.

1. The Ministry of Environment and Forests had constituted a High Level Working Group (HLWG) under the Chairmanship of Dr. K. Kasturirangan, Member (Science), Planning Commission vide office order dated 17.8.2012 in order to study and make recommendations on how to protect, preserve and nurture the rich biodiversity and environmental integrity of the Western Ghats and suggest steps and the way forward to prevent further degradation of the fragile ecology of the Western Ghats. The HLWG was also tasked with the mandate to take a holistic view of the issue and to bring synergy between protection of environment and biodiversity and the imperatives of equity for the indigenous residents of the Western Ghats area, particularly disadvantaged sections of society, so that their rightful aspirations for inclusive growth and sustainable development are also protected and addressed.

2. The HLWG submitted its report to the Ministry of Environment and Forests (MoEF) on 15th April 2013 and it was thereafter put in public domain by hosting on the MoEF website, and also disseminated to all stakeholders including the six Western Ghat States for feedback and comments. All stakeholders were also invited to offer their views on the HLWG report. Thereafter, on completion of a transparent process, the MoEF has taken the following view on the HLWG report:

The Ministry has accepted the HLWG report "in principle" subject to the following:

- (i) The definition of the extent of the Western Ghats as demarcated by the HLWG is accepted
- (ii) The Ecologically Sensitive Area (ESA) as identified and delineated by the HLWG in Western Ghats is accepted.
- (iii) The HLWG has identified approximately 37 % of the Western Ghats as ecologically sensitive. The identified Ecologically Sensitive Area covers about 60,000 sq. km. of natural landscape of Western Ghats and represents a continuous band of natural vegetation extending over a horizontal distance of 1,500 km. The Ecologically Sensitive Area is spread across six states of Western Ghats region viz. Gujarat, Maharashtra, Goa, Karnataka, Kerala and Tamil Nadu. The ESA also includes Protected Areas and World Heritage Sites of Western Ghats.

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- (iv) The recommendations of the HLWG to completely ban mining, quarrying and sand mining as also thermal power plants and Red category of industries in the Ecologically Sensitive Area are also accepted.
- (v) Hydro Power being a relatively clean source of energy has been recommended to be allowed in the ESA by the HLWG subject to stringent conditions. This recommendation is accepted by the Ministry.
- (vi) Wind energy is permitted in the Ecologically Sensitive Area subject to applicable regulations.
- (vii) The following category of new and/or expansion projects/activities shall be prohibited in the identified Ecologically Sensitive Area except those cases which have been received by EACs/MoEF or SEACs/SEIAAs before the date of putting HLWG report on the website of the Ministry, i.e., 17.4.2013 and which are pending with EACs/MoEF or SEACs/SEIAAs. Such projects will be dealt under the guidelines and rules applicable at the time of application before the respective EACs/MoEF or SEACs/SEIAAs.
 - (a) Mining, quarrying and sand mining
 - (b) Thermal Power Plants
 - (c) Building and construction projects of 20,000 sq. m. area and above
 - (d) Township and area development projects with an area of 50 ha and above and /or with built up area of 1,50,000 sq.m. and above
 - (e) Red category of industries”
- (viii) Project/activities which are not specifically prohibited under the ESA shall be scrutinized and assessed for cumulative impacts and development needs, before granting environment clearance.
- (ix) The Forest Rights Act shall be observed in letter and spirit. The consent of the Gram Sabha for projects in ESA will be mandatory as recommended by the HLWG.

3. The boundary of the ESA as also the regulatory regime would be finalized after the draft notification to the effect is placed in the public domain for comments/views of stakeholders including State Governments of the region. It is clarified that the Final Notification will be issued after the boundary of the ESA has been fine tuned after receiving inputs from stakeholders/State Governments. Further, State Governments may suggest modifications based upon physical verification.

4. The recommendations given by the HLWG neither put any fresh restrictions on land use in the ESA nor do they in any way impact the continued occupation of land in possession of the local people and affect their day to day activities or normal livelihood. Further, the recommendations also do not prohibit or restrict any normal activities relating to plantations, agriculture or any other activity except those which have been specifically prohibited/restricted in the ESA and specified at Para 2 (vii) above.

5. It is also reiterated that the prohibition of identified categories of projects/activities as stated under para 2 (vii) above, in the ESA shall apply to new and/or expansion of these activities from the date specified therein. The existing projects/activities under these categories may continue, according to law, except for existing mines which should be phased out within the next 5 years or expiry of their mine lease, whichever is earlier.

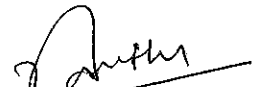
6. The High Level Working Group has noted that a substantial portion of the Sindhudurg and Ratnagiri Districts where moratorium has been imposed falls outside the definition of Western Ghats as identified by the HLWG. The High Level Working Group has recommended the lifting of moratorium in Ratnagiri and Sindhudurg Districts subject to certain stipulations.

7. All the other major recommendations made by the HLWG particularly with respect to financial arrangements to incentivize green growth in Western Ghats, participation of and involvement of local communities in decision making, data monitoring systems especially the establishment of Decision Support and Monitoring Centre for Western Ghats are accepted.

8. As a follow up to the "in principle" acceptance of the HLWG report by the Ministry, relevant steps would be initiated to operationalise the recommendations of the HLWG. A draft notification declaring the identified region of the Western Ghats as an Ecologically Sensitive Area along the lines accepted by the Ministry would be issued and put up on the website of the Ministry for inputs of stakeholders. A High Level Committee of the MoEF will be set up to monitor the implementation of the recommendations of the HLWG in a time bound manner.

This OM supersedes all other OMs issued earlier on the subject.

This issues with the approval of the Competent Authority.


(Dr. Amit Love)
Deputy Director

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