

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

MINUTES OF THE 32nd ESZ EXPERT COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI A. K. MEHTA, ADDITIONAL ON 10th OCTOBER 2018 IN THE MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

The 32nd Meeting of ESZ Expert Committee was held under the Chairmanship of Shri Arun Kumar Mehta, Additional Secretary on 10th October, 2018 in the Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, New Delhi. List of participants is annexed.

2. At the outset, the Chairman welcomed the Members and the participants from Maharashtra, Karnataka, Uttarakhand, Jharkhand and the Experts. With brief introduction on the issues Chairman invited states to proceed with the Agenda.

3. Following five (5) proposals were considered for discussion in the meeting. The representatives of respective state governments presented their proposals for consideration of the Expert Committee:

S. No.	Proposal	State	Status
1.	Draft Zonal Master Plan for Matheran notification	Maharashtra	Additional discussions on Zonal Master Plan for Matheran ESA Notification
2.	Report of Carrying capacity of Western Ghats region of Karnataka	Karnataka	Additional discussion on the Report of Carrying capacity of Western Ghats region of Karnataka
3.	Draft Zonal Master Plan for Doon Valley notification	Uttarakhand	Additional Discussions on Zonal Master Plan for Doon Valley Notification
4.	RSPL Ltd. Bhilai Pahari, Simuldanga, East Singhbhum, Jharkhand	Jharkhand	Presentation by RSPL Ltd on Dalama ESZ and CTO issue.
5.	Jamna Auto Industries Ltd., Jharkhand	Jharkhand	Presentation by Jamna Auto Industries Ltd on Dalma ESZ and CTO issue

4. Discussion on the Proposals:

MAHARASHTRA

4.1 Zonal Master Plan (ZMP) of Matheran Eco-Sensitive Zone

It was apprised that in the 31st ESZ Expert Committee meeting held on 13th September, 2018 Committee deferred the proposal and asked the state to revise the ZMP for further discussion. Accordingly, the state Government revised the ZMP which was circulated among the Members.

Ms. Pallavi Paranjape, Planner, Mumbai Metropolitan Region Development Authority (MMRDA) , Govt. of Maharashtra mentioned that the components of ZMP includes (i) Zonal Master Plan for area surrounding Matheran Town (ii) Sub-Zonal Master Plan for Matheran Town and (iii) Tourism Master Plan. The Zonal Master plan is part of Regional Plan, 2016-36 prepared by Mumbai Metropolitan Planning Committee (MMPC) with assistance from MMRDA and it has been approved by the Government of Maharashtra. The Sub-Zonal Master Plan for Matheran Town is prepared by Matheran Municipal Council and the Tourism Master Plan is prepared by Tourism Department through the Maharashtra Tourism Development Corporation (MTDC)

It was elaborated that all aspects of ESZ Notification in respect of Matheran Eco-sensitive Zone, 2003 are followed in the ZMP. The draft ZMP was kept in public domain for four months inviting objections/comment. The suggestions and comments received from the public have been duly considered during the publication of the revised plan in 2016 and the ZMP is expected to conserve the pristine eco-sensitive areas vis-à-vis sustainable development for the local population

On the demographic profile of the area it was mentioned that there are a total of 82 villages with a population of 1,25,626 and the Gaothans areas (including buffer) there are 34 villages with a population size of 23,012, of which 12,135 are tribals (ST). The household size is decreasing from 5.05 (in 2001) to 4.72 (in 2011). It was further elaborated details on the ZMP covering (i) Physical Demarcation of Matheran ESZ (ii) Resource Mobilization (iii) Granting Development Permissions (iii) Groundwater Management Measures (iv) Erosion Mitigation Measures (v) Soil Moisture and Water Conservation (vi) Restoration of Denuded Areas (vii) Conservation Measures (viii) Stabilisation/Management of Trekking Trail (ix) Up gradation and Management of Roads (x) Management of Matheran Mini Train (xi) Provision of Mobile Health Care Facilities (xii) Tourism Related Proposals (xiii) Non-Conventional Energy Sources (xiv) Digital Data Repository and (xv) Environmental Awareness.

It was further elaborated that during physical demarcation of the ESZ area, the area has increased from 248.78 sq.km to 260.01 sq.km and 3 new villages namely- Jite & Garpoli in Karjat Tal. Pali Bk. in Khalapur T. have been included. It was also mentioned that four villages namely Sonedewadi, Warose tarf Wankhal, Boregaon and Nadhal in Khalapur Taluka falls both in Matheran Eco-sensitive Zone as well as in proposed Ecologically Sensitive Areas of Western Ghats. All the villages falling in ESZ have primary schools but health facilities are not adequate.

On the soil type and vulnerability of soil erosion in MESZ and their protection measures taken, the representatives of the state responded that land adjoining water bodies are more prone to soil erosion and that the Department of Forest and Department of Irrigation have already started the soil and moisture conservation initiatives in the area. It was also mentioned that the boundary of ESZ is revised as per the Forest records of 2016. It was also mentioned that there is no change in forest cover data of 1999 (baseline for 2003 ESZ Notification) and the forest records of 2016.

Shri Prakash Bhukte, Joint Director, Town Planning, Govt. of Maharashtra apprised the Committee about the Sub- Zonal Master Plan for Matheran town. On the demographic profile of the area it was mentioned that population was stagnant till 1961 and thereafter it increased till 1991. Now, the population has started declining. He mentioned that no construction is being allowed in the area having slope of greater than 20° since the publication of ESZ Notification. The state Government also following the restriction of building height up to 9 meters as mentioned in the Notification. Further it was elaborated that (i) there is no proposal for any new industrial area/development in proposed land use pattern (ii) forest cover to be elevated from 57.92% to 59.22% (iii) all water bodies are to be conserved (iv) new site for solid waste disposal is designated on the development plan (v) site for sewage treatment plant as suggested by NEERI has been designated on the development plan (vi) some sites for public utilities are proposed (vii) no vehicular traffic within municipal limit allowed (viii) parking sites proposed at dasturi naka out at the entry point (outside the city) (ix) new site for horse and hand rickshaw stand at the entry point (x) increases the recreational area and (xi) more sites for social infrastructure and tourist amenities

The Tourism Master Plan focuses on (i) the places of tourist Interest in ESZ (ii) number of tourists to Matheran Town and (iii) tourist carrying capacity (TCC). The places of Tourist interest include the Matheran Town, Malang Gad (religious place); Prabal Gad, Chanderi fort, Peb fort (trekking). It was mentioned that on an average. 3,000-4,000 tourists visits Matheran per day and during festive season and peak seasons about 7000 - 8000 tourists visit per day. The TCC has been developed based on availability of water, accommodation available for tourists, population density and total developable land, parking demand and availability and Hill Station Development Policy of the Government of Maharashtra. The tourism master plan recommended for

(i) developing new tourist destinations (ii) eco-sensitive and sustainable tourist product (iii) new developments to boost tourism in the 200 m buffer area of the ESZ and (iv) dispersal of tourists within the week and throughout the year.

Based on elaborate discussion the committee eventually suggested complying the ESZ Notification in totality and informed that the re-delineation of ESZ boundary is subject to MoEFCC's consideration and approval. The state Government may send a separate proposal to MoEF &CC in this direction for consideration.

After detailed deliberations on the ZMP, the Committee recommended to approve the Zonal Master Plan subject to the following conditions:

- I. Details of the biodiversity value of the Matheran ESZ shall be prepared and incorporated in the ZMP and conservation measures for protection of flora, fauna in the ESZ area shall be drawn up in consultation with the local Forest and Wildlife Departments and incorporated in the ZMP.
- II. Water conservation measures such as rain water harvesting, revival of streams/springs/ water bodies etc shall be constituted and integrated in the ZMP.
- III. Management plan for horse droppings/ dung waste shall be drawn in consultation with SPCB and incorporated in the ZMP.
- IV. Sewage and solid waste disposal plan keeping in view the growing number of tourists shall be planned in consultation with local Government and incorporated in the ZMP.
- V. Facilities for providing primary health and Medical checkup in the ESZ area shall be drawn in consultation with the Health Department and incorporated in the ZMP.
- VI. Plans for proper transportation of the ageing and ailing in the ESZ area shall be incorporated in the ZMP.
- VII. No development is allowed in the areas having slope more than 20° as mentioned in the Notification.
- VIII. Building height to be restricted up to nine (9) meters as per the Notification.
- IX. Measures to prevent pollution of air and water shall be drawn up in consultation with SPCB and incorporated in the ZMP.

KARNATAKA

4.2 Report on Carrying Capacity of Western Ghats Region of Karnataka

It was apprised that the report prepared by the Expert Committee on Carrying Capacity of Western Ghats region of Karnataka State was considered in the ESZ Expert

Committee on 13. 09. 2018 and based on the request of the representative of Karnataka Government it was decided to consider it further. It was also mentioned that as per the direction of the Hon'ble NGT the Carrying Capacity Report need to be filled before the Hon'ble NGT

No representative from Govt. of Karnataka attended this Meeting. So, there was no discussion on the matter. However, to comply with the Hon'ble NGT Order, the Expert Committee decided that the Report on the carrying capacity of Western Ghats region of Karnataka will be filed before the Hon'ble NGT as an interim report and same may be sent to Govt. of Karnataka.

UTTRARAKHAND

4.3 Draft Zonal Master Plan for Doon Valley notification, Uttarakhand

The Committee was apprised that the matter was discussed in the earlier ESZ Expert Committee meeting held on 13th September, 2018. During discussion, it was mentioned that comments/inputs to be provided by the Town and Country Planning Departments and other Members of the Committee. Also, the Committee recommended that the Master Plan prepared by all three authorities to be considered in the next ESZ Expert Committee meeting. Accordingly, the Uttarakhand Government was requested to send the remaining two plans for the consideration of the Committee.

Shri A K Srivastava, VC, Mussorie Dehradun Development Authority (MDDA), Government of Uttarakhand presented the Master plan for the MDDA. Based on the presentation, the Committee mentioned that as per the Notification of the Doon Valley, the Master Plan of development and land use plan of the entire area is to be prepared by the State Government and approved by the Union Ministry of Environment, Forest and Climate Change.

The Committee recommended that the Master Plan prepared by all three authorities should be considered for the approval of Zonal Master Plan and there must be some sort of synchronization among these three authorities. The committee also suggested to include (i) separate chapter on environment for addressing the issues relating to air, water and soil quality of the proposed area in the Zonal Master Plan (ii) assessment of biodiversity value of the proposed area including details on rare, endangered and threatened species (iii) information on the type of industries operating in the area e.g Orange, Green and White industries.

Based on further discussion, Chairperson suggested that the town and Country Planning Department and WWF India would support Uttarakhand Govt for early completion of the Master Plan for further consideration of MoEF &CC. He also asked

the Uttarakhand Government for submitting progress on the matter till the submission of the complete ZMP.

JHARKHAND

4.4 RSPL Ltd., Bhilai Pahari, Simuldanga, East Singhbhum, Dalma Wildlife Sanctuary, Jharkhand

The representatives of M/s RSPL Ltd mentioned that the plant is located at “Bhilai Pahari, Simuldanga, East Singhbhum, Near Jamshedpur, Jharkhand” and operating since 2004. In 2009, it had received consent to operate (CTO) to manufacture Detergent Cake, Detergent Powder and Acid slurry and presently there are only two products (i) Detergent Powder & (ii) Acid Slurry are manufactured.

It has further elaborated that it is not getting CTO due to the Dalma ESZ Notification even though, the industry is operational before the publication of ESZ Notification. In this matter, MoEF&CC had already provided clarification to Jharkhand State Pollution Control Board (JSPCB) vide their letter dated 16.08.2016. But still JSPCB & Govt. of Jharkhand is not clear about the status of existing units (i.e., before 2012) in Eco-Sensitive Zone and requested for further clarity on the matter.

Shri. Chandra Mauli, DCF, Govt. of Jharkhand informed that the matter is subjudice. Earlier, the Hon'ble High court of Jharkhand issued Direction that the activity which has been categorized as “Prohibited activity” in Notification dated 29.03.2012, even though operating prior to 29.03.2012 cannot be permitted to continue. The petitioners had filled Leave Petition before the Hon'ble High Court which were also disallowed. Now, the matter is subjudice in the court of NGT and further decision / order with regard to operation of polluting industries established prior to the date of notification dated 29.03.2012 will not be proper for State Govt.

The Committee was aggrieved with the fact that RSPL was sending letters to this Ministry from the year 2016 but never mentioned about the ongoing case and the judgement of Hon'ble High Court of Jharkhand. A copy of the order of the Honb'ble High Court of Jharkhand dated 16.09.2014 and 16.11.2016 was provided by the officials of Govt. of Jharkhand. The Committee recommended that court orders would followed w.r.t ESZ of Dalma Wildlife Sanctuary and deferred further consideration of the proposal.

4.5 Jamna Auto Industries Ltd., Dalma Wildlife Sanctuary, Jharkhand

The representative of M/s Jamna Auto Industries Ltd. Mentioned that the plant that was set up in November 2007 and located located right on NH-33 at around 3.5 km

radius of Dalma-ESZ. The Product manufactured is Tapered leaf springs for automobiles.

It has mentioned that JSPCB had granted consent to operate till 30.06.2014 and notice was issued on 29.01.2015 for rejection of consent to operate. As the Dalma ESZ notification does not prohibit units in existence prior to 29.03.2012 it had filed representation before MoEF&CC for clarification. MoEF&CC vide letter dated 29.02.2016 clarified that “On or after the publication of the notification no new polluting industries shall be allowed to be set up within ESZ.” As these clarifications do not have specific reference for pre-existing units operating in ESZ, it has requested to take a considered view of the matter and issue an advisory/clarification so as to remove any misinterpretation and hardship

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5. Based on the on the proposals and detailed discussions in the meeting the Expert Committee took the following decisions:

S. No.	Protected Area	State	Decision
1.	Draft Zonal Master Plan for Matheran notification	Maharashtra	Recommended for approval of the ZMP with conditions
2.	Report of Carrying capacity of Western Ghats region of Karnataka	Karnataka	Recommended for submitting the Report as an interim Report to Hon’ble NGT and the State of Karnataka

S. No.	Protected Area	State	Decision
3.	Draft Zonal Master Plan for Doon Valley notification	Uttarakhand	Recommended for submission of revised Integrated Zonal Master Plan for Doon Valley Notification
4.	RSPL Ltd. Bhilai Pahari, Simuldanga, East Singhbhum Dalma Wildlife Sanctuary	Jharkhand	The proposal would follow the Court orders
5.	Jamna Auto Pvt. Ltd. Dalma Wildlife Sanctuary	Jharkhand	The proposal would follow the Court orders

6. Meeting on 10th October, 2018 ended with vote of thanks to Chairman

32nd Expert Committee Meeting on ESZ held on 10th October, 2018**List of Participants****Members of Expert Committee**

1. Shri A. K. Mehta, Additional Secretary, Chairperson.
2. Dr. S. C. Garkoti, Adviser, MoEF&CC.
3. Shri S. A. Hussain, Scientist 'G', WII, Dehradun.
4. Dr. B. K. Sinha, Scientist 'F', B. S. I.
5. Dr. K. Chandra Sekar, Scientist 'E', GB Pant Institute of Himalayan Environment & Development, Almora.
6. Shri Shiv Marwaha, Advisor Land Use & Urban, WWF India.
7. Dr. Ambika Sharma, Associate Program Director, WWF India.
8. Dr. Kailash Chandra, Director, Z.S.I.
9. Shri. Sanjay Rawat, Assistant Director, Forest Survey of India, Dehradun.
10. Dr. Sandeep Kumar Rawat, Town & Country Planner, TCPO, Ministry of Housing & Urban Affairs.
11. Shri. Paresh Kr. Duria, Town & Country Planner, TCPO, Ministry of Housing & Urban Affairs.

Ministry of Environment, Forest and Climate Change, GOI

12. Shri Subrata Bose, Director (SC-'F'), MoEF & CC.
13. Shri Pankaj Verma, Joint Director (SC-'D'), MoEF & CC.
14. Dr. Veenu Joon, Deputy Director (SC-'C'), MoEF&CC.

Officials of Government of Karnataka

15. Dr. Avinash M Kanfode, R.O. Bangalore, MoEF&CC.
16. Dr. M. D. Subash Chandram, Consultant, IISc.

Officials of Government of Jharkhand

17. Shri. Chandra Mauli, DCF & Field Director Elephant Project, Department of FE&CC, Jharkhand.

Officials of Government of Uttarakhand

18. Shri S. L. Semwal, Secretary SADA, Uttarakhand.
19. Shri Shyam Mohan Sharma, AE SADA, Uttarakhand.
20. Shri S K Pant, CTCP, Town & Country Planning Dept., Uttarakhand.
21. Shri Navjot S Sajwan, IT Expert DVSADA, Uttarakhand.
22. Ms. Geeta Khule, TP, Mussorie Dehradun Development Authority.
23. Ms. Shallu Thind, Associate Planner, Town & Country Planning Dept., Uttarakhand.

Officials of Government of Maharashtra

24. Shri Prakash Bhukte, Joint Director, Town Planning, Town planning, Govt. of Maharashtra.
25. Shri Jagdish K. Patil, Town Planner, Town Planning Maharashtra State, Govt. of Maharashtra.
26. Shri. Dhanajay M. Pawar, Planner, MMRDA, Maharashtra.
27. Shri Mohan Sonar, Addl. Chief Planner, MMRDA, Maharashtra.
28. Ms. Pallavi Paranjape, Planner MMRDA, Maharashtra.

Others

29. Shri Sudheer Chandele, Jamshedpur Plant Head, Jamna Auto Industries.
30. Shri Sanjeev Sareen, Sr. Manager (Legal), Jamna Auto Industries.
31. Shri. Praveen Lakhera, CS& Head Legal, Jamna Auto Industries.
32. Shri Himanshu Tilwakar, Head EHS, RSPL Ltd.
33. Shri Surendra Sharmoi, Plant Manager, RSPL Ltd.
34. Shri Pravesh Kumar, Assistant Manager EHS, RSPL Ltd.
