

Comments on the HLWG Report

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The essence of WGEEP Report, that the development and conservation can go hand-in-hand, in a totally democratic and transparent way empowering the local people to decide upon their development options, has disappeared, totally, in the HLWG Report. Economic exploitation of the resources of the Western Ghats has received maximum consideration while conservation and sustainable development have been totally sidelined and neglected, notwithstanding the various pretentious statements on conservation or sweet-coated words on conservation.

The methodology adopted by HLWG declares this agenda unmistakably clear and loud. According to this, only 37% of the Western Ghats, named as natural landscape, needs to be considered for conservation while the rest of the area, referred to as cultural landscape, is opened for any kind of development. In other words, of the 1, 64,280 sq km of the Western Ghats, as defined by the HLWG, some 60,000 sq km has only been set apart for conservation, to be declared as Ecologically Sensitive Area. And, it is to be noted this includes National Parks, Sanctuaries, Reserve Forests, World Heritage Sites and other protected areas.

Paradoxically, within this area also various development activities such as diversion of forests, laying railway lines, construction of roads, construction of buildings up to but below 2,15,000 sq ft, even larger dams are permitted with conditions. The most polluting 'red' category industries can be established outside the ESA, i.e. 67% of the Western Ghats, while 'yellow' category industries can be set up anywhere in the Western Ghats. The only bar inside the ESA is for mining, quarrying and sand mining. These activities are other-wise also banned in the protected areas. In effect, HLWG report prepares the ground to open up even the protected areas for development and in a way this amounts to opening up the entire Western Ghats for development. In a State like Kerala facing severe ecological problems (where most of the rivers have become drainage channels and acute scarcity is being experienced in meeting drinking water needs), such a move will destroy the remaining water storing areas of the Western Ghats with disastrous consequences. It is paradoxical to accept such a report while the State Government is seeking Central assistance to mitigate drought.

Difference between the Ecologically Sensitive Areas recommended in the WGEEP and HLWG reports

ESA determination

1. HLWG report suggests division of the Western Ghats into two, namely (1) Natural Landscape consisting of existing Protected Areas, reserve forests and other forested area and, (2) Cultural Landscape consisting of human habitations including agricultural lands and plantations. Only Natural Landscape consisting of 37% of the Western Ghats is to be declared as Ecologically Sensitive Area and be protected. Even in this area which largely consists of forests, development activities are permissible under certain conditions.
2. It may be noted that the extent of area fixed as natural area does not conform to the National Forest Policy according to which the minimum forest cover required to be

maintained in hilly areas is 66%. HLWG proposes only about half of it. While WGEEP proposes 75% considering the special features of the Western Ghats.

3. WGEEP report considers the entire Western Ghats as an Ecologically Sensitive Area, considering its significance as source of water for the Western Ghats States and the biodiversity richness, being one of the 8 hottest hot-spots of biodiversity in the world. Further, it was obligatory on WGEEP to do so, since its mandate required that it consider the recommendations of earlier Government bodies on this issue and, the Pronab Sen Committee's recommendations, accepted by Government of India specify several criteria on the basis of which the entire Western Ghats qualifies as Ecologically Sensitive.
4. For sustainable development without affecting the environment and ecology, the WGEEP Report proposes a layered approach. Areas with highest significance as ESA 1, moderately significant as ESA 2 and less significant as ESA 3. (Significance is in terms of biodiversity, cultural, geological, historical, climatic conditions especially quantum of rainfall and the number of rainy days, risk of landslide, and stakeholders' views). Activities that could be undertaken in each are given separately with controls and limitations.
5. One striking feature of the WGEEP is that its recommendations, which include, *inter-alia*, finalizing the borders of ESA 1, 2 and 3 and the activities to be undertaken within each of them, are to be discussed at grass root level and decisions taken by the Grama Sabha and LSG. Whereas, the HLWG's recommendations are final and there is no scope for any discussion. It recommends 37% of the Western Ghats to be declared as ESA forthwith, without any discussion at any level.
6. The map generated for ESA by HLWG used 24 meter resolution IRS data, whereas the WGEEP used 30 m resolution Landast- TM data which is spatially not significantly different from the 24 m IRS data. In fact the spectral resolution of Landsat TM is much better than that of IRS data sets!
7. WGEEP aggregated the data and put them in 9 sq km grid mainly for administrative convenience. It could have been presented in 5 sq km grid or even smaller size. For Kerala, it was worked out in 1 sq km, but finally presented in 9 sq km for uniformity. For Goa also it was done the same way. In wrongly comparing HLWG's actual 24 meter resolution with the projected 9 X 9 km grid information, HLWG misleads people into believing that HLWG's spatial data is far better while in reality the difference is very insignificant. Not only that HLWG failed to have a discussion with WGEEP to seek clarification, but instead went ahead to depict WGEEP data as coarse by incorrectly depicting the 9 sq km grid as the resolution. *Not holding such a discussion with the WGEEP is a clear violation of established scientific practice, indeed of scientific ethic.*
8. The ESA proposed by the HLWG is based mainly on the distribution of flora. There is nothing on fauna, apart from considering the elephant and tiger corridors. WGEEP has taken on board both flora and fauna, with details such as their rarity, endemism, abundance.
9. The WGEEP created a comprehensive, spatially-referenced database on flora, fauna and a series of important ecological parameters based on the available data. The HLWG has not

even considered it and ended up with an ESA which has not included the elements of fauna. At this point it is pertinent to mention that a specific request had been made to Dr Kasturirangan to take immediate steps to build further on this data-base on two separate occasions, prior to the setting up of HLWG, through the **Report of the Working Group on Ecosystem Resilience, Biodiversity and Sustainable Livelihoods for the XII Five-Year Plan**, Planning Commission – Environment & Forest Division, Steering Committee – Environment, Forests & Wildlife and Animal Welfare. The report has the following explicit statement: The Western Ghats Ecology Expert Panel of the Ministry of Environment and Forests has made excellent progress in the development of such a spatial database, for over 2200 grids of 5'x5' or roughly 9 km x 9 km through compilation of all readily available information on topography, land cover and occurrence of biodiversity elements for the Western Ghats. XII FYP schemes should pursue vigorously further development of this database, and its extension to other parts of the country, by networking many available databases, such as the National Knowledge Commission endorsed Knowledge portals such as the India Biodiversity Portal (IBP), and other portals such as the Indian Bioresource Information Network (IBIN), and that prepared in connection with Zonal Atlases for Siting of Industries, and Goa Regional Plan 2021. Having accepted such specific recommendations of the sub-group which were submitted to the Steering Committee Chaired by none other than Dr. Kasturirangan and, later rejecting them totally by the HLWG Chaired again by the same person, Dr. Kasturirangan is just unbelievable. Have we buried the ethics, ethics in science, so totally?

10. HLWG report explicitly mentions that wildlife habitats are not included in the demarcation of ESA.
11. Moreover, the HLWG has not considered the principles and practices in ecology and conservation biology while deciding the ESA. The ESA as elucidated for the Mudigere taluk in Chikamagalur district shows that they are in patches (according to HLWG), while it is a contiguous stretch of land with different layers (ESZ 1,2,3) for development and conservation depending on the degree of significance of the area (according to WGEEP). See the figures from the HLWG report, given below:



Fig. A

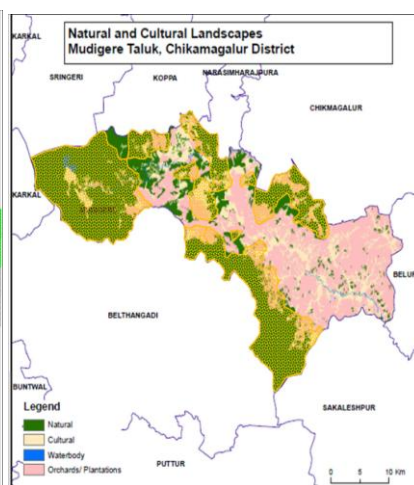


Fig. B

Note: Fig.A: ESA proposed by the HLWG (yellow) is superimposed on the ESZ 1 (red), ESZ 2 (grey) and ESZ 3 (green) proposed by WGEEP for Mudigere taluka in Chickamangalore

Fig. B: Vegetation map of the Mudegere Taluka (HLWG: pages 62, 61)

12. Therefore, the ESA proposed by the HLWG does not reflect the landscape approach for conservation and development. It does not serve the purpose of biodiversity conservation. The only purpose that HLWG report achieved is to open up almost two-third of Western Ghats for the so called development with no checks and balances.
13. Even in defining the Western Ghats area, which of course is not in the mandates of the HLWG, it has reviewed the past work and adhered to the old delineation given by the Planning Commission for WGDP. It was based, in nutshell, on altitude and, talukas and blocks. Those talukas having more than 20% of its area above 600 m is considered as Western Ghats. It may be noted that talukas and blocks are administrative units, based on various parameters. It could change also. And, these are not natural units. The WGEEP considered two main parameters which are natural, namely altitude and vegetation. There are no artificial elements in this. Even with this scientific approach, WGEEP concludes that further discussion is required to fix the borders of Western Ghats and thus kept it open for further discussion and finalization. As far as HLWG is concerned nothing is left for discussion. Its decision is final!
14. The HLWG, before plunging into the exercise of fixing a totally different ESA, made a comment that HLWG found the following limitations in the ESZs suggested by the WGEEP: (i) using incomplete backup information for designating the entire Western Ghats as ESA, (ii) identifying ESZs without taking into account the human cultural component which is part of biodiversity, livelihood, and development needs of human populations, and disturbance regime, and (iii) coarse grid size used for zoning. It is a case of clear misunderstanding of the report of the WGEEP or a deliberate attempt to discard the zones suggested by the WGEEP and to create a new report with a different ESA releasing maximum area for the so called development.
 - I. It is not clear what is meant by '*incomplete backup information*'. One of the main criteria suggested by Pronab Sen Committee, which is accepted by the Government of India, to declare an area as ESA, is presence of endemic species. Endemics of different species would cover the entire geographical extent of the Western Ghats. WGEEP endorsed the recommendations of the Pronab Sen Committee. Moreover, protection of the ecological integrity of the Western Ghats is a must for the life of the people in six States who are depending on its resources.
 - II. The observation that "*WGEEP had not considered the human cultural and development aspects while suggesting ESZs*", is totally wrong. WGEEP has given maximum emphasis on these two aspects throughout the report. It appears the WGEEP report is either mistaken completely or read with pre-conceived perceptions.

- III. *Coarse grid size used for zoning:* If the methodology used by WGEEP was understood properly, this misleading comment would not have been made, that too frequently in the HLWG report. The often made statement in the HLWG report that it has used 'fine resolution', in reality is different from that used by the WGEEP only in 6 meter! The resolution used by the WGEEP is 30 meter and that by the HLWG is 24 meter which is not substantially different. WGEEP has aggregated the data to present the information in 9 km² grids.

It should also be noted that WGEEP provided a broad framework for ESZ grouping, underscoring the need for local involvement in refining the allocation of area under different ESZs giving due consideration for all aspects of land use, finally to be decided by LSGs and Grama Sabhas. In contrast to this, HLWG has adopted a highly top-down approach totally relying on very limited geo-spatial data. Notwithstanding very severe limitations, HLWG considers its classification as final and recommends to the Government to declare the ESZ without in any way giving an opportunity for any further discussion. This is nothing more than a techno-centric arrogance.

15. The ESA designated by the HLWG has considered village as a unit; those which have more than 20% of the area under natural landscape are considered as ESA. Another factor said to be considered is the amount of fragmentation which has been graded as low, medium and high. Area with low and medium fragmentation with very high or high biological richness has been considered as ESA. But medium fragmentation with high biological richness is included only if the population density is less than 100/sq km. Area with high fragmentation is not included in the ESA. This indicates lack of understanding of conservation biology. Highly fragmented areas also should be given high importance for conservation. What is needed is to consider the entire area with low, medium and high fragmentation as one unit and declare them as ESA adopting a layered approach for development, so that the purpose of conservation and development needs of the people are well integrated. It may also have to be noted that the cultural area is under greater human pressure and are under the grip of severe environmental problems and therefore, these areas should have been brought under the ESA to facilitate ecological restoration through more environment friendly practices. By excluding the cultural landscape from the purview of ESA, HLWG has given a green signal for their continued destruction and degradation. The sharp distinction drawn between cultural and natural landscapes and the total exclusion of cultural landscapes from the purview of any regulation amounts explicitly and implicitly treating development and conservation as fragmented pursuits. It is surprising to note that the HLWG consisting of eminent persons have adopted such a fragmented approach. As such, areas requiring significant intervention to arrest further degradation and revival of vital life support systems are totally excluded from the purview of eco-sensitivity, while areas that are much better protected are included under ESAs. This clearly reflects the lack of understanding of the real development/ conservation issues in the Western Ghats. In a way it reflects the distorted perception of what development is all about?
16. One important question is what is the fate of small patches of forests within the Cultural Landscape? More importantly the sacred groves. It is our culture and tradition to preserve the sacred groves. HLWG has not even cared about the protection of these culturally important remnant forest patches within the Cultural landscape. Is it not a paradox?

17. The HLWG says that the ESAs developed by it could be used as a model and 'replicated elsewhere at the national and regional level'. It would be a blunder, if the government accepts it. The ESA delineated using only the vegetation data ignoring the faunistic features is totally unacceptable and hence should be rejected outright.
18. Again, it is vital to look at all aspects of biodiversity; and studies world-wide, including in India point to the fact that freshwater biodiversity is even under greater threat than forest biodiversity. WGEEP perspective considers this properly, including in its specific consideration of riverine forests, whereas the HLWG just ignores it.
19. The statement that "*forested and natural landscapes are the best available fine resolution and spatially consistent proxies in the absence of high resolution data on faunal distributions*" (Page 97: HLWG) is totally incorrect. Data on major faunal elements are available, but the HLWG did not use it for reasons best known to it. This act also reflects the negative approaches of the HLWG towards science.
20. HLWG again states (page 97, xii) that "the conclusions on the delineation of ESA presented in the Report are based on the best of the contemporary analytical approaches and latest databases." By saying so it would not become. The latest database on faunal elements which is available has not been used. Hence the statement is totally incorrect.
21. Whether the MoEF has asked the HLWG to examine the methodology adopted for Zoning, and if found unacceptable suggest an alternative methodology is yet another matter. It was not given in the terms of reference of the HLWG. HLWG quotes some of the statements of those opposing the recommendations of the WGEEP and makes conclusions against the WGEEP while trying to make it appear as though the conclusions are of the planters and others. It is unfortunate that the HLWG appears to have not taken the trouble of analyzing the recommendations in the light of specific objections. For example, it quotes the objection of the coffee planters. "*The Kodagu coffee growers and planters association made a strong representation to the High Level Working Group that the district should be kept out of the Gadgil Committee recommendations. Their argument was that they have a strong tradition of cultivation of coffee, cardamom and other crops. They practice techniques which protect the soil, recharge ground water through ponds and use organic manure. Their life is not harmful to the environment*"

In what way the WGEEP recommendations go against their interest is not given, nor did the HLWG ask them to specify. In fact WGEEP has strongly recommended such environment-friendly practices and even proposed financial assistance to such farmers. HLWG should have explained the actual provisions in the report rather than taking it as yet another excuse for writing a totally different report with different agenda.

22. Another classical example that explains itself that the HLWG was searching for excuses to thwart the recommendations of the WGEEP, is a reported statement of somebody in Maharashtra "*when officials explained that there was concern that WGEEP, if implemented could lead to complete halt of economic activity. "It would condemn people to live in stone age."* Instead of analyzing the issues more thoroughly HLWG opted to rely on such casual statements and this at best reflects the total lack of professional competence, or worst a

hidden agenda to allow the vested interests to pursue what they have been doing. This is particularly evident that while HLWG quotes the various negative views, it deliberately opted to ignore positive responses in favour of the WGEEP report. For example the HLWG conveniently forgot to quote the resolution passed by 25 Grama Sabhas from Sindhurg district of Maharashtra to include their respective areas also into the Ecologically Sensitive Zones.

23. Basically, the HLWG has failed to understand that the WGEEP recommendations are tentative and that the final decision on demarcating the zones and, the activities to be undertaken in each of them has to be taken by the LSGs and Grama Sabhas. The WGEEP clearly states that it gives only a scientific background for the Grama Sabha and the LSGs to decide on the Ecologically Sensitive Zones and the activities to be undertaken in each of them.
24. HLWG agrees (6.2; page 100) with the WGEEP's listing for sector level planning that it *"is comprehensive and provides an important direction to what will constitute environmentally sound development in this ecologically rich region."* But it then questions how such a development plan will be implemented? The answer is given very clearly in the WGEEP Report. Even after reading, if it was not clear, the HLWG should have called a meeting with the WGEEP rather than giving its simplistic prescriptions, that too not for facilitating sustainable development but only for accentuating the pace of environmental destruction.
25. HLWG, under the Sector Level Planning (6.3; page103) lists several points of disputes (with WGEEP report) related to environmentally sound and inclusive development. One among them (6.3 c), the most crucial one, is that *"How can development be based on decentralized planning and decision making? In other words, how can local communities including tribals play a greater role in discussing and deciding on the economic future of the region, which is classified as economically sensitive?"* How this can be achieved is what exactly WGEEP advocates throughout its report. Questioning the sagacity of decentralized planning and decision making is a direct attack on the devolution of democratic process visualized in the 73rd and 74th Amendments to the Indian Constitution. It certainly is not appropriate for a HLWG appointed by the Government of India, that too chaired by none other than a member of the Planning Commission, to attack the constitutional provisions. It also amounts to insulting the tribal and local communities.

Sector level planning in the ESA.

26. **Mining, quarrying and sand mining** shall be banned and the existing mining should be closed within five years or till the lease period is over whichever is earlier. WGEEP says illegal mining and quarrying should be stopped immediately all over the Western Ghats. Whereas, the HLWG allows mining and quarrying in 63% of the Western Ghats and the restrictions come only for 37% of the area.
27. **Forestry:** HLWG allows forest diversion with additional safeguards, while WGEEP bans conversion of forest lands for any non-forestry operations. . Please note that Western Ghats now retains only just 7% of the original forest cover.

28. **Land use, agriculture, water and forestry:** HLWG does not say anything on these vital issues, except making passing remarks that these should be incorporated in the green growth of the State Governments with adequate incentives and included in the regional plans. WGEEP gives clear recommendations for all these which serve the interest of the poor and ecological integrity of the Western Ghats.
29. **Conversion of agricultural land:** WGEEP recommends that agricultural land should not be diverted for non-agricultural purposes, except for raising forest and for construction of houses of the families which have grown larger. HLWG is silent on this. That means the agriculture land is open for conversion, irrespective of the purpose! Whom does it help in the era of land mafia?
30. **Conversion of government land to private land:** WGEEP emphatically states that there shall not be any conversion of Government land for private purpose. The HLWG cites objection from public, but does not make clear its own stand, as in many other cases. Conveniently enough, it does not deal with this most crucial issue for the survival of Western Ghats. Reducing the area of ESA and non-banning of forest conversion for private uses would lead to, *inter-alia*, more encroachments in the Ghats.
31. **Settlements:** Anybody could, according to HLWG, construct buildings up to but below 20,000 m² (2, 15,000 sq feet) inside the ESA and there are no restrictions outside the ESA, apart from the existing guidelines. That means the building construction lobby can flourish in the entire Western Ghats. This would make a boost for the construction lobby. WGEEP asks for a building Code and recommends that all houses should be environment friendly (meaning using less cement, steel and stones and with water harvesting systems and facilities for waste management). The HLWG did not attach any importance to this crucial issue.
32. **Building sites:** WGEEP recommends that even sites for construction should avoid canals, wetlands, biodiversity pockets. HLWG does not mention these at all, thereby appears to have attached no importance to these life support systems.
33. **Larger dams** are allowed in the ESA by the HLWG with a set of conditions, that too without any scientific backing, that it should be 3 km from the nearest dam, ensure 30% minimum flow in the lean season and, 50% of the river should be free from development activities. How did the Committee reach at these figures are not mentioned. WGEEP suggests that no check dams should be constructed in the first and second order rivers while permitting hydroelectric project for 10 MW in ESZ 1, 10-25 MW in ESZ 2 and larger dams in ESZ 3
34. **Power:** According to HLWG, hydropower seems to have taken the centre stage; wind energy is also mentioned, suggesting that it should also require EIA as suggested by WGEEP. WGEEP emphasises more on solar power which, certainly, is the most environment – friendly alternative for power.
35. **Water conservation:** There is no specific recommendation on water conservation in the ESA by HLWG. WGEEP has suggested measures for water conservation and, how decentralized the water distribution system should be. It is all the more significant at a time when Government is going ahead with privatization of drinking water. Non-mentioning of water distribution system by HLWG at a time when the National Water Policy aiming at

privatization of water assumes greater significance, especially when the Committee itself is chaired by none other than a Member of the Planning Commission.

36. **Agriculture:** The HLWG excludes agriculture from the ESA. It does not speak of agriculture in totality, but does so specifically for plantations such as coffee, cardamom and tea. Promotion of organic cultivation and a certification system aiming at world market are suggested. Farming practices in rice, millets, vegetables, fruits and also the issues of marginal farmers are not touched. Although the HLWG suggests promotion of organic farming, it appears as though it is not serious on its own recommendation, as there is no time limit for conversion. This is against the organic farming policy of the Kerala State. WGEEP recommends conversion to organic agriculture within 5 years in Zone 1, 8 years in zone 2 and 10 years in Zone 3. Compensation during the period of conversion is also suggested. This is almost in line with the organic farming policy of the Kerala State Government. Lifting the time – frame for conversion by HLWG is making the suggestion itself ineffective and nullifying, but certainly lead to the benefit of the manufacturers of the pesticides and fertilizers. The opinion that conversion to organic farming would lead loss to the farmers reflects only ignorance of the development in organic farming or a definite approach in favour of the manufacturers of pesticides and fertilizers.
37. **Incentives to farmers:** WGEEP specifically recommends incentives to farmers who are involved in: a) adopting traditional varieties, b) organic farming, c) promoting traditional livestock, d) culturing indigenous species of fish, e) protecting sacred groves, f) growing indigenous species of trees, g) switching over to perennial crops in areas where the slope is more than 30°. It also recommends the government to pay for the soil Carbon sequestered. Such recommendations having direct benefits to the farmers have no place in the HLWG Report.
38. **Decommissioning of dams:** The suggestion for decommissioning of those dams which have crossed their viable life span, outlived their utility, silted up beyond acceptable standards as suggested by the WGEEP, is rejected since many people who have responded to WGEEP Report have objected to it. It is unfortunate that the HLWG comprising various experts does not appear to have assessed merits and demerits of the suggestion. Dam “decommissioning” is not dam “demolition”. As per the ICOLD, the following factors have to be assessed for deciding whether a dam is to be decommissioned or not: **Structural safety** due to age, weakness, structural problems, construction defects; **Reservoir siltation** reaching a stage where it is unable to store water as envisaged; **Reduction in benefits** due to poor design, inefficient turbines; **Economic costs** for maintaining the dam and the benefit that the dam offers to the society - a balancing of the two; **Ecological damage** caused to biodiversity and other economic loss.

An expert committee for each of this should make an assessment and that has to be evaluated to take a decision whether the dam should be decommissioned or not and, it takes a minimum of 10 years. HLWG should have gone through the literature on decommissioning of dams before reaching a conclusion based on the immediate reaction of people. Or else, should have had a discussion with the WGEEP to clarify it.

39. **Roads and railway lines** are recommended by both the Committees with a condition that there should be a Cumulative Impact Assessment. WGEEP restricts roads and railway lines to areas where they are very essential, whereas HLWG does not propose any restrictions.
40. **Railway projects** do not require EIA clearance even when it goes through the ESA according to HLWG. That means there is no need for any clearance for railway lines in the whole of Western Ghats. The reason for this as given is very interesting: the proponents of railway projects would take care of the environmental safeguards, considering the major implications on wildlife, forestry, and biodiversity and, the incidence of accidents involving wildlife. How much the railways care about the biodiversity and wildlife is clear from their own past? It is on record that Konkan Railway completely ignored the recommendations of the Indian Institute of Science to make slight adjustments in its working to avoid destruction of mangrove and of Carambolim wetland in Goa!
41. **Industries:** HLWG recommends ban on Red category industries in ESA and allows orange category industries, while WGEEP bans new polluting (red and orange category) industries in Zone 1 & 2; and, suggests that existing polluting industries switch over to zero pollution by 2016 and be subject to strict regulation and social audit. It also suggests new industries may be set up in Zone 3 under strict regulation and social audit.

The point that should be considered here is that HLWG limits the polluting industries only in the ESA suggested by it which comprises only 37% of the Western Ghats, whereas the WGEEP speaks for restrictions in the entire Western Ghats. This should be read in the light of the recent studies reporting pollution of the rivers and other water bodies.

42. **Financial arrangements for the Western Ghats States:** The HLWG suggests the following major financial arrangements for the Western Ghats States:
 - (a) *Compute forest ecosystem services to make payments for standing crops in Eco-sensitive Areas:* The suggestion is to provide additional funds to the States considering the ecosystem services of the forests inside the ESA. This is already in existence now as per the HLWG report. It has proposed for an increase in the amount. WGEEP has also asked for additional funds for the Western Ghats States for protecting the forests.
 - (b) *The HLWG suggests that the financial arrangements should be of the nature of a debt for nature swap.* A part of the debt to be paid back to the Centre could be utilized for conservation activities, community projects, to improve forest productivity and to ensure sustainable forest based livelihood and, to that extent the State government's outstanding debt will be released. While this concept borrows from some of the international initiatives where lending countries agree to write off outstanding debt (one way a conditionality), the practical feasibility of this in a federal set up like ours needs to be examined in detail, considering other priorities of the governments. Most governments are facing severe debt crisis and are unable to meet even salary obligations. Notwithstanding the narrow institutional differences between the State and Central governments, a public debt is a debt to be shouldered by citizens and, hence making debt-for-nature-swap is a meaningless instrument to

encourage conservation. It is a pity that HLWG has borrowed a fashionable term without examining its relevance in the existing national context.

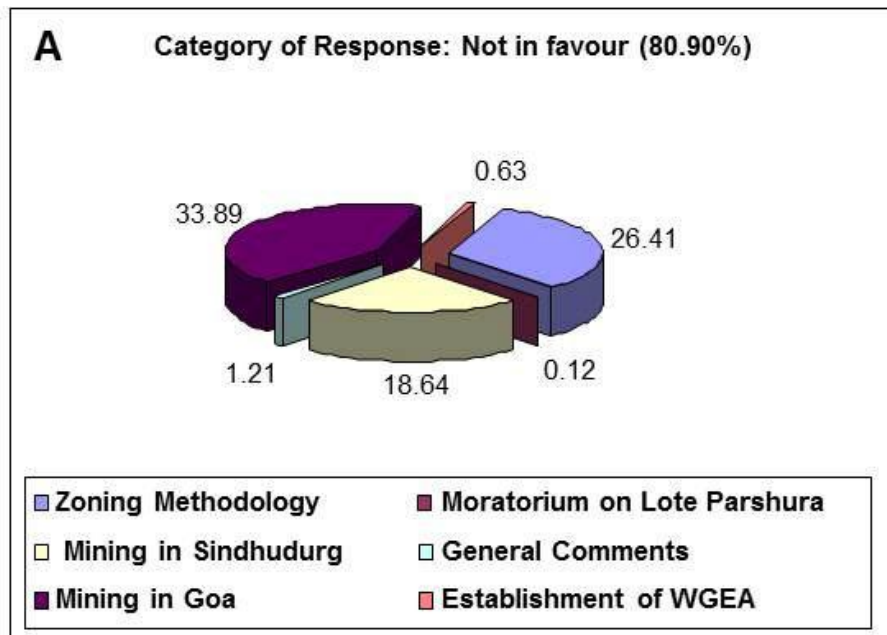
- (c) *Hydrological service and local community*: HLWG advocates computing hydrological service provided by forests and their livelihood benefits on local communities. There are some inbuilt dangers to it in the social context, especially when there is a move to privatize water. Water as air, can never be considered as a commercial commodity and assign a price to it. Once a price tag is attached, it would be misappropriated and water is unlikely to reach the poor section of the people and, if at all it does, it would cost dearly. However, the communities which are living close-by the forests should be given some additional benefits to fulfill their basic requirements. WGEEP suggests various ways and means to pay ecosystem service charges to the individuals, but not specifically for water.

- 43. **Western Ghats Ecology Authority**: One of the mandates of the WGEEP was to propose guidelines for establishing a Western Ghats Ecology Authority which according to the Government of India should be '*a professional body to manage the ecology and sustainable development of the region*'. The decision to set up the same was already taken by the MOEF. WGEEP was asked to suggest modalities and guidelines. (HLWG projects it out, as though it was mooted by the WGEEP). It proposed a democratic decision making system with the involvement of representatives of line departments, civil societies, experts and local communities in a three tier administrative system consisting of a Western Ghats Ecology Authority (WGEA), a State Western Ghats Ecology Authority (SWGEA) and a District Ecology Commission (DEC). One of the vital roles of the WGEA and SWGEA and the DEC is to coordinate the activities of the various departments at different levels. Absence of such a set up underlines the failure of projects from inception to execution. WGEA has to coordinate the activities in the Western Ghats part of the various states. Such an authority will not be a 'super authority' and will not question the rights and powers of the States under the federal system as has been alleged and accepted, unfortunately, by the HLWG. It will be under the MoEF and will only help speed up the process of clearance to be obtained from the MoEF as per the present statutes. HLWG's recommendation that the existing High level Committee strengthened by incorporating the Chief Ministers of the six States would serve the purpose of the WGEA, reflects undoubtedly that the HLWG has not taken the trouble of understanding the role and functions of the WGEA. The other suggestion as a substitute of WGEA that the existing set up of departments, Pollution Control Board and various other establishments including the State Western Ghats Cell will take care of the Governance and regulations of the ESA, shows only that the HLWG is not serious about the ESA and the ecological security of the Western Ghats. In this context it may be noted that the HLWG itself says (page 102) that "*it is also a fact that permit based regulations are often open for misinterpretation and misuse.*" It is precisely because of this, the WGEEP suggested a very transparent three tier system involving both the line departments and civil society members to manage the affairs of the Ecologically Sensitive Zones.
- 44. The suggestion that strengthening existing systems is adequate to protect Western Ghats indicates the lack of understanding of the reasons underlying the ongoing destruction in the Western Ghats and elsewhere. Weak governance under existing institutional arrangements has been the basic cause of environmental destruction. Most government departments function as fragmented sectors and the Planning Commission is well aware that this has

been a basic cause of faulty development initiatives that in turn leads to poor environmental governance. To repose faith in existing departments indicate the inability to understand the ground reality. HLWG should have thought of how did our forests get shrunk, the rivers get dry, the remaining water get polluted and, in Kerala alone 11.71 lakhs ha of wetlands got disappeared from 2007 to 2011, paddy fields got shrunk just to 2.34 lakh ha from 8 lakh ha in 1975. These are to be answered by the existing set up and those who oppose the Union Government's well meaning proposal to introduce a new set up.

45. **Decision Support and Monitoring Centre:** It is rather curious to note that **the** HLWG which rejects the Western Ghats Ecology Authority stating that all the States have rejected the proposal (only 0.63% of all the responses!) on the ground that the existing set up would take care, proposes, in the same breath, a different institution with a heavy load of geospatial activities! It says that such a "*centre will be the decision support for ensuring the environment and regulation of ESA*". The WGEA covers all these purposes, and in addition a democratic set up to consider the aspirations of people. Maintaining data banks and periodical up-gradation of the same using geospatial technology wherever required is also envisaged under the WGEA. There are excellent records of ecologists working with geospatial experts. It may be noted that there is no substitute for field work. There is no doubt that the MoEF's professed welcome objective behind setting up the WGEA that it should be a '*professional body to manage the ecology and sustainable development of the region*' can never be met by the proposed Decision Support and Monitoring Centre.
46. **Vital issues not mentioned in the HLWG Report:** It does not mention waste treatment, hazardous waste treatment processing units, incentives to the farmers, animal husbandry, fish and fisheries, water conservation and distribution, and introduction of Genetically Modified (GM) crops. WGEEP recommends ban on GM in the entire Western Ghats. The absence of GM in the sector-wise recommendations of the HLWG makes it more conspicuous, especially when a member of the Planning Commission of a Government that insists on introducing GM that too against the wishes of the people, presides over the Committee.
47. The HLWG report violates the National Forest Policy which insists maintenance of 66% of forest cover in the hilly areas. That means only the remaining 34% of the area is left for other activities. Instead, HLWG recommends 37% for conservation as Natural Landscape and 63% for all kinds of development, contradicting the objectives of the 1988 National Forest Policy. Again in the Natural Landscape (ESA) also virtually most of the activities are permitted with conditions. In doing so, HLWG tramples upon the aspirations of the poor, and disregards the bare minimum requirements for ensuring the ecological security of the Western Ghats. Ensuring water for the people is sacrificed for the 'development' of a few. It is to be noted that 52% out of the 81% of people who opposed WGEEP report comprises people involved in mining! (See the figure given below from the HLWG report). Unfortunately, the HLWG not only goes in their favour, but advocates measures to protect their interest. Is it not curious to note that HLWG in its Report (Annexure 3) mentions that "*34% of the responses from locals strongly support permitting mining.*" Strangely enough, it avoids saying 64% of the locals were against granting permission for mining. And, since 34% wants mining, HLWG recommends lifting of moratorium! What a scientific analysis of data with total social commitment!

Fig. 1 A of HLWG Report: page 10



48. The WGEEP stands for the poor and socially backward while preserving the ecological integrity of the Western Ghats with utmost importance to democratic process. On the other hand, the HLWG adopting an autocratic process lends its support behind the people who have been exploiting the resources of the Western Ghats with least importance to its ecological security.

49. The MoEF may also note that the HLWG Report is not in conformity with the mandates given to it. It was asked to examine, *inter-alia*,

(i) *the Western Ghats Ecology Expert Panel Report in a holistic and multidisciplinary fashion in the light of the comments received from the concerned State Governments/Central Ministries/Stakeholders considering the following important aspects:*

a) *the imperatives of equitable economic and social growth of the region in the most sustainable manner with special attention and importance to the preservation of the precious biodiversity, wildlife, flora and fauna of the Western Ghats and to prevent further degradation of the same;*

b) *the rights, needs and development aspirations of local and indigenous people, tribal, forest dwellers and the most disadvantaged sections of the local community recognizing the importance of equitable economic and social growth being harmoniously balanced with sustainable development and environmental integrity.*

(ii) *recommend further course of action to the Government with respect to the WGEEP Report and,*

(iii) *the Committee will submit an action Plan to implement the WGEEP Report in the most effective and holistic manner with in a period of two months.*

50. Violating all these mandates, the HLWG created a new report by making an excuse that majority of the responses received was against the WGEEP recommendations.

- a) The analysis of the response, as mentioned above, shows that majority of the objections are from the mining lobby (as much as 52% out of the 81%). As though to satisfy them and the building lobby, HLWG has opened up 67% of the Western Ghats confining the ESA only to 37% area. And there also constructions do not have any restriction as buildings less than 2, 15,000 sq ft are permitted.
- b) The HLWG formulated a new methodology which is totally inadequate and much inferior to that followed by the WGEEP.
- c) There is not even a modicum of substance in the HLWG report addressing the most crucial issues referred to it such as equitable economic and social growth of the region; the rights, needs and development aspirations of local and indigenous people; and, preservation of the ecological integrity of the Western Ghats. On the contrary the report goes in a diagonally opposite direction, supporting unsustainable and irrational exploitation of the resources of the Western Ghats.
- d) HLWG has not given any action plan to implement the recommendations of the WGEEP report.

51. To sum up, the HLWG report has erred on facts, analyses and experiences. It is devoid of any scientific content. Based on half-baked information, it has focused on undermining the recommendations of the WFEEP report catering to the demands of vested interests. It does not even conform to the most important mandates given to it, namely the development philosophy of the MoEF which was reflected in its terms of reference. It relied on the responses of a small segment of the population to castigate WGEEP report as anti-development. Its recommendations will only help to accelerate the pace of destruction of the Western Ghats. Hence, the report should be rejected in toto and early action to be initiated to implement the recommendations of the WGEEP report. The points of discord as raised could be settled through discussions during implementation. After all, the Grama Sabhas and Panchayats have to take final decisions on most of the recommendations of the WGEEP. The best option, however, for the MoEF would have been to get the summary of the report of the WGEEP translated into local languages and send to the panchayats and Grama Sabhas of the Western Ghats and seek their comments/opinion.
