

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 28th January, 2021

S.O. 438(E).—The following draft of the notification, which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), read with clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi-110 003, or send it to the e-mail address of the Ministry at esz-mef@nic.in

Draft Notification

WHEREAS, Wayanad Wildlife Sanctuary is located in Sulthan Bathery and Mananthavady Taluka of Wayanad District in the State of Kerala. The Sanctuary is spread over an area of 344.53 square kilometres in Wayanad Wildlife Division comprising two discontinuous units of 77.76 square kilometer (called WS-I) and 266.77 square kilometres (called WS-II). The larger WS-II lies within the geographical extremes of latitudes 11°35' N to 11°49' N and longitudes 76°13' E to 76°27' E; while the other bit (WS-I) lies within latitudes 11°50' N to 11°59' N and longitudes 76°02' E to 76°07' E. The Sanctuary is a component of the Nilgiri Biosphere Reserve (5,520 square kilometres) and is a vital component of the Elephant Reserve No. 7 of South India;

AND WHEREAS, Wayanad Wildlife Sanctuary has a mix of South Indian moist mixed deciduous forests and Southern dry mixed deciduous forests which harbour diverse floristic and faunal components of Western Ghats. Major flora available in the Sanctuary are *Albizia procera* (kunnivaka), *Alstonia scholaris* (ezhilampala), *Dalbergia latifolia* (eetti), *Lagerstomia lanceolata* (venthekku), *Tectona grandis* (teak), *Cassia fistula* (kanikonna), *Carreya arborea* (pezhu), *Piper nigrum* (pepper), *Bamboosa bamboos* (mula), *Musa paradisica* (banana), *Mangifera indica* (maavu), *Aanacardium occidentale* (kasumavu), *Cocos nucifera* (thengu), *Tamarindus indica* (puli), *Terminalia paniculata* (maruth), *Artocarpus heterophyllus* (plavu), *Samantiasaman* (mazhavaaka), *Ampelocissus indica* (chemparavalli), *Bridelia retusa* (mulluvenga), *Polyalthia longifolia* (arana maram), *Ficus religiosa* (arasu), *Ficus banghalensis* (araya), *Garciniagummi-gutta* (kudampuli), *Caryo taurens* (eeranpana), *Areca catechu* (kavungu), *Vitex altissima* (mylellu), *Stachytarpheta jamaicensis* (kattupunnuthu), *Lantana camara* (arippu), *Trema orientalis* (amarathi), *Grewia tiliifolia* (chadachi), *Sterculia villosa* (vakkanarumaram), *Santalum album* (chandanam), *Morinda pubescens* (kattapitalavam), *Mitragyna parvifolia* (kadambu), *Ixora pavetta* (soochimulla), *Haldina cordifolia* (manjakadambu), *Prunus ceylanica* (naikambagam), *Ziziphus xylopyrus* (kotta), *Centella asiatica* (kodangal), etc;

AND WHEREAS, the forests of Wayanad Wildlife Division form the major catchments for the tributaries of Kabani river system, which is the lifeline of the eastern portion of Wayanad plateau as well as adjoining plains of Karnataka. Wayanad Wildlife Sanctuary recorded about 45 species of mammals, 227 species of birds, 50 species of reptiles, 35 species of amphibians, 80 species of fish and 206 species of butterflies. Major fauna of the Sanctuary are *Elephas maximus* (Asian elephant), *Panthera tigris* (tiger), *Panthera pardus* (leopard), *Felis bengalensis* (leopard cat), *Axis axis* (spotted deer), *Muntiacus muntjak* (barking deer), *Tragulus meminna* (mouse deer), *Felis chaus* (jungle cat), *Macaca radiata* (bonnet macaque), *Funambulus tristatus* (jungle palm squirrel), *Ratufa indica* (Malabar giant squirrel), *Mus booduga* (little Indian field mouse), *Hystrix indica* (Indian crested porcupine), *Lepus nigricollis* (black napped hare), *Cynopterus brachyotis* (lesser dog faced fruit bat), *Manis crassicaudata* (Indian pangolin), *Herpestes edwardsi* (grey mongoose), *Viverricula indica* (small Indian civet), *Sus scrofa* (wild boar), *Sarcogyps calvus* (red headed vulture), *Neophron percnopterus* (Egyptian vulture), *Aegypius monachus* (Cinereous vulture), *Ducula aenea* (green imperial-pigeon), *Ardea cinerea* (grey heron), *Milvus migrans* (black kite), *Cnemaspis monticola* (mountain day gecko), *Hebius beddomei* (Nilgiri keelback), *Puthon*

molurus (Indian python), *Naja naja* (cobra), *Trimereus malabaricus* (Malabar pit viper), *Zakerana rufescens* (Rufescent frog), *Pseudophilautus wynaadensis* (Jerdon's bush frog), *Barilius bakeri* (Baker's baril), *Dawkinsia filamentosa* (filament barb), *Haludaria melanampyx* (melon barb), *Pachliopta pandiyana* (Malabar rose), *Papilio dravidarum* (Malabar raven), *Euphaea fraseri* (Laidlaw) (Malabar torrent dart), etc;

AND WHEREAS, Wayanad Wildlife Sanctuary listed 9 species of mammals, 6 species of birds and 16 species of fishes under threatened category. Some rare, threatened and endangered species of the region includes *Anaphyllum wightii* (keerikkizhangu), *Hopea parviflora* (irumbaga), *Vateria indica* (painimaram), *Glochidion zeylanicum* (nellikkapuli), *Cynometra travancorica* (kooori), *Dalbergia latifolia* (eeti), *Myristica malabarica* (chorapali), *Piper barberi* (kattukurumulagu), *Melicope lunu-ankenda* (kambili), *Pterospermum reticulatum* (malayuram), *Manis crassicaudata* (Indian pangolin), *Elephas maximus* (Asian elephant), *Panthera tigris* (tiger), *Panthera pardus* (leopard), *Bos gaurus* (gaur), *Threskiornis melanocephala* (black-headed ibis), *Anthraceroceros coronatus* (Malabar pied hornbill), *Gyps bengalensis* (white-rumped vulture), *Ophiophagus hannah* (king cobra), *Minervarya sahyadrensis* (Minervarya frog), *Rhacophorus lateralis* (small tree frog), *Pedostibes tuberculosus* (Malabar tree toad), *Clinotarsus curtipes* (bicoloured frog), *Pseudophilautus wynaadensis* (Jerdon's bush frog), *Tor khudree* (Deccan Mahseer), etc;

AND WHEREAS, the endemic fauna of the Wayanad Wildlife Sanctuary recorded 2 species of mammals, 6 species of birds, 8 species of amphibians and 49 species of fishes; some endemic species of the region includes *Ocyrceros griseus* (Malabar grey hornbill), *Psittacula columboides* (Malabar parakeet), *Leptocoma minima* (crimson-backed sunbird), *Cnemaspis monticola* (mountain day gecko), *Hebius beddomei* (Nilgiri keelback), *Calotes nemoricola* (Nilgiri forest lizard), *Draco dussumieri* (flying lizard), *Uropeltis sp* (urpeltid snakes), *Microhyla ornata* (Ornate narro-mouthed frog), *Rhacophorus malabaricus* (Malabar gliding frog), *Uraeotyphlops malabaricus* (Malabar caecilian), *Pedostibes tuberculosus* (Malabar tree toad), *Nyctibatrachus grandis* (Wayanad night frog), *Indosylvirana aurantiaca* (Boulenger's golden-backed frog), *Polypedates occidentalis* (charpa tree frog), *Barilius bakeri* (Baker's baril), *Dawkinsia filamentosa* (filament barb), *Haludaria melanampyx* (melon barb), *Mesonoemacheilus triangularis* (zodiac loach), *Troides minos* (southern birdwing), *Papilio liomedon* (Malabar banded swallowtail), *Papilio Buddha* (Buddha peacock), *Caltoris canaraica* (Canara swift), *Gomphidia kodaguensis* (Coorg clubtail), etc;

AND WHEREAS, Wayanad Wildlife Sanctuary is the only Sanctuary of Kerala where sighting of four-horned antelope are reported. Presence of Egyptian vulture, Himalayan griffon and Cinereous vultures are also reported in the Sanctuary and the two species of vultures, viz., red-headed and white-backed vultures, once common in Kerala, are now restricted to the Wayanad Plateau. The Nagarhole-Bandipur-Mudumalai-Wayanad forest complex is also one of the most important tiger habitats in the country. Recent estimation of tigers using camera traps has indicated presence of 79 tigers in the sanctuary. Amidst the massively exploited, widely encroached, highly fragmented and unimaginatively managed forests of Wayanad plateau, the forest areas of this Sanctuary represent the last well protected remnants and therefore qualify for, in situ, conservation of the highest order;

AND WHEREAS, it is necessary to conserve and protect the area, the extent and boundaries of Wayanad Wildlife Sanctuary which are specified in paragraph 1 as Eco-sensitive Zone from ecological, environmental and biodiversity point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent varying from 0 (zero) to 3.4 kilometres around the boundary of Wayanad Wildlife Sanctuary, in Wayanad District in the State of Kerala as the Wayanad Wildlife Sanctuary Eco-sensitive Zone (hereafter in this notification referred to as the Eco-sensitive Zone) details of which are as under, namely: -

- 1. Extent and boundaries of Eco-sensitive Zone.** – (1) The Eco-sensitive Zone shall be to an extent of 0 (zero) to 3.4 kilometres around the boundary of Wayanad Wildlife Sanctuary. The total area of the Eco-sensitive Zone is 118.59 square kilometres of which 99.5 square kilometres is outside the Sanctuary which includes 8.89 square kilometres of Thirunelli Reserve Forest of North Wayanad

Division at WS-I region and 17.67 square kilometres area of Vested forest of Chedelath Range of South Wayanad Division at WS-II region. The remaining 19.09 square kilometres are the revenue villages falling within the Sanctuary. The extent of Eco-sensitive Zone at various directions of the Sanctuary are given below:

<i>Directions</i>	<i>Extent towards WS-I (kilometers)</i>	<i>Extent towards WS-II (kilometers)</i>
North	0	0
North - East	0	0
East	0	0
South - East	0 - 1	0
South	0.10 - 1.8	0 - 1.4
South - West	0.10 - 2.7	0 - 1
West	0.25 - 2.7	0.25 - 3.4
North - West	0 - 1	0 - 1

“Northern region of the WS-I part of Wayanad Wildlife Sanctuary is contiguous with Brahmagiri Wildlife Sanctuary of Karnataka State. So the extent of Eco-sensitive Zone is zero in that direction. North-eastern and eastern side boundary of WS-I part is Nagarhole Tiger Reserve of Karnataka State. The extent of ESZ is zero in those directions also.

WS-II region of Wayanad wildlife sanctuary have Bandipur Tiger Reserve of Karnataka state in the Northern boundary. Since it is a protected area; the ESZ extent is zero in that direction. North - Eastern region and eastern region of WS II region is surrounded by Bandipur Tiger Reserve of Karnataka state. So the extent of ESZ is zero. South- West direction of WS-II region is Mudhumalai Tiger Reserve of Tamil Nadu. So the extent of ESZ is zero in this direction.

- (2) The boundary description of Wayanad Wildlife Sanctuary and its Eco-sensitive Zone is appended in Table A and Table B of **Annexure-I**.
 - (3) The maps of the Wayanad Wildlife Sanctuary demarcating Eco-sensitive Zone along with boundary details and latitudes and longitudes are appended as **Annexure-IIA, Annexure-IIB and Annexure-IIC**
 - (4) Lists of geo-coordinates of the boundary of Wayanad Wildlife Sanctuary and Eco-sensitive Zone are given in Table A and Table B of **Annexure-III**.
 - (5) The list of villages falling in the Eco-sensitive Zone along with their geo co-ordinates at prominent points is appended as Table A and Table B of **Annexure-IV**.
- 2. Zonal Master Plan for Eco-sensitive Zone.**—(1) The State Government shall, for the purposes of the Eco-sensitive Zone prepare a Zonal Master Plan within a period of two years from the date of publication of this notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of the competent authority in the State.
- (2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
 - (3) The Zonal Master Plan shall be prepared in consultation with the following Departments of the State Government, for integrating the ecological and environmental considerations into the said plan:-
 - (i) Environment;
 - (ii) Forest and Wildlife;
 - (iii) Agriculture;
 - (iv) Revenue;
 - (v) Local Self Government Department (LSGD);
 - (vi) Urban Development;

- (vii) Tourism;
- (viii) Rural Development;
- (ix) Irrigation and Flood Control;
- (x) Municipal;
- (xi) Panchayati Raj;
- (xii) Kerala State Pollution Control Board; and
- (xiii) Public Works Department.

- (4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.
- (5) The Zonal Master Plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
- (6) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies with supporting maps giving details of existing and proposed land use features.
- (7) The Zonal Master Plan shall regulate development in Eco-sensitive Zone and adhere to prohibited and regulated activities listed in the Table in paragraph 4 and also ensure and promote eco-friendly development for security of local communities' livelihood.
- (8) The Zonal Master Plan shall be co-terminus with the Regional Development Plan.
- (9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.

3. Measures to be taken by the State Government.- The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

- (1) **Land use.**— (a) Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or residential or industrial activities:

Provided that the conversion of agricultural and other lands, for the purposes other than that specified at part (a) above, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central Government or State Government as applicable and *vide* provisions of this notification, to meet the residential needs of the local residents and for activities such as:-

- (i) widening and strengthening of existing roads and construction of new roads;
- (ii) construction and renovation of infrastructure and civic amenities;
- (iii) small scale industries not causing pollution;
- (iv) cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stay; and
- (v) promoted activities given in paragraph 4:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of the State Government and without compliance of the provisions of Article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

(b) Efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat restoration activities.

(2) **Natural water bodies.**—The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.

(3) **Tourism or eco-tourism.**— (a) All new eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.

(b) The Tourism Master Plan shall be prepared by the State Department of Tourism in consultation with the State Departments of Environment and Forests.

(c) The Tourism Master Plan shall form a component of the Zonal Master Plan.

(d) The Tourism Master Plan shall be drawn based on the study of carrying capacity of the Eco-sensitive Zone.

(e) The activities of eco-tourism shall be regulated as under, namely:—

(i) new construction of hotels and resorts shall not be allowed within one kilometre from the boundary of the protected area or upto the extent of the Eco-sensitive Zone, whichever is nearer:

Provided that beyond the distance of one kilometre from the boundary of the protected area till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for eco-tourism facilities as per Tourism Master Plan;

(ii) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism, eco-education and eco-development;

(iii) until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel, resort or commercial establishment construction shall be permitted within Eco-sensitive Zone area.

(4) **Natural heritage.**— All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.

(5) **Man-made heritage sites.**— Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part of the Zonal Master Plan.

(6) **Noise pollution.**— Prevention and control of noise pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment Act.

- (7) **Air pollution.-** Prevention and control of air pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.
- (8) **Discharge of effluents.-** Discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environment Act and the rules made thereunder or standards stipulated by the State Government whichever is more stringent.
- (9) **Solid wastes.-** Disposal and Management of solid wastes shall be as under:-
- (a) the solid waste disposal and management in the Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number S.O. 1357 (E), dated the 8th April, 2016; the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone;
 - (b) safe and Environmentally Sound Management of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-sensitive Zone.
- (10) **Bio-Medical Waste.-** Bio-Medical Waste Management shall be as under:-
- (a) the Bio-Medical Waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 343 (E), dated the 28th March, 2016.
 - (b) safe and Environmentally Sound Management of Bio-Medical Wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-sensitive Zone.
- (11) **Plastic waste management.-** The plastic waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 340(E), dated the 18th March, 2016, as amended from time to time.
- (12) **Construction and demolition waste management.-** The construction and demolition waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 317(E), dated the 29th March, 2016, as amended from time to time.
- (13) **E-waste.-** The e - waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change, as amended from time to time.
- (14) **Vehicular traffic.-** The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the competent authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.
- (15) **Vehicular pollution.-** Prevention and control of vehicular pollution shall be in compliance with applicable laws and efforts shall be made for use of cleaner fuels.
- (16) **Industrial units.-** (a) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be permitted to be set up within the Eco-sensitive Zone.
- (ii) Only non-polluting industries shall be allowed within Eco-sensitive Zone as per the classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, unless so specified in this notification, and in addition, the non-polluting cottage industries shall be promoted.
- (17) **Protection of hill slopes.-** The protection of hill slopes shall be as under:-

- (a) the Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted;
- (b) construction on existing steep hill slopes or slopes with a high degree of erosion shall not be permitted.

4. List of activities prohibited or to be regulated within Eco-sensitive Zone.- All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment Act and the rules made there under including the Coastal Regulation Zone, 2011 and the Environmental Impact Assessment Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act 1972 (53 of 1972), and amendments made thereto and be regulated in the manner specified in the Table below, namely:-

TABLE

Sl. No. (1)	Activity (2)	Description (3)
A. Prohibited Activities		
1.	Commercial mining, stone quarrying and crushing units.	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units shall be prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction or repair of houses within the Eco-sensitive Zone; (b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated the 4 th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated the 21 st April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	New industries and expansion of existing polluting industries in the Eco-sensitive Zone shall not be permitted: Provided that non-polluting industries shall be allowed within the Eco-sensitive Zone as per classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, as amended from time to time, unless so specified in this notification and in addition the non-polluting cottage industries shall be promoted.
3.	Establishment of major hydro-electric project.	Prohibited.
4.	Use or production or processing of any hazardous substances.	Prohibited.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited.
6.	Establishment of solid waste disposal site and common incineration facility for solid and Bio-medical waste.	No new solid waste disposal site and waste treatment or processing facility of solid waste is permitted within Eco-sensitive zone. Further installation of common or individual incineration facility for treatment of any form of solid waste generated from industrial process and health establishment or hospitals etc. is prohibited.
7.	Setting up of new saw mills.	New or expansion of existing saw mills shall not be permitted within the Eco-sensitive Zone.

8.	Setting up of brick kilns.	Prohibited.
9.	Commercial use of firewood.	Prohibited.
B. Regulated Activities		
10.	Commercial establishment of hotels and resorts.	No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, except for small temporary structures for eco-tourism activities: Provided that, beyond one kilometer from the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.
11.	Construction activities.	(a) New commercial construction of any kind shall not be permitted within one kilometer from the boundary of the protected area or upto extent of the Eco-sensitive Zone, whichever is nearer: Provided that, local people shall be permitted to undertake construction in their land for their use including the activities mentioned in sub-paragraph (1) of paragraph 3 as per building bye-laws to meet the residential needs of the local residents: Provided further that the construction activity related to small scale industries not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any. (b) Beyond one kilometer it shall be regulated as per the Zonal Master Plan.
12.	Small scale non polluting industries.	Non polluting industries as per classification of industries issued by the Central Pollution Control Board in February, 2016, as amended from time to time, and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent authority.
13.	Felling of trees.	(a) There shall be no felling of trees in the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government. (b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.
14.	Collection of Forest produce or Non-Timber Forest produce.	Regulated as per the applicable laws.
15.	Erection of electrical and communication towers and laying of cables and other infrastructures.	Regulated under applicable laws (underground cabling may be promoted).
16.	Infrastructure including civic amenities.	Taking measures of mitigation as per the applicable laws, rules, regulations and available guidelines.

17.	Widening and strengthening of existing roads and construction of new roads.	Taking measures of mitigation as per the applicable laws, rules, regulation and available guidelines.
18.	Undertaking other activities related to tourism like flying over the Eco-sensitive Zone area by hot air balloon, helicopter, drones, microlites, etc.	Regulated as per the applicable laws.
19.	Protection of hill slopes and river banks.	Regulated as per the applicable laws.
20.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
21.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted as per the applicable laws for use of locals.
22.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate and companies.	Regulated (except otherwise provided) as per the applicable laws except for meeting local needs.
23.	Discharge of treated waste water or effluents in natural water bodies or land area.	The discharge of treated waste water or effluents shall be avoided to enter into the water bodies and efforts shall be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water or effluent shall be regulated as per the applicable laws.
24.	Commercial extraction of surface and ground water.	Regulated as per the applicable laws.
25.	Solid waste management.	Regulated as per the applicable laws.
26.	Introduction of exotic species.	Regulated as per the applicable laws.
27.	Eco-tourism.	Regulated as per the applicable laws.
28.	Use of polythene bags.	Use of polythene bags are permitted within the Eco-sensitive Zone. However, based on specific requirement, it shall be regulated under applicable laws.
29.	Commercial sign boards and hoardings.	Regulated as per the applicable laws.
30.	Open Well, Borewell, etc. for agriculture and other usages.	Regulated as per the applicable laws.
C. Promoted Activities		
31.	Rain water harvesting.	Shall be actively promoted.
32.	Organic farming.	Shall be actively promoted.
33.	Adoption of green technology for all activities.	Shall be actively promoted.
34.	Cottage industries including village artisans, etc.	Shall be actively promoted.
35.	Use of renewable energy and fuels.	Bio-gas, solar light, etc. shall be actively promoted.
36.	Agro-Forestry.	Shall be actively promoted.
37.	Plantation of Horticulture and Herbals.	Shall be actively promoted.
38.	Use of eco-friendly transport.	Shall be actively promoted.
39.	Skill Development.	Shall be actively promoted.

40.	Restoration of degraded land or forests or habitat.	Shall be actively promoted.
41.	Environmental awareness.	Shall be actively promoted.

5. Monitoring Committee for Monitoring the Eco-sensitive Zone Notification.- For effective monitoring of the provisions of this notification under sub-section (3) of section 3 of the Environment (Protection) Act, 1986, the Central Government hereby constitutes a Monitoring Committee, comprising of the following, namely:-

Sl. No.	Constituent of the Monitoring Committee	Designation
(i)	District Collector Wayanad or his representative	Chairman, ex officio;
(ii)	Member of the Legislative Assembly (MLA) Sulthan Bathery	Member;
(iii)	Member of the Legislative Assembly (MLA) Mananthavady	Member;
(iv)	District Panchayat President	Member;
(v)	Representative of the Department of Environment, Government of Kerala	Member;
(vi)	Representative of Non-governmental Organizations working in the field of natural conservation (including heritage conservation) to be nominated by the Government of Kerala	Member;
(vii)	Kerala State Pollution Control Board, District Officer, Wayanad	Member;
(viii)	Member State Biodiversity Board	Member;
(ix)	The Wildlife Warden, Wayanad	Member-Secretary.

6. Terms of reference. – (1) The Monitoring Committee shall monitor the compliance of the provisions of this notification.

- (2) The tenure of the Monitoring committee shall be till further orders, provided that the non-official members of the Committee shall be nominated by the State Government from time to time.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forest and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14th September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.
- (5) The Member-Secretary of the Monitoring Committee or the concerned Deputy Commissioner(s) shall be competent to file complaints under section 19 of the Environment Act, against any person who contravenes the provisions of this notification.
- (6) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from industry associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
- (7) The Monitoring Committee shall submit the annual action taken report of its activities as on the 31st March of every year by the 30th June of that year to the Chief Wildlife Warden in the State as per proforma appended at Annexure V.
- (8) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.

7. Additional measures.- The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.

8. Supreme Court, etc. orders.- The provisions of this notification shall be subject to the orders, if any passed or to be passed by the Hon'ble Supreme Court of India or High Court or the National Green Tribunal.

[F. No. 25/100/2015-ESZ-RE]

Dr. SATISH C. GARKOTI, Scientist 'G'

ANNEXURE- I

A. BOUNDARY DESCRIPTION OF WAYANAD WILDLIFE SANCTUARY IN THE STATE KERALA

The Sanctuary consists of two units separated by a chunk of revenue land as well as RF. Tholpetty Range lies in the Northwest side of the main portion constituted by Kurichiat, Sulthan Bathery and Muthanga Ranges.

Boundary description of WS-I (Tholpetty Range)

- North:** The boundary starts from Tholpetty-Kutta road towards East along the Southern boundary of coffee estate in Karnataka state up to Moorkallu.
- East:** Thence southwards along interstate boundary between Karnataka RF and Kerala RF up to Bavali.
- South:** Thence towards East along the Northern boundary of Shanamangalam RF and then Southern boundary of Edacode RF and Kartikulam RF till it cuts Kartikulam-Bavali road near Kartikulam.
- West:** Thence towards north along the Western boundary of Begur RF till it cuts the Southern point of Alathur RF. Thence along the outer boundary of Alathur RF, and till it cuts the boundary of Kudirakkode RF till it joins the main road from Begur to Tholpetty and thence Northwards along the Western boundary of Begur RF till it joins the starting point.

Boundary description of WS-II (Kurichiat, Sulthan Bathery and Muthanga Ranges)

- North:** The boundary starts from the point where Kannarampuzha cuts the state boundary at Vandikadavu portion towards east along the Interstate boundary between Karnataka and Kerala RF up to where Rampur Nagarhole River cuts the boundary.
- East:** Thence downstream along Nagarhole River and thence downstream along Mavinahalla thodu till it reaches the tri-junction point where the boundaries of Kerala, Karnataka and Tamilnadu meet. Thence, along the interstate boundary of Tamilnadu and Kerala till it reaches Narati-Betta.
- South:** From Narati-Betta towards west along interstate boundary of Tamilnadu and Kerala till it reaches western end of Nenminad RF.
- West:** Thence Northwards along the western boundary of Nenminad RF till it cuts the Sulthan Bathery-Gudalur Road, thence along west boundary of Alathur RF up to Kallumukkukunnu and thence along the outer boundary of Kallur RF till it meets Rampur RF and thence across the road from Valluvady to Moolankavu at Puthuveedu and thence along the outer boundary of Kuppady RF running Westwards first upto Pulpally-Sulthan Bathery Road and thence southwards along the said road upto P.W.D. colony (Karapuzha Scheme) and thence westwards upto Konnakal and thence northwards till it reaches the starting point of Vandikadavu in Kurichiat RF.

B. BOUNDARY DESCRIPTION OF ECO-SENSITIVE ZONE OF WAYANAD WILDLIFE SANCTUARY

Boundary description of WS-I (Tholpetty Range)

- North:** Northern boundary of Wayanad Eco Sensitive Zone in the WS – I Region starts at the state border between Kerala and Karnataka near Kutta. The Northern side of WS-I Region is Brahmagiri Wildlife Sanctaury of Karnataka State, so the extent of the Eco Sensitive Zone is Zero in this direction.

North-East: The North – Eastern side of WS I part of Wayanad Wildlife Sanctuary shares the boundary with Nagarhole Tiger Reserve of Karnataka state. The extent of Eco Sensitive Zone in this direction is also Zero.

East: The Eastern part of WS I region also shares its boundary with Nagarhole Tiger Reserve, so the extent of Eco Sensitive Zone in this direction is also Zero.

South-East: The Boundary of Wayand Eco Sensitive Zone in the South-Eastern part of WS-I Region starts from Bavali, which is situated at Kerala-Karnataka Border. The boundary runs along the Kuruva River towards the south direction up to Chaligadha. The Eco Sensitive Zone of this area includes private area and teak plantation of Begur Range of North Wayanad Division. The extent of Eco Sensitive Zone in this direction ranges from zero to one kilometer.

South: The boundary of Eco Sensitive Zone in the southern direction of WS-I Region starts from Chaligadha area. Then the boundary runs along the Chaligadha – Kurukkanmoola Road towards south-west direction and reaches Kurukkanmoola. Extent of Eco-Sensitive Zone in this direction ranges from 0.10 - 1.80 kilometer.

South-West:- The Boundary of Wayand Eco Sensitive Zone in this direction starts from Kurukkanmoola and it runs along the Kurukkanmoola-Kattikulam Road and reaches kattikulam Town. Then it runs along the Kattikkulam-Panavalli road towards the west direction and reaches Panavalli by covering the private areas and teak plantations of Oliot Reserve Forest and Alathur Reserve Forest of Begur Range. The extent of Eco Sensitive Zone in this direction ranges from 0.10 - 2.70 kilometer.

West: The boundary starts from Panavally and its runs along the Panavally-Appappara Road towards the north-west direction and reaches Appappara by covering the private land and teak plantation of Panavally and Edayur vaval region of Begur Range. The extent of Eco Sensitive Zone in this direction ranges from 0.25 - 2.70 kilometer.

North-West: The Boundary starts from Appappara and it runs along Appappara-Aranappara Road and reaches the Aranappara Junction. Then it runs along the Aranappara-Narikkal Road and meets the Interstate Boundary at Kutta in the Northern side of WS-I Region. The extent of Eco Sensitive Zone in this direction ranges from zero to one kilometer.

Boundary description of WS-II (Kurichiat, Sulthan Bathery and Muthanga Ranges)

North: Northern boundary of Wayanad Eco Sensitive Zone in the WS-II region starts at Vandikadavu Colony near to Kerala-Karnataka Border. WS-II region shares its boundary with Bandipur Tiger Reserve of Karnataka State in the Northern side. The extent of Eco Sensitive Zone in this direction is Zero.

North-East: North – Eastern side of WS II region is also Bandipur Tiger Reserve. So, the extent of Eco Sensitive Zone in this direction is also Zero.

East: The Eastern side of WS II region of Wayanad Wildlife Sanctuary also shares its boundary with Bandipur Tiger Reserve. So the extent of Eco Sensitive Zone in this direction is also Zero.

South-East: The South – Eastern side of WS II region shares its boundary with Mudumalai Tiger Reserve of Tamil Nadu. The extent of Eco Sensitive Zone in this direction is also Zero.

South: The boundary of Eco Sensitive Zone in this direction starts from Nambiarkunnu at Kerala-Tamil Nadu Border and runs along Nambiarkunnu-Cheeral Road in the South-West Direction. The extent of Eco Sensitive Zone in this direction ranges from zero to 1.40 kilometer.

South-West: The boundary starts from Cheeral and it runs along the Cheeral Nambikolly Road to the western side and reaches Nambikolly. From there it runs along Nambikolly-Kallur 67 Road and reaches NH 766 at Kalloor 67. Then, it runs along National Highway 766 by covering Kallur and Naiketty Town and reaches Moolankave. Then it runs along moolankave-Odappallam road and reaches Pazhery. Then it runs to the Western direction through Pazhery-Sulthan Bathery Road and reaches Sulthan Bathery Town. The extent of Eco Sensitive Zone in this direction ranges from zero to one kilometer.

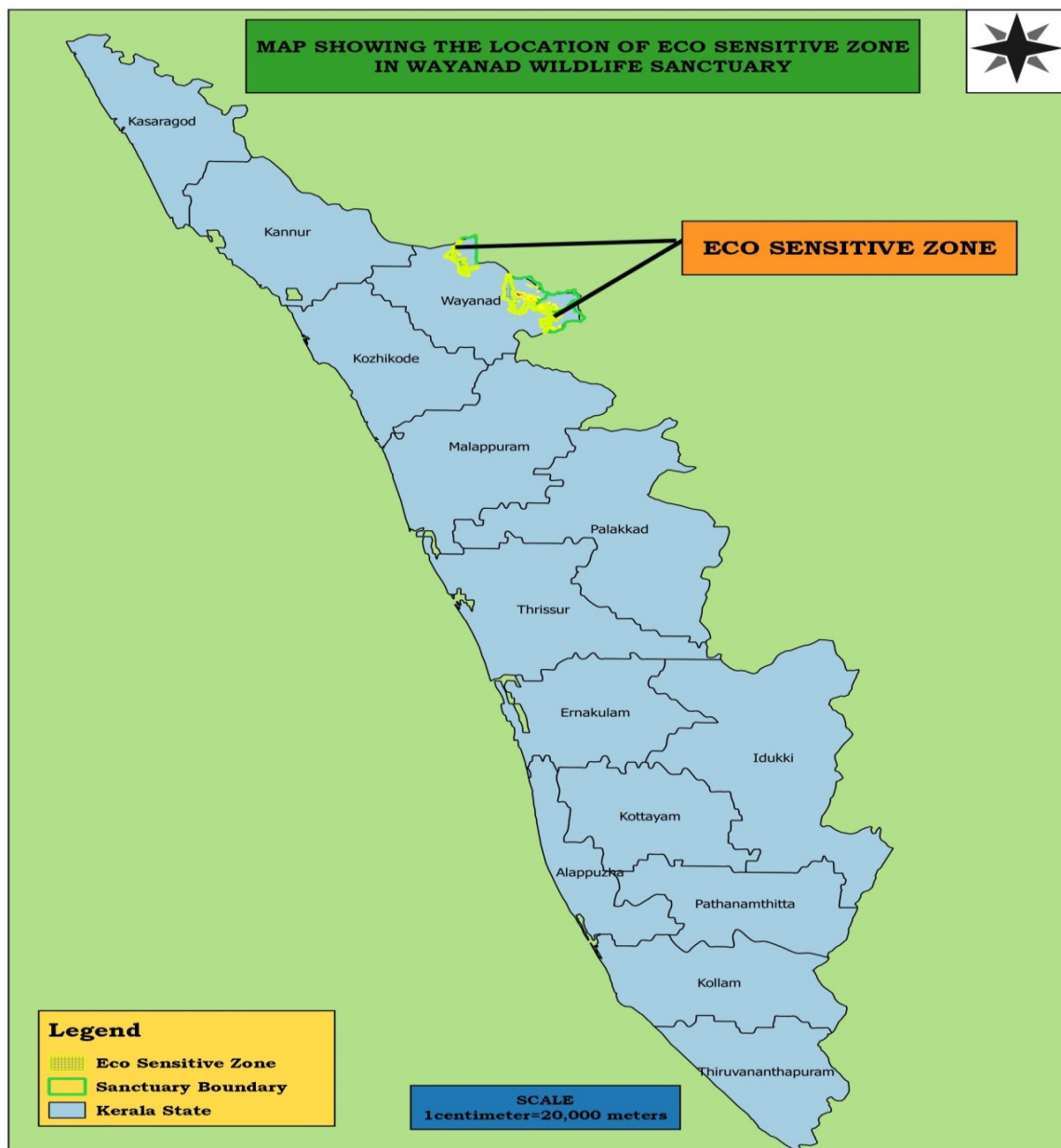
West: The boundary starts from the Sulthan Bathery Town and runs along Sulthan Bathery panamaram Road and reaches Thazhe Arivayal. Then it runs along Odakkutty-Mannundy Road

and reaches Chelakkolly. From Chelakkolly it runs to the North-West direction through Chelakkolly-Irulam road by covering private area, teak plantation and natural forest of Chedalath Range of South Wayanad Division. The extent of Eco Sensitive Zone in this direction ranges from 0.25 - 3.40 kilometer.

North-West: The boundary starts from the Irulam town and it runs along the Sulthan Bathery-Pulpally Road and reaches Cheeyambam. From Cheeyambam it runs towards the Northern direction through Cheeyambam-Parakkadavu Road and reaches Parakkadavu. Then, it runs along Parakkadavu-Madappallippara Road and reaches the Vandikadavu Colony near Kerala-Karnataka Border. The extent of Eco Sensitive Zone in this direction ranges from zero to one kilometer.

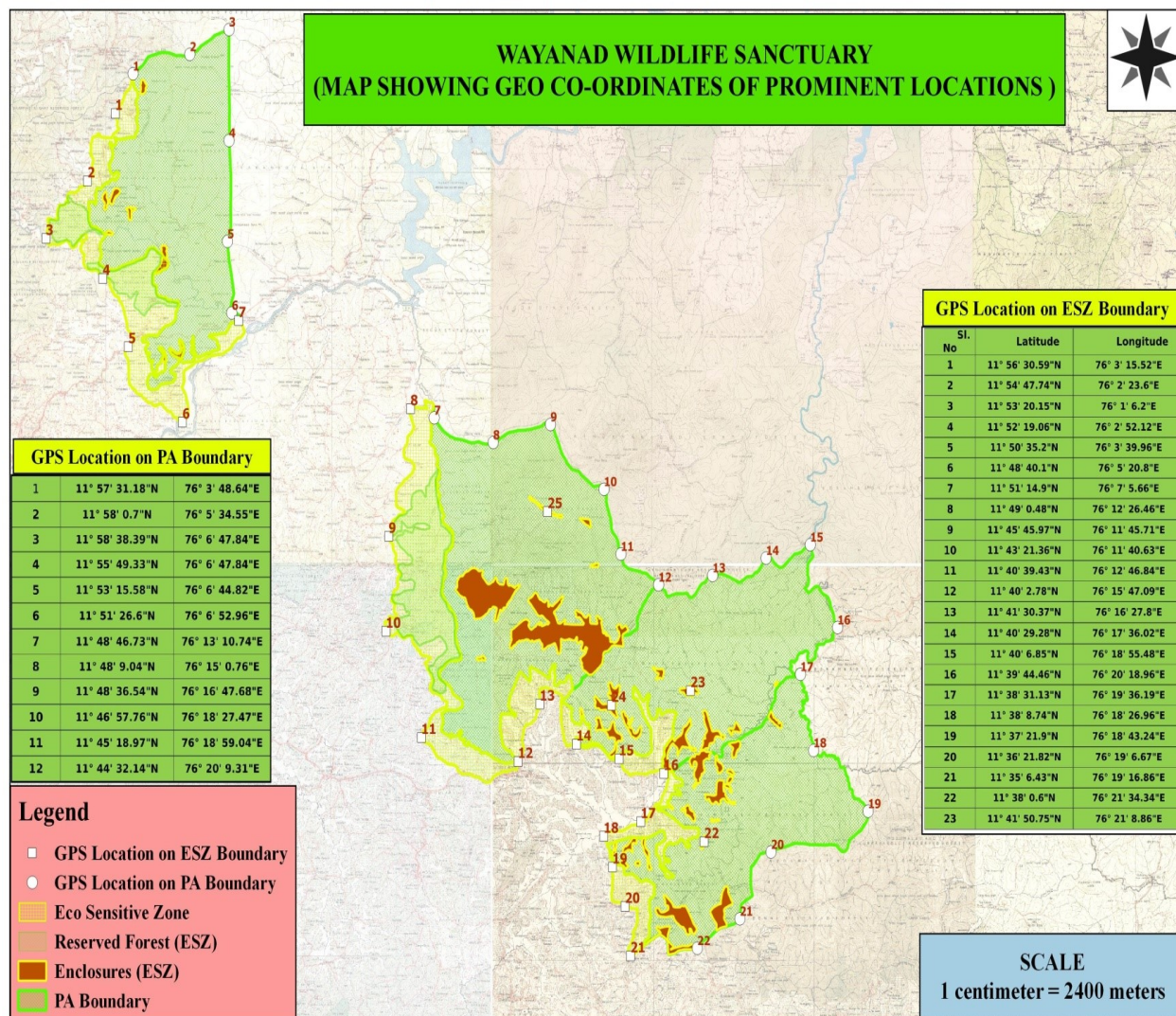
ANNEXURE- IIA

LOCATION MAP OF ECO-SENSITIVE ZONE OF WAYANAD WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS



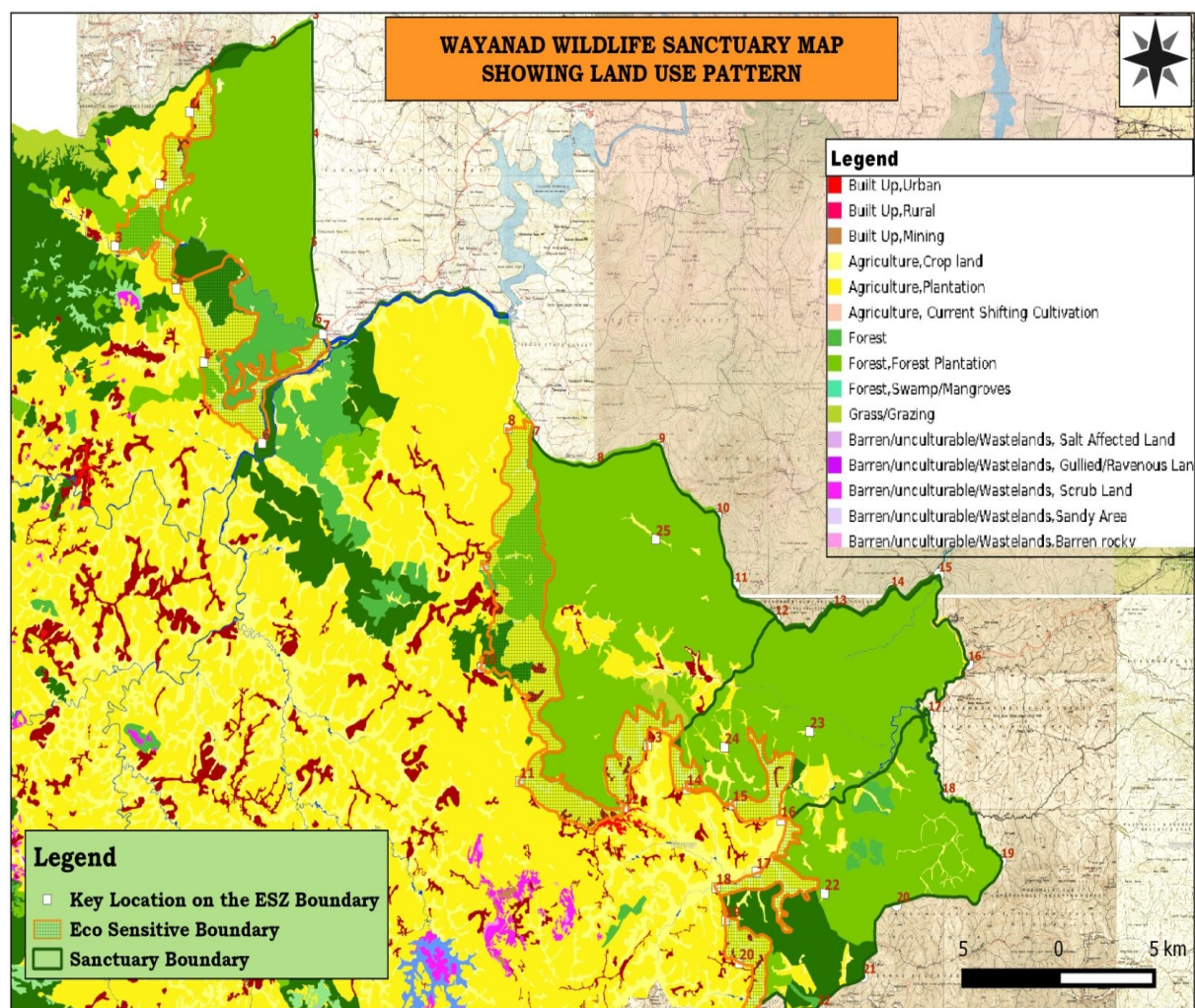
ANNEXURE- IIB

MAP OF ECO-SENSITIVE ZONE OF WAYANAD WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS ON SURVEY OF INDIA (SOI) TOPOSHEET



ANNEXURE- IIC

**LAND USE MAP OF ECO-SENSITIVE ZONE OF WAYANAD WILDLIFE SANCTUARY
ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS**



ANNEXURE-III

**TABLE A: GEO- COORDINATES OF PROMINENT LOCATIONS OF WAYANAD WILDLIFE
SANCTUARY**

Sl. No	Latitude	Longitude
1	11° 57' 31.18"N	76° 3' 48.64"E
2	11° 58' 0.7"N	76° 5' 34.55"E
3	11° 58' 38.39"N	76° 6' 47.84"E
4	11° 55' 49.33"N	76° 6' 47.84"E
5	11° 53' 15.58"N	76° 6' 44.82"E
6	11° 51' 26.6"N	76° 6' 52.96"E
7	11° 48' 46.73"N	76° 13' 10.74"E
8	11° 48' 9.04"N	76° 15' 0.76"E
9	11° 48' 36.54"N	76° 16' 47.68"E
10	11° 46' 57.76"N	76° 18' 27.47"E
11	11° 45' 18.97"N	76° 18' 59.04"E
12	11° 44' 32.14"N	76° 20' 9.31"E

TABLE B: GEO-COORDINATES OF PROMINENT LOCATIONS OF ECO-SENSITIVE ZONE

Sl. No	Point code	Latitude	Longitude
1	1	11° 56' 30.59"N	76° 3' 15.52"
2	2	11° 54' 47.74"N	76° 2' 23.6"
3	3	11° 53' 20.15"N	76° 1' 6.2"
4	4	11° 52' 19.06"N	76° 2' 52.12"
5	5	11° 50' 35.2"N	76° 3' 39.96"E
6	6	11° 48' 40.1"N	76° 5' 20.8"E
7	7	11° 51' 14.9"N	76° 7' 5.66"E
8	8	11° 49' 0.48"N	76° 12' 26.46"E
9	9	11° 45' 45.97"N	76° 11' 45.71"E
10	10	11° 43' 21.36"N	76° 11' 40.63"E
11	11	11° 40' 39.43"N	76° 12' 46.84"E
12	12	11° 40' 2.78"N	76° 15' 47.09"E
13	13	11° 41' 30.37"N	76° 16' 27.8"E
14	14	11° 40' 29.28"N	76° 17' 36.02"E
15	15	11° 40' 6.85"N	76° 18' 55.48"E
16	16	11° 39' 44.46"N	76° 20' 18.96"E
17	17	11° 38' 31.13"N	76° 19' 36.19"E
18	18	11° 38' 8.74"N	76° 18' 26.96"E
19	19	11° 37' 21.9"N	76° 18' 43.24"E
20	20	11° 36' 21.82"N	76° 19' 6.67"E
21	21	11° 35' 6.43"N	76° 19' 16.86"E
22	22	11° 38' 0.6"N	76° 21' 34.34"E
23	23	11° 41' 50.75"N	76° 21' 8.86"E

ANNEXURE-IV**A. LIST OF VILLAGES COMING UNDER ECO-SENSITIVE ZONE OF WAYANAD WILDLIFE SANCTUARY ALONG WITH GEO-COORDINATES**

Sl. No	District	Taluk	Name of Village	Type of Village	Latitude	Longitude
1	Wayanad	Mananthavady	Thirunelli	Revenue	11° 55' 27.263" N	75° 58' 50.567" E
2	Wayanad	Mananthavady	Thrishileri	Revenue	11° 52' 24.577" N	76° 4' 1.904" E
3	Wayanad	Sulthan Bathery	Pulpally	Revenue	11° 49' 45.049" N	76° 18' 35.466" E
4	Wayanad	Sulthan Bathery	Irulam	Revenue	11° 44' 12.020" N	76° 13' 2.146" E
5	Wayanad	Sulthan Bathery	Kidanganad	Revenue	11° 43' 5.194" N	76° 18' 8.003" E
6	Wayanad	Sulthan Bathery	Noolpuzha	Revenue	11° 36' 16.527" N	76° 22' 1.895" E

B. LIST OF ENCLOSURES FALLING WITHIN THE ECO-SENSITIVE ZONE

Sl. No.	Enclosures	Range	Sl. No.	Enclosures	Range
1	Chettiyalathur	Muthanga	30	Kallumukku	S.Bathery
2	Muthanga	Muthanga	31	Muthanga	S.Bathery
3	Kalladikolly	Muthanga	32	Marode	S.Bathery
4	Kalankandy	Muthanga	33	50 Acre	Kurichiyat
5	Kundur	Muthanga	34	Ammavayal	Kurichiyat
6	Kolot	Muthanga	35	Golur	Kurichiyat
7	Kadankolly	Muthanga	36	Kommanchery	Kurichiyat
8	Kumizhy	Muthanga	37	Kurichiyat	Kurichiyat
9	Mykkara	Muthanga	38	Manalimoola	Kurichiyat
10	Noolpuzha	Muthanga	39	Thenkuzhy	Kurichiyat
11	Malankappu	Muthanga	40	Vadakkanad	Kurichiyat
12	Konnamoola	Muthanga	41	Chethalayam	Kurichiyat
13	Njandankolli	Muthanga	42	Vengur	Kurichiyat
14	Pankalam	Muthanga	43	Puthuveedu	Kurichiyat
15	Ponkuzhy	Muthanga	44	Veettikkutty	Kurichiyat
16	Thakarappady	Muthanga	45	Begur 1	Tholpetty
17	Alathur	S.Bathery	46	Begur 2	Tholpetty
18	Alumkalam	S.Bathery	47	Begur 3	Tholpetty
19	Arakunji	S.Bathery	48	Karamad	Tholpetty
20	Kolur	S.Bathery	49	Kottiyoor	Tholpetty
21	Kottangara	S.Bathery	50	Neduthana	Tholpetty
22	Kunduchira	S.Bathery	51	Thirulkunnu	Tholpetty
23	Pilakkavu	S.Bathery	52	Cheriya Naikketty	Tholpetty
24	Ponkuzhy	S.Bathery	53	Thetturoad	Tholpetty
25	Puthur	S.Bathery	54	Narimundakolli	Tholpetty
26	Rampally	S.Bathery	55	Edakkode	Tholpetty
27	Vellakkode	S.Bathery	56	Konavayal	Tholpetty
28	Odappallam	S.Bathery	57	Irumbupalam	Tholpetty
29	Kumbramkolli	S.Bathery			

ANNEXURE –V**Performa of Action Taken Report:- Eco-sensitive Zone Monitoring Committee.**

1. Number and date of meetings.
2. Minutes of the meetings: (mention noteworthy points. Attach minutes of the meeting as separate Annexure).
3. Status of preparation of Zonal Master Plan including Tourism Master Plan.
4. Summary of cases dealt with rectification of error apparent on face of land record (Eco-sensitive Zone wise). Details may be attached as Annexure.
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
7. Summary of complaints lodged under section 19 of the Environment (Protection) Act, 1986.
8. Any other matter of importance.