

by a child then according to section 34 of the Act, such child shall be dealt with under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006 and not under the provisions of POCSO Act, 2012.

During the formulation of the POCSO Act, the Ministry had suggested a proviso of consent in case of Sexual assault. According to the suggested provision, consent of the child below the age of sixteen years was immaterial. The case of a child above sixteen years of age was required to ascertain whether consent for the sexual act was obtained and if so, such consent was not obtained against the will by use of fraud, deceit, violence, force, threat to use force, intoxicants, drugs, impersonation, coercion, undue influence or threats etc.

When the Bill was referred to the Parliamentary Standing Committee on Human Resource Development for review, the Committee suggested to drop the proviso of consent. The Committee was of the view that once the age of child has been specified as 18 years, the element of consent should be treated as irrelevant upto this age. By having the element of consent, the focus would be on the victim which would invariably lead to re-victimization of the victim in the hands of the justice delivery process and would be especially problematic when dealing with children. Therefore, in view of the recommendations of the Committee, the proviso on consent was dropped from the Bill.

Implementation of Western Ghats Ecology Expert Panel Report

*110. SHRI K. K. RAGESH: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether the Centre is going to implement the recommendations of the Kasturirangan Committee, which was constituted to study the report of the Western Ghats Ecology Expert Panel (WGEEP) led by Madhav Gadgil;

(b) if so, whether the Centre has taken any concrete steps to address the worries expressed by people, especially the peasantry, regarding 'Economically Sensitive Area' mentioned in the Gadgil and Kasturirangan Committee reports; and

(c) if so, the details of the steps taken?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) to (c) The Ministry had constituted a High Level Working Group (HLWG) under the Chairmanship of Dr. K. Kasturirangan, the then Member (Science), of the erstwhile Planning Commission on 17th August, 2012 to *inter-alia* examine the Western Ghats Ecology Expert Panel (WGEEP) Report in a holistic and multidisciplinary fashion keeping in view

the comments received from the concerned State Governments/Central Ministries/stakeholders.

This Ministry has given an opportunity to State Governments of the Western Ghats region for undertaking demarcation of ESA by physical verification within their jurisdiction except for State of Kerala which has already undertaken such an exercise. The State Governments of Western Ghats region have initiated the exercise of demarcating ESA by physical verification. While undertaking this exercise consultation with various stakeholders including concerns of the local people have also been undertaken by the concerned State Governments. A meeting of the State Environment and Forests Ministers of the Western Ghats region *viz.* Gujarat, Maharashtra, Goa, Karnataka, Kerala and Tamil Nadu was convened on 7th July, 2015 by the Ministry to review the progress of physical demarcation of Ecologically Sensitive Area in Western Ghats.

The Ministry, as part of post-HLWG report follow up activities, issued Directions under Section 5 of the Environment (Protection) Act, 1986 on 13th November, 2013 in order to provide immediate protection to the Western Ghats and to maintain its environmental integrity. As per the Directions, only five categories of new and/or expansion projects/activities which have maximum interventionist and damaging impacts on ecosystems shall not be considered for grant of Environmental Clearance in the Ecologically Sensitive Area, as identified by the High Level Working Group, in the Western Ghats. The Ministry has also issued an O.M. dated 20th December, 2013 which *inter-alia* provides clarification on concerns relating to existing land use, agriculture, plantations and continued occupation of land in possession of local people as well as ongoing projects/activities.

The Ministry issued a draft notification declaring Ecologically Sensitive Area (ESA) under the provisions of the Environment (Protection) Act, 1986 in the Gazette of India *vide* S.O. No. 733 (E) dated 10th March, 2014 inviting suggestions and objections from stakeholders on the proposals contained in the draft notification.

Three new urban development schemes

*111. SHRI RANJIB BISWAL: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether the Prime Minister has launched three major urban development initiatives recently, if so, the details thereof;

(b) whether Government has consulted all stakeholders before preparing these urban development schemes; if so, the details of common views expressed by them in this regard; and