Government of India
Ministry of Environment and Forests
(Wildlife Division)

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi -110003.

F. No. 1-9/2007 WL-I(pt)
Dated: 9th February, 2011

To,
The Chief Wildlife Warden
All States/Union Territories

Sub: **Guidelines for Declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries.**

Sir

In pursuance to the decision taken by the National Board for Wildlife, all the States/Union Territory, Governments were requested for forwarding site specific proposals for declaration of Eco Sensitive Zones around National Parks and Wildlife Sanctuaries. Several reminders in this connection were also sent. Hon'ble Supreme Court had also take note of this decision had directed States/ Union Territory, Governments to forward proposals this Ministry. However, only very few States have forwarded proposals in this regard.

This Ministry after careful consideration, has therefore, decided to frame guidelines to facilitate the States/Union Territory, Governments for declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries. Kindly find enclosed a copy of the said Guidelines. It is requested to kindly take necessary action in this regard at the earliest

Yours faithfully,

(Prakriti Srivastava)
Deputy Inspector General (WL)
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Encl: **As above**

Copy to:

1. Principal Secretary (Forests), all States/Union Territories.
2. Principal Chief Conservator of Forests, all States/ Union Territories.
3. NIC Cell- with a request to upload the enclosed guidelines on the official website of MoEF.

GUIDELINES FOR DECLARATION OF ECO-SENSITIVE ZONES AROUND NATIONAL PARKS AND WILDLIFE SANCTUARIES



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS

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GUIDELINES FOR DECLARATION OF ECO-SENSITIVE ZONES AROUND NATIONAL PARKS AND WILDLIFE SANCTUARIES

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1. Background:

1.1. IBWL Decision:

1.1.1 During the XXI meeting of the Indian Board for Wildlife held on 21st January 2002, a 'Wildlife Conservation Strategy-2002' was adopted wherein point no.9 envisaged that " lands falling within 10 Kms of the boundaries of National Parks and Sanctuaries should be notified as eco-fragile zones under section 3 (v) of the Environment (Protection) Act and Rule 5 Sub rule (viii) & (x) of the Environment (Protection) Rules.".

1.1.2 The Additional Director General of Forests (WL), vide letter dated 6th February 2002, had requested all the Chief Wildlife Wardens for listing out such areas within 10 Kms of the boundaries of National Parks and Sanctuaries and furnish detailed proposals for their notification as eco-sensitive areas under the Environment (Protection) Act, 1986.

1.1.3 In response, some of the State Governments had raised concern over applicability of the 10 Kms range from the Protected Area boundary and informed that most of the human habitation and other areas including important cities in these States would come under the purview of eco-sensitive zone and will adversely affect the development.

1.2. National Wildlife Action Plan (2002-2016)

1.2.1 The National Wildlife Action Plan (NWAP) 2002-2016 indicates that *"Areas outside the protected area network are often vital ecological corridor links and must be protected to prevent isolation of fragments of biodiversity which will not survive in the long run. Land and water use policies will need to accept the imperative of strictly protecting ecologically fragile habitats and regulating use elsewhere."*

1.2.2 The Action Plan also indicates that *"All identified areas around Protected Areas and wildlife corridors to be declared as ecologically fragile under the Environment (Protection) Act, 1986."*

1.3. Decision of National Board for Wildlife:

1.3.1 Considering the constraints communicated by the states, the proposal was re-examined by the National Board for Wildlife in its 2nd meeting held on 17th March 2005 and it was decided that the '**delineation of eco-sensitive**

zones would have to be site specific and relate to regulation, rather than prohibition, of specific activities'. The decision was communicated to all the State Governments for compliance vide letter dated 27th May 2005. Thereafter, it was further communicated with subsequent reminders.

1.4. Hon'ble Supreme Court's decision:

1.4.1 A Public Interest Litigation was also filed by the Goa Foundation vide their Writ Petition No. 460/2004 before the Hon'ble Supreme Court regarding the issue of declaration of eco-sensitive zones.

1.4.2 Vide their order dated 4th December 2006, Hon'ble Supreme Court had directed the Ministry of Environment & Forests to give a final opportunity to all States/Union territories to respond to the letter dated 27.5.2005 and that the State Governments send their proposals within four weeks, to the Ministry. It was also directed that all cases where environmental clearances were granted where activities are within 10 Kms zone, be referred to Standing Committee of NBWL.

2. Statutory Provisions

2.1 Section 5 C(1) of the Wildlife (Protection)Act, 1972 states that it shall be the duty of the National Board for Wildlife to promote the conservation and development of Wildlife and forests by such measures as it thinks fit.

2.2 Section 3 of the Environment (Protection) Act 1986 (EPA) gives power to the Central Government i.e. the Union Ministry of Environment and Forests to take all measures that it feels are necessary for protecting and improving the quality of the environment and to prevent and control environmental pollution. To meet this objective, the Central Government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards [Section 3(2)(v)]

2.3 Section 5(1) of the Environment (Protection) Rules, 1986 (EPR), states that the central government can prohibit or restrict the location of industries and carrying on certain operations or processes on the basis of considerations like the biological diversity of an area (clause v) maximum allowable limits of concentration of pollutants for an area (clause ii) environmentally compatible land use (clause vi) proximity to protected areas (clause viii).

3. Purpose for declaring Eco-Sensitive Zones:

The purpose of declaring Eco-sensitive Zones around National Parks and Sanctuaries is to create some kind of "Shock Absorber" for the Protected Areas. They would also act as a transition zone from areas of high protection to areas involving lesser protection. As has been decided by the National Board for Wildlife, the activities in the Eco-sensitive zones would be of a regulatory nature rather than prohibitive nature, unless and otherwise so required.

4. Extent of Eco-Sensitive Zones:

4.1 Many of the existing Protected Areas have already undergone tremendous development in close vicinity to their boundaries. Some of the Protected Areas actually lying in the urban setup (Eg. Guindy National Park, Tamil Nadu, Sanjay Gandhi National Park, Maharashtra, etc). Therefore, defining the extent of eco-sensitive zones around Protected Areas will have to be kept flexible and Protected Area specific. The width of the Eco-sensitive Zone and type of regulations will differ from Protected Area to Protected Area. However, as a general principle the width of the Eco-sensitive Zone could go upto 10 Kms around a Protected Area as provided in the Wildlife Conservation Strategy-2002.

4.2 In case where sensitive corridors, connectivity and ecologically important patches, crucial for landscape linkage, are even beyond 10 kms width, these should be included in the Eco-sensitive Zone.

4.3 Further, even in context of a particular Protected Area, the distribution of an area of Eco-sensitive Zone and the extent of regulation may not be uniform all around and it could be of variable width and extent.

5. Need for guidelines:

5.1 As has been indicated vide para 1.4 above, Hon'ble Supreme Court has vide their order dated 4th December 2006 directed all the State/Union Territory Governments to forward proposals for declaration of eco-sensitive zones around its Protected Areas. However, only States like Haryana, Gujarat, Mizoram, Meghalaya, Assam, Goa have forwarded proposals. However, several other States/Union Territories have not come forward, perhaps for want of guidelines in this regard.

5.2 In this context, it is pertinent to note here that Hon'ble Supreme Court vide their judgment dated 3rd December 2010 in the case relating to the construction of park at NOIDA near Okhla Bird Sanctuary filed by Shri Anand Arya & Anr vs. Union of India (I.A. Nos 2609-2610 of 2009) in Writ Petition (Civil) No. 202/1995, had noted that the State Government of Uttar Pradesh had not

declared Eco-sensitive zones around its Protected Areas as the Government of India had not issued any guidelines in this regard.

5.3 The Ministry of Environment & Forests had set up a committee under the Chairmanship of Shri Pronab Sen for identifying parameters for designating Ecologically Sensitive Areas in India. The said Committee had identified parameters for declaration of specific units of land/water etc as Ecologically Sensitive Zones based on parameters like richness of flora& fauna; slope; rarity & endemism of species in the area; origins of rivers etc. However, these parameters do not basically apply to the Eco-sensitive zones in the instant context, i.e around Protected Areas. In the instant case, the Eco-sensitive zones are meant to act as a "Shock absorbers"/ "transition zone" to the Protected Areas by regulating and managing the activities around such Protected Areas.

6. The procedure to be adopted :

6.1 As has been indicated in the forgoing paras, the basic aim is to regulate certain activities around National Park and Wildlife Sanctuary so as to minimize the negative impacts of such activities on the fragile ecosystem encompassing the Protected Area. As a first step towards achieving this goal, it is a pre-requisite that an inventory of the different land use patterns and the different types of activities, types and number of industries operating around each of the Protected Area (National Parks, Sanctuaries) as well as important Corridors be made. The inventory could be done by the concerned Range Officers, who can take a stock of activities within 10 km of his range.

6.2 For the above purpose, a small committee comprising the concerned Wildlife Warden, an Ecologist, an official from the Local Self Government and an official of the Revenue Department of the concerned area, could be formed. The said committee could suggest the:

(i) Extent of eco-sensitive zones for the Protected Area being considered.
(ii) The requirement of such a zone to act as a shock absorber
(iii) To suggest the best methods for management of the eco-sensitive zones, so suggested.
(iv) To suggest broad based thematic activities to be included in the Master Plan for the region.

6.3 Based on the above, the Chief Wildlife Warden could group the activities under the following categories (an indicative list of such activities is attached as **ANNEXURE-1)**:-

(i) *Prohibited*
(ii) *Restricted with safeguards.*
(iii) *Permissible*

6.4 Once the proposal for Eco-sensitive zones has been finalized, the same may be forwarded to the Ministry of Environment and Forests for further processing and notification. Here, it may be noted that, the State/Union Territory Forest Department could forward the proposals to the respective authority in the State Government with copy to the Ministry of Environment and Forests, as and when the proposals(even if it is for single Protected Area) are complete. An indicative list of details that need to be submitted along with the proposals is at **ANNEXURE-2.**

6.5 It is to mention here that in cases where the boundary of a Protected Area abuts the boundary of another State/Union Territory where it does not form part of any Protected Area, it shall be the endeavour of both the State/Union Territory Governments to have a mutual consultation and decide upon the width of the eco-sensitive zone around the Protected Area in question.

6.6 The State Government should endeavour to convey a very strong message to the public that ESZ are not meant to hamper their day to day activities, but instead, is meant to protect the precious forests/Protected Areas in their locality from any negative impact, and also to refine the environment around the Protected Areas. A copy of the notification of the Sultanpur Eco-sensitive Zone issued by the Ministry is attached herewith at **ANNEXURE-3** for reference and guidance.

7. These guidelines are indicative in nature and the State / Union Territory Governments may use these as basic framework to develop specific guidelines applicable in the context of their National Parks, Wildlife Sanctuaries, important corridors, etc. with a view to minimizing and preferably eliminating any negative impact on protected areas.

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ANNEXURE-1

Identification of Activities

While some of the activities could be allowed in all the eco-sensitive areas, others will need to be regulated / prohibited. However, which activity can be regulated or prohibited and to what extent, would have to be PA specific. A broad list of activities (this may need supplementation) which could be allowed, promoted, regulated or prohibited is given in the table below:

Sl. No.	Activity	Prohibited	Regulated	Permitted	Remarks
1.	Commercial Mining	Y			Regulation will not prohibit the digging of earth for construction or repair of houses and for manufacture of country tiles or bricks for housing for personal consumption
2.	Felling of trees		Y		With permission from appropriate authority
3.	Setting of saw mills	Y			
4.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.)	Y			
5.	Establishment of hotels and resorts		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals
6.	Commercial use of firewood	Y			For hotels and other business related establishment

7.	Drastic change of agriculture systems		Y		
8.	Commercial use of natural water resources including ground water harvesting		Y		As per approved master plan, which takes care of habitats allowing no restriction on movement of wild animals.
9.	Establishment of major hydroelectric projects	Y			
10.	Erection of electrical cables		Y		Promote underground cabling
11.	Ongoing agriculture and horticulture practices by local communities			Y	However, excessive expansion of some of these activities should be regulated as per the master plan
12.	Rain Water harvesting			Y	Should be actively promoted
13.	Fencing of premises of hotels and lodges		Y		
14.	Organic farming			Y	Should be actively promoted
15.	Use of polythene bags by shopkeepers		Y		
16.	Use of renewable energy sources			Y	Should be actively promoted
17.	Widening of roads		Y		This should be done with proper EIA

					and mitigation measures
18.	Movement of vehicular traffic at night		Y		For commercial purpose
19.	Introduction of exotic species		Y		
20.	Use or production of any hazardous substances	Y			
21.	Undertaking activities related to tourism like over-flying the National Park area by any aircraft, hot-air balloons	Y			
22.	Protection of hill slopes and river banks		Y		As per the master plan
23.	Discharge of effluents and solid waste in natural water bodies or terrestrial area	Y			
24.	Air and vehicular pollution		Y		
25.	Sign boards & hoardings		Y		As per the master plan
26	Adoption of green technology for all activities			Y	Should be actively promoted.

ANNEXURE-2

GENERIC INFORMATIONS TO BE INCORPORATED IN THE PROPOSALS FOR DECLARATION OF ECO-SENSITIVE ZONE AROUND PROTECTED AREAS

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(i) Delineation of the physical boundaries on a topo-sheet with precise description in geographic terms together with a description of the significant features/attributes that would potentially qualify the area as eco-sensitive zone. A description of the boundaries alongwith the list of villages with exception and exemption in the delineated buffer zone area.

(ii) An inventory of the existing legal status of rights, entitlements, privileges and obligations of the local communities.

(iii) A description of bio-diversity values including bio-geographical representatives, endemism, species richness, geo-morphological characteristics, and unique land use practices including aesthetic and cultural values.

(iv) A description of the resource base indicating the economic potential and livelihood implication for the people residing in and around the proposed eco-sensitive area.

(v) An inventory of activities to be regulated and/ or prohibited in the proposed eco-sensitive zone.

(vi) List of the protected areas for declaring eco-sensitive zone.

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नई दिल्ली, 27 जनवरी, 2010

का.आ. **191(अ).**—चूंकि सुल्तानपुर राष्ट्रीय उद्यान (गुड़गांव से लगभग 15 कि.मी. और दिल्ली से लगभग 45 कि.मी. की दूरी पर स्थित) काफी महत्वपूर्ण है और जलीय पक्षी समुदाय के लिए विख्यात है, जहां शीत ऋतु के दौरान करीब 250 प्रजातियों से संबंधित लगभग 30,000 पक्षियों को इस उद्यान में सूचीबद्ध किया गया है और इस उद्यान में आने वाले महत्वपूर्ण पक्षियों में पेलिकंस, कोरमोरेंट्स, हेरोन्स, ईग्रेट्स, स्टॉर्क्स, फ्लेमिंगोस, हंस, बत्तखें आदि शामिल हैं ।

और चूंकि, भारतीय मूल के काफी संख्या में क्षेत्रीय पक्षी वर्ष भर यहां रहते हैं; इस उद्यान मे सारस, क्रोंच (क्रेन) और दुर्लभ ब्लैक नेकेड स्टॉर्क के प्रजनन को रिकार्ड किया गया है और जहां तक इस उद्यान की जैवविविधता का प्रश्न है, इस क्षेत्र की वनस्पतिजात में इसके बाहर स्थित अर्ध-शुष्क वनस्पतियां और उत्तर भारत के मैदानों में स्थित झीलों की विशेष जलीय वनस्पतियां भी आती हैं ।

और चूंकि, सुल्तानपुर राष्ट्रीय उद्यान के संरक्षित क्षेत्र की सीमा से पांच किमी. तक के क्षेत्र को पारिस्थितिकीय और पर्यावरणीय दृष्टि से पारिस्थितिक संवेदनशील जोन के रूप में संरक्षित और सुरक्षित करना आवश्यक है;

और चूंकि, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2) के खंड (v) और खंड (xiv) की उपधारा (1) के अंतर्गत एक प्रारूप अधिसूचना पर्यावरण एवं वन मंत्रालय, भारत सरकार की तारीख 29 जनवरी, 2009 की अधिसूचना का.आ. सं. 364(अ) के अधीन भारत के राजपत्र, असाधारण में

प्रकाशित की गई थी, जैसाकि पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप नियम (3) के अंतर्गत अपेक्षित था और जिसमें इससे संभावित रूप से प्रभावित होने वाले व्यक्तियों से उस तारीख से, जिस तारीख से उक्त अधिसूचना से उक्त राजपत्र की प्रतियां जनता को उपलब्ध करा दिए जाने के पश्चात है; साठ दिन की अवधि के भीतर आपत्तियां और सुझाव आमंत्रित किए गए थे;

और चूंकि, उक्त अधिसूचना से युक्त राजपत्र की प्रतियां जनता को 29 जनवरी, 2009 को उपलब्ध करा दी गई थी;

और चूंकि, उक्त प्रारूप अधिसूचना के जवाब में प्राप्त सभी आपत्तियों और सुझावों पर केन्द्रीय सरकार द्वारा सम्यक रूप से विचार किया गया है;

अतः, अब केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की उप धारा (1) और धारा 3 की उप धारा (2) के खंड (v) और (xiv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हरियाणा राज्य में स्थित सुल्तानपुर राष्ट्रीय उद्यान के संरक्षित क्षेत्र की सीमाएं से पांच किमी. तक के क्षेत्र (जैसा कि अनुबंध के रूप में इस अधिसूचना के साथ संलग्न मानचित्र में दर्शाया गया है)को पारिस्थितिक संवेदनशील जोन (जिसे इसके बाद पारिस्थितिक संवेदनशील जोन कहा जाएगा), के रूप में अधिसूचित करती है, अर्थात्

2. **पारिस्थितिक संवेदनशील जोन की सीमाएं -(1)** उक्त पारिस्थितिक संवेदनशील जोन हरियाणा के गुड़गांव जिले मे स्थित सुल्तानपुर राष्ट्रीय उद्यान के संरक्षित क्षेत्र की सीमाएं से पांच किमी. तक का क्षेत्र है, जोकि 28^0 24' 00" से 29^0 32' 00" उत्तरी अक्षांश के बीच और 76^0 48' 00" से 76^0 58' 00" पूर्वी अक्षांश के बीच स्थित है ।

(2) पारिस्थितिक संवेदनशील जोन का मानचित्र उपाबध 'क' पर है और पारिस्थितिक संवेदनशील जोन में सुल्तानपुर राष्ट्रीय उद्यान की सीमाएं से पांच किमी. की दूरी के बीच आने वाले गांवों की सूची निम्नलिखित है :

मंकरौला, झांजरौला, मोहम्मदपुर, पाटली, धानावास, वजीरपुर, धानी, रामनगर, सिखावाला, गढ़ी हारसरू, तुगलकपुर, दया विहार, कालियावास, इकबालपुर, रौदपुर, खैंतावास, हमारपुर, चांदु, ओमनगर, बिधेरा, सुल्तानपुर, हररिंहवाली, धनी मिर्चीवाली धानी, राधराना बरमरीपुर ।

(3) सुल्तानपुर राष्ट्रीय उद्यान में सभी तरह की गतिविधियों का अधिशासन वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53) के उपबंधों द्वारा किया जा रहा है ।

3. **पारिस्थितिक संवेदनशील जोन के लिए जोनल मास्टर प्लान -**

(1) इस अधिसूचना के राजपत्र में प्रकाशित होने तथा पर्यावरण एवं वन मंत्रालय, भारत सरकार द्वारा इसे अनुमोदित किए जाने की तारीख से एक वर्ष की अवधि के भीतर राज्य सरकार द्वारा पारिस्थितिक संवेदनशील जोन के लिए एक मास्टर प्लान तैयार किया जाएगा ।

(2) पर्यावरणीय एवं पारिस्थितिकीय निहितार्थों को इसमें शामिल करने के लिए सभी संबंधित राज्यों के राज्य पर्यावरण, वन, शहरी विकास, पर्यटन, विभागों, नगर निगम विभाग, सिंचाई और लोक निर्माण (बी एंड आर) विभाग, राजस्व विभाग तथा हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड की भागीदारी के साथ जोनल मास्टर प्लान तैयार किया जाएगा ।

(3) इस जोनल मास्टर प्लान में वृक्षों से रिक्त क्षेत्रों की बहाली, मौजूदा जल निकायों का संरक्षण, कैचमेंट क्षेत्रों का प्रबंधन, वाटरशेड प्रबंधन, भूमिगत जल प्रबंधन, मृदा एवं नमी संरक्षण, स्थानीय समुदायों की आवश्यकताएं तथा पारिस्थितिकी और पर्यावरण के ऐसे अन्य पहलुओं के लिए व्यवस्था की गई है, जिनकी ओर ध्यान दिए जाने की आवश्यकता है ।

(4) जोनल मास्टर प्लान के अंतर्गत सभी मौजूदा और प्रस्तावित शहरी बस्तियों, ग्रामीण बस्तियों, वनों के स्वरूपों और किस्मों, कृषि क्षेत्रों, उर्वरक भूमियों, हरित क्षेत्रों, बागवानी क्षेत्रों, फलोद्यानों झीलों तथा अन्य जल निकायों का सीमांकन किया जाएगा ।

(5) इसमें सभी नहरों और जल निकास कार्यों को छूट दी जाएगी ।

(6) जोनल मास्टर प्लान के अंतर्गत हरित उपयोग जैसे फलोद्यानों, बागवानी क्षेत्रों, कृषि उद्यानों और इसी तरह के अन्य स्थानों के लिए इस्तेमाल की जा रही भूमि का उपयोग गैर-हरित उपयोगों के लिए करने की इजाजत नहीं होगी । सिवाय उन कार्यों के जिनमे विद्यमान स्थानीय आवासियों की आवास संबंधी आवश्यकताओं को पूरा करने के लिए अत्यंत सीमित मात्रा में कृषि भूमि का उपयोग करने की इजाजत दी गई हो और साथ ही जिससे विद्यमान स्थानीय आबादी का प्राकृतिक ढंग से विकास होता हो, सड़कों और पुलों संबंधी ढांचो मे सुधार होता हो, जन उपयोगिता वाले अथवा सामुदायिक भवनों का निर्माण होता हो। यह कार्य राज्य सरकार की पूर्व अनुमति के नहीं किया जाना चाहिए ।

(7) विकास योजनाओं में प्रस्तावित नियोजित शहरीकरण को संबंधित नियंत्रित क्षेत्रों के लिए राज्य सरकार द्वारा अनुमोदित किया जायेगा ।

(8) राज्य स्तरीय मानीटरिंग कमेटी द्वारा छूट देने पर विचार किए जाने के मामलों सहित कोई भी निर्णय लेने के लिए जोनल मास्टर प्लान एक संदर्भ दस्तावेज का काम करेगी ।

(9) जोनल मास्टर प्लान के अंतर्गत ट्रैफिक के नियंत्रण हेतु उपायों को दर्शाया जाएगा और शर्तों का विनिर्धारण किया जाएगा ।

(10) पारिस्थितिक संवेदनशील जोन के लिए जोनल मास्टर प्लान की तैयारी तथा पर्यावरण और वन मंत्रालय द्वारा इसका अनुमोदन लंबित होने के कारण सभी नए निर्माण कार्यों को पैराग्राफ 5 में उल्लिखित मॉनीटरिंग समिति द्वारा जांच और अनुमोदित करने के पश्चात ही अनुमति दी जायेगी ।

(11) वन क्षेत्र, हरित क्षेत्र और कृषि क्षेत्र में कोई पारिमाणिक कटौती नहीं की जायेगी ।

(12) उद्देश्यों को आगे बढ़ाने और इस अधिसूचना के उपबंधों को लागू करने के लिए आवश्यक होने पर राज्य सरकार अतिरिक्त उपाय निर्धारित करेगी ।

4. **पारिस्थितिक संवेदनशील जोन में विनियमित अथवा प्रतिबंधित गतिविधियां -**

(क) **औद्योगिक इकाइयां :-**

(i) सुल्तानपुर राष्ट्रीय उद्यान की सीमा से एक किलोमीटर के अंदर किसी नये काष्ठ आधारित उद्योग की स्थापना नहीं होगी ;

(ii) सुल्तानपुर राष्ट्रीय उद्यान की सीमा से एक किलोमीटर के अंदर प्रदूषण फैलाने/अत्यधिक प्रदूषण फैलाने वाले किसी उद्योग की स्थापना नहीं होगी ।

(ख) **निर्माण गतिविधियां :-**

(i) सुल्तानपुर राष्ट्रीय उद्यान की सीमा से तीन सौ मीटर की दूरी तक एक हजार क्यूबिक इंच से अधिक आकार के नलकूप चैम्बर को छोड़कर, किसी प्रकार के निर्माण कार्य की अनुमति नहीं दी जाएगी ;

(ii) सुल्तानपुर राष्ट्रीय उद्यान की सीमा से तीन सौ मीटर से पांच सौ मीटर के बीच पड़ने वाले क्षेत्र में दो मंजिल (पच्चीस फीट) से अधिक किसी भवन के निर्माण की अनुमति दी जायेगी;

(iii) सुल्तानपुर राष्ट्रीय उद्यान की सीमा से पांच सौ मीटर की दूरी तक नई हाई टेंशन ट्रांसमिशन वायर बिछाने की अनुमति नहीं दी जाएगी।

(ग) **उत्खनन और खनन :-**

(i) सुल्तानपुर राष्ट्रीय उद्यान के संरक्षित क्षेत्र की सीमा से एक किलोमीटर तक खनन की अनुमति नहीं दी जाएगी ;

(ii) सुल्तानपुर राष्ट्रीय उद्यान के संरक्षित क्षेत्र की सीमा से एक किलोमीटर तक क्रशिंग गतिविधि की अनुमति नहीं दी जाएगी ।

(घ) **वृक्ष** : वन और राजस्व भूमि में वृक्षों की कटाई, केन्द्रीय सरकार अथवा उस कार्य के लिए नामित प्राधिकरण द्वारा अनुमोदित प्रबंध योजना के अधीन होनी चाहिए ।

(ड.) **जल :**

(i) प्लाट के मालिक को वास्तविक रूप से कृषि कार्य और घरेलू उपयोग के लिए ही भूजल निकालने की अनुमति दी जाएगी ;

(ii) राज्य भूजल बोर्ड के उचित रूप से अनुमोदन के सिवाय, भूजल की बिक्री की अनुमति नहीं दी जानी चाहिए ;

(iii)कृषि कार्य रहित पानी में किसी प्रकार के संदूषण अथवा प्रदूषण को रोकने के लिए सभी उपाय किए जाने चाहिएं ।

(च) **ध्वनि प्रदूषण :** पर्यावरण विभाग जैसा भी मामला हो, हरियाणा सरकार का वन विभाग, पारिस्थितिक संवेदनशील जोन में शोर पर नियंत्रण रखने के लिए दिशानिर्देश और विनियम बनाने के लिए प्राधिकरण होगा ।

(छ) **बहि:स्रावों को बहाना :**

(i) पारिस्थितिक संवेदनशील जोन के अंदर किसी भी जलाशय में अशोधित अथवा औद्योगिक बहि:स्राव को बहाने की अनुमति नहीं दी जानी चाहिए ।

(ii)शोधित बहि:स्राव के संबंध में जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 (1974 का 6) के उपबंधो का पालन किया जाना चाहिए ।

(ज) **ठोस अपशिष्ट :**

(i) ठोस अपशिष्ट का निस्तारण केन्द्र सरकार द्वारा 25 सितंबर, 2000 को जारी की गई और समय-समय पर संशोधित अधिसूचना संख्या -का. आ. 908(अ) के नगरीय ठोस अपशिष्ट (प्रबंधन और हथालन), नियम 2000 के उपबंधों के अनुसार किया जाना चाहिए ।

(ii)स्थानीय प्राधिकरण बायोडिग्रेडेबल और नॉन-बायोडिग्रेडेबल घटकों में ठोस अपशिष्टों का पृथक्करण करने के लिए योजनाएं बनाएंगे ।

(iii)बायोडिग्रेडेबल ठोस अपशिष्टों को कम्पोस्टिंग अथवा वर्मीकल्चर के द्वारा प्राथमिकता के आधार पर पुनर्चक्रित किया जा सकता है ।

(iv)अकार्बनिक पदार्थ, पारिस्थितिक संवेदनशील जोन के बाहर पहचान किए गए स्थान पर पर्यावरणीय रूप से स्वीकार्य ढंग से निस्तारित किए जा सकते हैं । पारिस्थितिक संवेदनशील जोन में ठोस अपशिष्टों को जलाने अथवा इनसिनरेशन की अनुमति नहीं दी जाएगी ।

5. **मानीटरी समिति :-**

(1) पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इस अधिसूचना के उपबंधों के अनुपालन की मानीटरी के लिए एतद्द्वारा एक समिति का गठन करती है, जिसे मानीटरी समिति कहा जाएगा।

(2) उप पैरा (1) में उल्लिखित मानीटरिंग समिति में दस से अधिक सदस्य नहीं होंगे । जिसमें निम्नलिखित प्रतिनिधित्व करेंगे अर्थात् :-

(क) उपायुक्त, गुड़गांव - अध्यक्ष

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(ख) पर्यावरण एवं वन मंत्रालय, भारत सरकार का एक प्रतिनिधि - सदस्य

(ग) पर्यावरण (विरासत संरक्षण सहित) क्षेत्र में काम करने वाले गैर-सरकारी संगठनों का एक प्रतिनिधि केन्द्र सरकार द्वारा नामांकित किया जाएगा - सदस्य

(घ) क्षेत्रीय अधिकारी, हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड, गुड़गांव - सदस्य

(ङ) क्षेत्र का वरिष्ठ टाउन प्लानर - सदस्य

(च) जिला वन्यजीव वार्डन, गुड़गांव - सदस्य सचिव

(3) मानीटरी समिति की शक्तियां और कार्य केवल इस अधिसूचना के उपबंधों के अनुपालन के अधीन होंगे ।

(4) पूर्व अनुमतियों अथवा पर्यावरणीय मंजूरी की आवश्यकता वाले कार्यकलापों के मामले में ऐसे कार्यकलाप राज्य स्तरीय पर्यावरण प्रभाव मूल्यांकन प्राधिकरण (एसईआईएए) को भेज दिए जाएंगे जिसका गठन पर्यावरण एवं वन मंत्रालय, भारत सरकार की 14 सितंबर, 2006 अधिसूचना संख्या का.आ. 1533 (अ) के अधीन किया गया है और जो उक्त अधिसूचना के उपबंधों के अनुसार स्वीकृति देने के लिए सक्षम प्राधिकरण होगा ।

(5) मामला दर मामला आधार पर, आवश्यकताओं के आधार पर अपने विचार विमर्शों में मानीटरी समिति, संबंधित विभागों अथवा संस्थाओं के प्रतिनिधियों या विशेषज्ञों को भी आमंत्रित कर सकती है ।

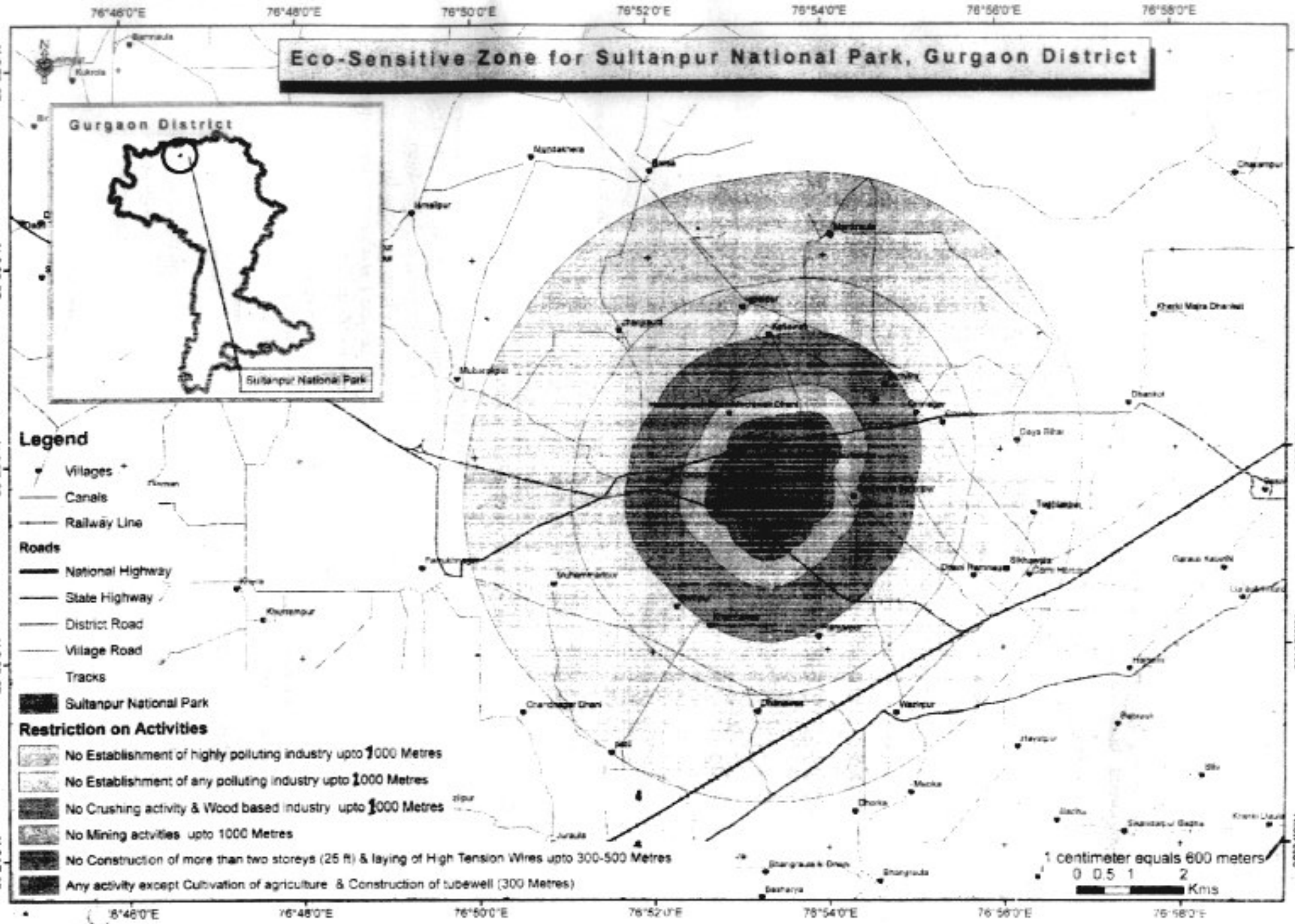
(6) मानीटरी समिति का अध्यक्ष अथवा सदस्य सचिव, जैसा भी मामला हो, इस अधिसूचना के उपबंधों का अनुपालन न होने पर पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के अंतर्गत शिकायतें दर्ज कराने के लिए सक्षम होगा ।

(7) मानीटरी समिति, प्रत्येक वर्ष की गई कार्रवाई की अपनी रिपोर्ट प्रत्येक वर्ष 31 मार्च को पर्यावरण एवं वन मंत्रालय को प्रस्तुत करेगी ।

(8) मानीटरी समिति के कर्तव्यों के प्रभावी ढंग से निर्वहन के लिए मंत्रालय समय-समय पर निर्देश देगा ।

[फा. सं. 30/1/2008-ईएमजेड]

डॉ. जी. वी. सुब्रामण्यम, वैज्ञानिक 'जी'


Eco-Sensitive Zone for Sultanpur National Park, Gurgaon District
Gurgaon District
Sultanpur National Park
Legend
Villages
Canals
Railway Line
Roads
National Highway
State Highway
District Road
Village Road
Tracks
Sultanpur National Park
Restriction on Activities
No Establishment of highly polluting industry upto 1000 Metres
No Establishment of any polluting industry upto 1000 Metres
No Crushing activity & Wood based industry upto 1000 Metres
No Mining activities upto 1000 Metres
No Construction of more than two storeys (25 ft) & laying of High Tension Wires upto 300-500 Metres
Any activity except Cultivation of agriculture & Construction of tubewell (300 Metres)
1 centimeter equals 600 meters
0 0.5 1 2
Kms
76°46'0"E
76°48'0"E
76°50'0"E
76°52'0"E
76°54'0"E
76°56'0"E
76°58'0"E
28°32'0"N
28°30'0"N
28°28'0"N
28°26'0"N
28°24'0"N

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 27th January, 2010

S.O. 191(E).— WHEREAS, the Sultanpur National Park (about 15 km from Gurgaon and about 45 km from Delhi) is important and known for aquatic avifauna where about 30,000 birds belonging to about 250 species have been listed in this park during winters and the important birds visiting this park are Pelicans, Cormorants, Herons, Egrets, Storks, Flamingoes, Geese, Ducks, etc.

AND WHEREAS, a number of territorial birds of Indian origin stay here the year round; breeding of Saras, Crane and the Rare Black Necked Stork have been recorded in this park and as regards biodiversity of this National Park, the flora of this area is represented by semi arid vegetation outside it, and a typical aquatic vegetation of the lakes in plains of North India;

AND WHEREAS, it is necessary to conserve and protect the area up to five kilometers from the boundary of the protected area of Sultanpur National Park as Eco-sensitive Zone from ecological and environmental point of view;

AND WHEREAS, a draft notification under sub-section (1) and clauses (v) and (xiv) of sub – section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment and Forests, vide number S.O. No. 364 (E), dated the 29th January 2009, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said notification were made available to the public on the 29th January 2009;

AND WHEREAS, all objections and suggestions received in response to the said draft notification have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub – section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies the area up to five kilometers from the boundary of the protected area of Sultanpur National Park in the State of Haryana (as shown in the map annexed to this notification as Annexure), as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone), namely:-

2. Boundaries of Eco-sensitive Zone. – (1) The said Eco sensitive Zone is the area up to five kilometers from the boundary of the protected area of Sultanpur National Park situated in the Gurgaon District of Haryana between 28° 24' 00" to 29° 32' 00" North latitude and between 76° 48' 00" to 76° 58' 00" East longitude.

(2) The map of the Eco-sensitive Zone is at Annexure and the list of the villages falling within five kilometers distance of the boundary of Sultanpur National Park in the Eco-sensitive Zone are as follows, namely:-

Mankraula, Jhanjraula, Mohammedpur, Patli, Dhanawas, Wazirpr, Dhani, Ramnagar. Sikhawala, Ghari Harasru, Tughlakpur, Daya Bihar, Kaliawas, Iqbalpur, Saidpur, Khaintawas, Hamarpur, Chandu, Omnagar, Bidhera, Sultanpur, Harsinghwali, Dhani Mirchiwali Dhani, Sadhrana Barmripur.

(3) All activities in the Sultanpur National Park are being governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

3. **Zonal Master Plan for the Eco-sensitive Zone: -**

(1) A Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government within a period of one year from the date of publication of this notification in the Official Gazette and approved by the Ministry of Environment and Forests, Government of India.

(2) The Zonal Master Plan shall be prepared with the involvement of all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal Department, Irrigation and PWD (Buildings &Roads) Department, Revenue Department and Haryana State Pollution Control Board for integrating environmental and ecological considerations into it.

(3) 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.

(4) The Zonal Master Plan shall demarcate all the existing and proposed urban settlements, village settlements, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies.

(5) It shall exempt all canals and drainage works.

(6) No change of land use from green uses such as orchards, horticulture areas, agriculture parks and others like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conversion of agricultural lands maybe permitted to meet the residential needs of the existing local residents together with natural growth of the existing local populations, improvement of roads and bridges infrastructure, construction of public utility or community buildings without the prior approval of the State Government.

(7) The planned urbanisation proposed in the development plans shall be approved by the State Government for the respective controlled areas.

(8) The Zonal Master Plan shall be a reference document for the State Level Monitoring Committee for any decision to be taken by them including consideration for relaxation.

(9) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.

(10) Pending the preparation of the Zonal Master Plan for Eco-sensitive Zone and approval thereof by the Ministry of Environment and Forests all new constructions shall be allowed only after the proposals are scrutinized and approved by the Monitoring Committee as referred in paragraph 5.

(11) There shall be no consequential reduction in Forest area, Green area and Agricultural area.

(12) The State Government shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

4. **Regulated or restrictive activities in the Eco-sensitive Zone: -** The following activities in the Eco-sensitive Zone shall be regulated in the manner provided herein, namely:-

(a) Industrial Units

(i) No establishment of new wood based industry within one kilometer from the boundary of the Sultanpur National Park;

(ii) No establishment of any new polluting or highly polluting industry within one kilometer from the boundary of the Sultanpur National Park.

(b) Construction Activities

(i) No construction of any kind shall be allowed from the boundary of Sultanpur National Park to a distance of three hundred meters, except tube well chamber of dimension not more than one thousand cubic inches;

(ii) The construction of any building more than two storey (twenty five feet) shall not be allowed in the area falling between three hundred meters to five hundred meters from the boundary of Sultanpur National Park;

(iii) The laying of new high tension transmission wires shall not be allowed from the boundary of Sultanpur National Park to a distance of five hundred meters.

(c) Quarrying and Mining

(i) Mining up to one kilometer shall not be allowed from the boundary of the protected area of Sultanpur National Park;

(ii) Crushing activity up to one kilometer shall not be allowed from the boundary of the protected area of Sultanpur National Park.

(d) Trees:- Felling of trees on forest and revenue land shall be subject to the approved management plan by the Central Government or an authority nominated for that purpose.

(e) Water:-

(i) Extraction of ground water shall be permitted only for the bona-fide agricultural and domestic consumption of the occupier of the plot;

(ii) No sale of ground water shall be permitted except with the prior approval of the State Ground Water Board.

(iii) All steps shall be taken to prevent contamination or pollution of water including from agriculture.

(f) Noise pollution:- The Environment Department or, as the case may be, State Forest Department of the Government of Haryana shall be the authority to draw up guidelines and regulations for the control of noise in the Eco-sensitive Zone.

(g) Discharge of effluents:-

(i) No untreated or industrial effluent shall be permitted to be discharged into any water body within the Eco-sensitive Zone.

(ii) Treated effluent must meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).

(h) Solid Wastes:-

(i) The solid waste disposal shall be carried out as per the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 issued by the Central Government vide notification number S.O. No. 908 (E), dated the 25th September 2000 as amended from time to time.

(ii) The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components.

(iii) The biodegradable material may be recycled preferably through composting or vermiculture.

(iv) The inorganic material may be disposed in an environmentally acceptable manner at site identified outside the Eco-sensitive Zone. No burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.

5. Monitoring Committee :-

(1) In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby constitutes a committee to be called the Monitoring Committee to monitor the compliance with the provisions of this notification.

(2) The Monitoring Committee referred to in sub-paragraph (1), shall consist of not more than ten members so as to represent the following, namely:-

(a) Deputy Commissioner, Gurgaon – Chairman;

(b) A representative of the Ministry of Environment and Forests, Government of India - Member

(c) One representative of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Central Government - Member

(d) Regional Officer, Haryana State Pollution Control Board, Gurgaon – Member.

(e) Senior Town Planner of the area - Member

(f) District Wildlife Warden, Gurgaon - Member Secretary.

(3) The powers and functions of the Monitoring Committee shall be restricted to the monitoring of the compliance of the provisions of this notification only.

(4) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State Level Environment Impact Assessment Authority constituted vide notification of the Government of India in the Ministry of Environment & Forests number S. O. 1533 (E), dated September 14, 2006, which shall be the Competent Authority for grant of such clearances as per the provisions of the said notification.

(5) The Monitoring Committee may also invite representatives or experts from the concerned Departments or associations to assist in its deliberations depending on the requirements on issue to issue basis.

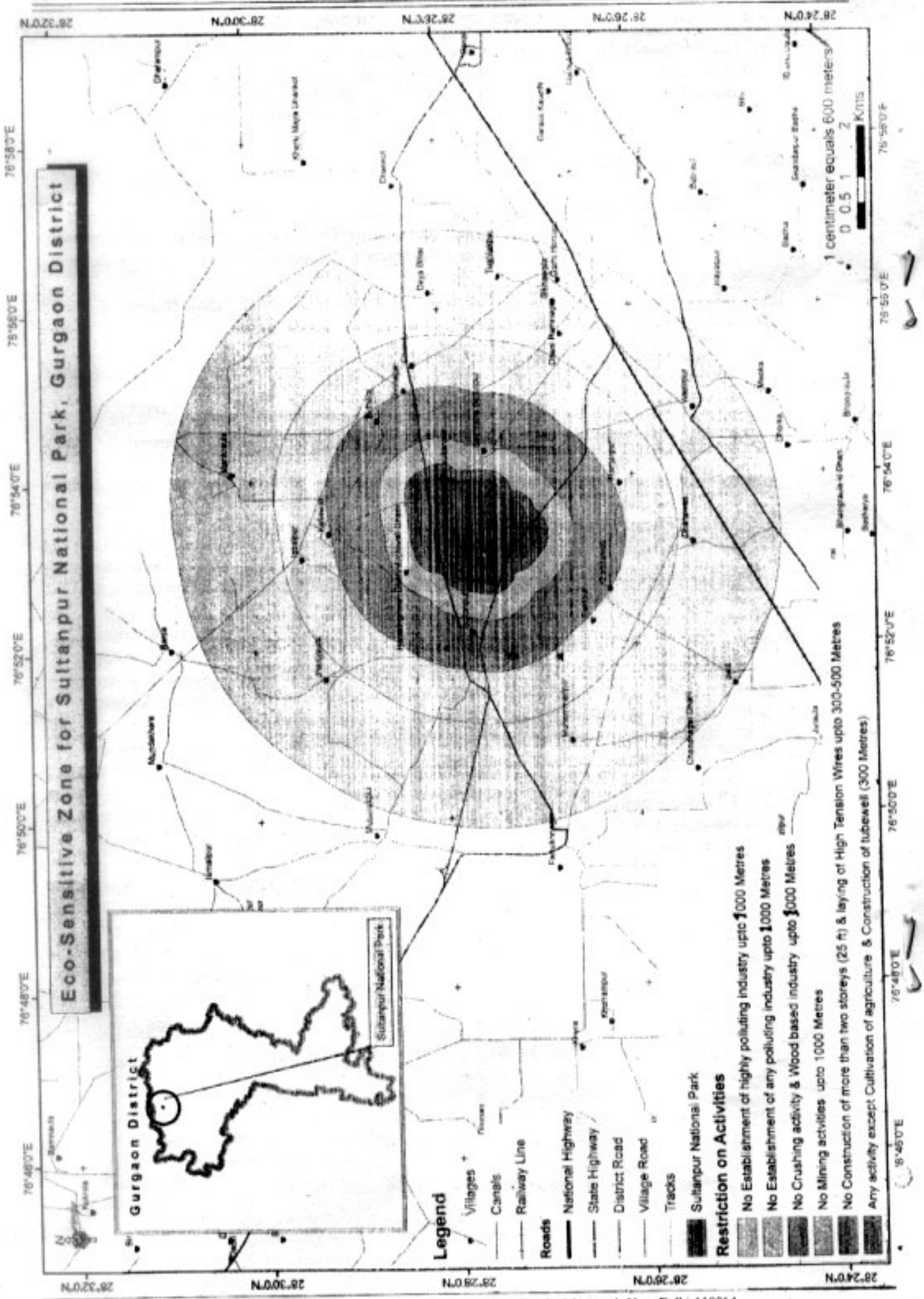
(6) The Chairman or Member-Secretary, as the case may be, of the Monitoring Committee shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 for non-compliance of the provisions of this notification.

(7) The Monitoring Committee shall submit its annual action taken reports by the 31st March of every year to the Ministry of Environment and Forests.

(8) The Ministry of Environment & Forests shall give directions, from time to time, to the Monitoring Committee for effective discharge of the functions of the Monitoring Committee.

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