

[To be published in the Gazette of India, Extraordinary, part II, Section 3, Sub-section (ii)]

**MINISTRY OF ENVIRONMENT AND FORESTS  
NOTIFICATION**

**New Delhi, the 29 January, 2009**

S.O. 364(E) – The following draft of a 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) 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 of India 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 do so in writing for consideration of the Central Government within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi-110003, or electronically at e-mail address: secy-moef@nic.in.

**Draft Notification**

Whereas the Sultanpur National Park (about 15 km from Gurgaon and about 45 km from Delhi) attracts a large number and variety of migratory birds during the winter migratory season. 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, Sultanpur National Park 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. The important birds visiting this park are Pelicans, Cormorants, Herons, Egrets, Storks, Flamingoes, Geese, Ducks, etc. 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. This park falling in Gurgaon district of Haryana is surrounded by Sultanpur village towards West, Chandu village towards East, Sadhrana village towards South East and Kaliwas towards the North;

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

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clause (v) and clause (xiv) of sub – section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies the area upto five kilometers from the boundary of the protected area of Sultanpur National Park enclosed within the boundary described below in

the State of Haryana as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone), namely:-

**1. Boundaries of Eco-sensitive Zone** - The said Eco-sensitive Zone is the area upto five kilometers from the boundary of the protected area of Sultanpur National Park situated in the Gurgaon District of Haryana between 28<sup>o</sup> 24' 00" to 29<sup>o</sup> 32' 00" North latitude and between 76<sup>o</sup> 48' 00" to 76<sup>o</sup> 58' 00" East longitude. The map of the Eco-sensitive Zone is at Annexure-A 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:

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.

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

## **2. Zonal Master Plan for the Eco-sensitive Zone -**

- (i) 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. The Zonal Master Plan shall be prepared with due involvement of all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal Department, Revenue Department and Haryana State Pollution Control Board for integrating environmental and ecological considerations into it. 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.
- (ii) The Zonal Master Plan shall demarcate all the existing village settlements, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies. 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, without the prior approval of the State Government. 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.
- (iii) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.
- (iv) 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 4. There shall be no consequential reduction in Forest area, Green area and Agricultural area. The State Government shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

### **3. Regulated or restrictive activities in the Eco-sensitive Zone -**

#### **(a) Industrial Units:-**

- I. No establishment of new wood based industry within two kilometers from the boundary of the Sultanpur National Park.
- II. No establishment of any new polluting industry within three kilometers from the boundary of the Sultanpur National Park.
- III. No establishment of any new highly polluting industry within five kilometers from the boundary of the Sultanpur National Park.

#### **(b) Construction Activities:-**

- I. From the boundary of Sultanpur National Park to a distance of three hundred meters, no construction of any kind will be allowed except tube well chamber of dimension not more than one thousand cubic inches.
- II. In the area falling between three hundred meters to five hundred meters from the boundary of Sultanpur National Park, construction of any building more than two storey (twenty five ft) will not be allowed.
- III. From the boundary of Sultanpur National Park to a distance of five hundred meters, laying of new high tension transmission wire will not be allowed.

#### **(c) Quarrying and Mining:-**

- I. Mining up to one kilometer will not be allowed from the boundary of the protected area of Sultanpur National Park.
- II. Crushing activity upto two kilometers will not be allowed from the boundary of the protected area of Sultanpur National Park.

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

**(e) Water:-** Extraction of ground water shall be permitted only for the bona-fide agricultural and domestic consumption of the occupier of the plot. No sale of ground water shall be permitted except with the prior approval of the State Ground Water Board. All steps shall be taken to prevent contamination or pollution of water including from agriculture.

**(f) Noise pollution:-** The Environment Department or State Forest Department, 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:-** No untreated or industrial effluent shall be permitted to be discharged into any water body within the Eco-sensitive Zone. Treated effluent must meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

**(h) Solid Wastes:-** 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. 908 (E), dated the 25<sup>th</sup> September 2000 and

amended from time to time. The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material may be recycled preferably through composting or vermiculture. 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.

#### **4. 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. The Monitoring Committee shall consist of not more than ten members. The Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local issues. The other members shall be:-

- I. A representative of the Ministry of Environment and Forests, Government of India;
- II. One representative of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India;
- III. Regional Officer, Haryana State Pollution Control Board, Gurgaon;
- IV. Senior Town Planner of the area;
- V. Deputy Conservator of Forests (Wild Life), Gurgaon - Member Secretary;
- VI. Deputy Commissioner, Gurgaon – Chairman.

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

(3) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State Level Environment Impact Assessment Authority (SEIAA), which shall be the Competent Authority for grant of such clearances as per the provisions of the Environmental Impact Assessment Notification, dated the 14<sup>th</sup> September 2007.

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

(5) The Chairman or Member Secretary of 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.

(6) The Monitoring Committee shall submit its annual action taken reports by the 31<sup>st</sup> March of every year to the Ministry of Environment and Forests. The Ministry shall give its directions from time to time for effective discharge of the functions of the Monitoring Committee.

[F.No. 30/1/2008-ESZ]

Dr. G. V. Subrahmanyam, Scientist 'G'

\*\*\*\*\*