

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION
New Delhi, the 3rd June, 2009

S.O. 1392(E) – WHEREAS, the Kalesar National Park is located on the junction of the four states viz. Uttar Pradesh, Himachal Pradesh, Utrakhhand and Haryana, it falls in Shiwalik foot hills, it shares boundaries with two protected areas of two different states namely the Simbalbarha Wildlife sanctuary of Himachal Pradesh towards the North and Rajaji National Park of Utrakhhand towards the East and Kalesar Wildlife Sanctuary is just towards the East-West of Kalesar National Park and as such there does not exist any physical barrier between the two and the entire area is very rich in plant and animal species and have historical, economic and medicinal significance and the Kalesar National Park is rich in reptilian fauna which includes large monitor lizard, Indian rock python, King cobra, common krait, Red snake, Russel viper, Pit viper etc.;

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

AND WHEREAS, the Central Government proposes to notify the area up to five kilometers from the boundary of the protected area of Kalesar National Park enclosed within the boundary described below in the State of Haryana as 'Eco Sensitive Zone' (hereinafter called as the Eco Sensitive Zone) 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 for that purpose hereby publish this notification 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: envisect@nic.in.

DRAFT PROPOSALS

1. Boundaries of Eco-sensitive Zone –

(i) The said Eco-sensitive Zone is the area upto five kilometers from the boundary of the protected area of Kalesar National Park situated in the Yamunanagar District of Haryana between 30° 16' 00" to 30° 28' 00" North latitude and between 76° 26' 00" to 76° 36' 00" East longitude.

(ii) 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 Kalesar National Park in the Eco-sensitive Zone are as follows:

Chickan, Kansli, Khillanwala, Bagpat, Bhageri, Khizri, Naggal Patti Milk, Chandpur, Baumbewala, Tajewala, (Gutrian) Chikan, Ambwala, Tibriyan, Rayanwala, Jhandu Oad, Faizpur, Garhi, Kalesar, Mohammaduwas.

(iii) All activities in the Kalesar 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 submitted for approval to the Central Government in the Ministry of Environment and Forests, Government of India.
- (ii) The Zonal Master Plan shall be prepared with due involvement of all concerned State Departments, such as Environment, Forest, Urban Development, Tourism, Municipal and Revenue Department and the Haryana State Pollution Control Board for integrating environmental and ecological considerations into it and 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.
- (iii) 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 and 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.
- (iv) 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.
- (v) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.
- (vi) Pending the preparation of the Zonal Master Plan for Eco-sensitive Zone and approval thereof by the Central Government in 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 to in paragraph 4 and there shall be no consequential reduction in Forest, Green and Agricultural area.
- (vii) 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 new wood based industry shall be set up within two kilometers from the boundary of the Kalesar National Park.
- (II) No new polluting industry shall be set up within three kilometers from the boundary of the Kalesar National Park.
- (III) No new highly polluting industry shall be set up within five kilometers from the boundary of the Kalesar National Park.

(b) Construction Activities:-

- (I) From the boundary of Kalesar National Park upto a distance of five hundred meters, no construction of any kind shall be allowed except tube well chamber of dimension not more than one thousand cubic inches.
- (II) In the area falling between five hundred meters to seven hundred meters from the boundary of Kalesar National Park, construction of any building more than two storeys (twenty five feet) shall not be allowed.

(c) Quarrying and Mining:-

- (I) Mining upto five hundred meters shall not be allowed from the boundary of the protected area of Kalesar National Park.
- (II) Crushing activity upto two kilometers shall not be allowed from the boundary of the protected area of Kalesar National Park.

(d) Trees:- Felling of trees on forest and revenue land shall be subject to the approved management plan by the 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 and sale of ground water shall be permitted except with the prior approval of the State Ground Water Board.
- (ii) All steps shall be taken to prevent contamination or pollution of water including from agriculture.

(f) Noise pollution:- The Environment Department or the 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 and treated effluent shall meet the provisions of the Water (Prevention and Control of Pollution) Act, 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 and the local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components.
- (ii) The biodegradable material may be recycled preferably through composting or vermiculture and the inorganic material may be disposed of in an environmentally acceptable manner at a site identified outside the Eco-sensitive Zone and burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.

4. Monitoring Committee -

(1) Under the provisions of 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 shall consist of not more than ten members and the Chairman of the Monitoring Committee shall be an eminent person with proven managerial or administrative experience and understanding of local issues and the other members shall be:-

- I. Deputy Conservator of Forests (Territorial), Yamunanagar as the Member Secretary;
- II. a representative of the Ministry of Environment and Forests, Government of India;
- III. one representative of Non-Governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India;
- IV. Regional Officer, Haryana State Pollution Control Board, Yamunanagar;
- V. Senior Town Planner of the area;

(3) The powers and functions of the Monitoring Committee shall be restricted to 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 (SEIAA), which shall be the Competent Authority for grant of such clearances as per the provisions of the Environmental Impact Assessment Notification, dated the 14th September 2007.

(5) 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.

(6) 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.

(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 and the Central Government in the Ministry of Environment and Forests shall give its directions to the Monitoring Committee 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'