

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 17th November, 2014

S.O. 2927(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 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 forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi-110 003, or at e-mail address:- esz-mef@nic.in

Draft Notification

Whereas, the Dadra and Nagar Haveli Wildlife Sanctuary is situated in the Union Territory of Dadra and Nagar Haveli, is spread across an area of 91.39 square kilometers and forms an important watershed area for Daman Ganga River;

AND whereas, the Sanctuary is rich in faunal diversity like Panther, Hyaena, Fox, Wild-Cat, Four Horned Antelope, Jackal, Nilgai, Sambar Deer and Chital Deer and several bird species like Black Drongo, Bulbul, Kingfisher, Egret, Hoopoe, Myna, Heron, Red Jungle Fowl;

And whereas, it is necessary to conserve and protect the area adjoining the Sanctuary and to protect and propagate improvement of the wildlife therein and its environment;

And whereas, it has become necessary to specify certain areas around the Dadra and Nagar Haveli Wildlife Sanctuary as Eco-sensitive Zone and to prohibit industries, operations or processes or class of industries, operations or processes in the said Eco-sensitive Zone.

Now therefore, 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) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area up to One Hundred Metres (100 Metres) from the boundary of the protected area of Dadra and Nagar Haveli Wildlife Sanctuary on all sides or up to the right of way (Sanctuary side) of an existing road passing near the Sanctuary, whichever is less, as an Eco-Sensitive Zone details of which are as under, namely:—

1. Extent and Boundary of Eco-sensitive Zone.—(1) The Eco-sensitive Zone (ESZ) around Dadra and Nagar Haveli Wildlife Sanctuary is spread over an area of 26.57 Square kilometer and 36 villages situated in the Eco-sensitive zone.

(2) The extent of ESZ is 100 meters on all sides of Dadra and Nagar Haveli Wildlife Sanctuary or upto the right of way (Sanctuary side) of an existing road passing near the Sanctuary, whichever is less.

(3) The map of the Eco-sensitive Zone is at **Annexure-I**.

(4) The list of the villages falling within the Eco-sensitive Zone is at **Annexure – II**.

2. **Zonal Master Plan for the Eco-sensitive Zone.**- (1) The Administration of Union Territories of Daman and Diu and Dadra and Nagar Haveli shall, for the purpose of the effective management of Eco-sensitive Zone, prepare a Zonal Master Plan, within a period of two years from the date of publication of the final notification in the Official Gazette, for consideration and approval of the Ministry of Environment, Forests and Climate Change in consultation with the local people and with the following concerned Local Self Governments and the concerned Departments, namely:-

- (i) Environment,
- (ii) Forest,
- (iii) Urban Development,
- (iv) Tourism,
- (v) Agriculture,
- (vi) Municipal,
- (vii) Revenue,
- (viii) Public Works Department,
- (ix) State Pollution Control Board,
- (x) Water Resources,
- (xi) Irrigation,
- (xii) Horticulture,
- (xiii) Panchayati Raj, and
- (xiv) Rural Development,

for integrating environmental and ecological considerations into it.

(2) The Zonal Master plan shall provide for restoration of degraded 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.

(3) The Zonal Master Plan shall, *inter alia*, demarcate all the existing and proposed village settlements, urban settlements, worshipping places, areas of cultural value including recreational value, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies.

(4) The Zonal Master Plan shall contain the measures as may be specified by the Central Government or Union Territory Administration for regulation of the activities specified under column (2) of the table in paragraph 4.

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

(i) 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 industrial related development activities;

Provided that the conversion of agricultural lands within the Eco-sensitive Zone may be permitted on the recommendation of the Union Territory level Eco-sensitive Zone Monitoring Committee (UESZMC), and with the prior approval of the Union Territory Administration, only to meet the residential needs of the local residents and for the activities listed at item numbers 11, 15, 22, 23 and 26, specified under column (2) of the table in paragraph 4, namely:- (i) rainwater harvesting, (ii) cottage industries including village artisans etc. (iii) small scale industries not causing pollution, (iv) widening of roads and (v) construction activity;

- (b) No use of tribal land shall be permitted for commercial or industrial related development activities without the prior approval of the Union Territory Administration and without compliance of the provisions of 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);
- (c) There shall be no consequential reduction in green area such as forest area, agriculture area and the like places
Any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the Union Territory administration, after obtaining the views of UESZMC, only once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forests and Climate Change:
Provided also that the above correction of error shall not include change of land use in any case except as provided under this sub-paragraph.
- (2) **Tourism.**- The activity relating to tourism within the Eco-sensitive Zone which shall form part of the Zonal Master Plan shall be as under, namely:-
- (i) Expansion of existing tourism activities within the Eco-Sensitive Zone shall be as per the Tourism Master Plan prepared by the Union Territory Administration.
 - (ii) The Tourism Master Plan shall be based on a detailed Carrying Capacity Study of the Protected Area as well as the Eco-sensitive Zone and shall be in line with the guidelines issued by the National Tiger Conservation Authority (NTCA), Ministry of Environment, Forests and Climate Change on the subject and with emphasis on eco-tourism, eco-education and eco-development;
 - (iii) New construction of hotels and resorts shall not be allowed within the Eco-sensitive Zone;
 - (iv) Till the Zonal Master Plan is approved, expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific conditions and recommendations of the Union Territory Level Eco-Sensitive Zone Monitoring Committee.
- (3) **Noise pollution.** - The Environment Department of the Union Territory Administration shall draw up guidelines and regulations for the control of noise pollution in the Eco-sensitive Zone as per the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).
- (4) **Air Pollution.**-The Environment Department of the Union Territory Administration shall draw up guidelines and regulations for the control of air pollution in the Eco-sensitive Zone as per the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).
- (5) **Discharge of effluents.**-The treated effluent shall meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).
- (6) **Solid Wastes.**- Disposal of solid wastes shall be carried out as under, namely:- (i) The solid waste disposal in Eco-sensitive Zone 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 25th September, 2000 and 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 off in an environmentally acceptable manner;
 - (v) No burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.
- (7) **Vehicular Traffic:** (a) The vehicular movement of traffic shall be regulated and specific provisions shall be laid down in the Zonal Master Plan.
- (b) Till such time the Zonal Master Plan is prepared and approved by the Ministry of Environment, Forests and Climate Change the Union Territory Level Eco-Sensitive Zone Monitoring Committee shall monitor compliance of vehicular movement as per the extant rules and regulations.
- (8) **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 proper plan be drawn up for their protection and conservation within six months from the date of publication of this Notification and such plans shall form part of the Zonal Master Plan.

- (9) **Man-made heritage sites.**- Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetic, and cultural significance in the Eco-sensitive Zone shall be identified and plans for their conservation shall be prepared within six months from the date of publication of this notification and incorporated in the Zonal Master Plan.

4. **Activities to be prohibited and regulated within the Eco-sensitive Zone.**- (1) All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and be regulated in the manner specified in the table below, namely:-

TABLE

S.No.	Activity	Prohibited	Regulated	Promoted	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	Commercial Mining, stone quarrying and crushing units	Yes	-	-	(a) All types of mining (minor and major minerals), stone quarrying and crushing units shall be prohibited. (b) Digging of earth for construction or repair of houses and manufacture of country tiles or bricks for housing for personal consumption and for the domestic needs of <i>bona fide</i> needs shall also be prohibited within one Kilometer from the boundary of the Wildlife Sanctuary as per the interim order of the Hon'ble Supreme Court in IA 1000 in TN Godavarman Vs Union of India: Provided that beyond one Kilometer distance from the boundary of the Sanctuary and up to the extent of the Eco-sensitive Zone, digging of earth for construction or repair of houses and manufacture of country tiles or bricks for housing for personal consumption and for the domestic needs of <i>bona fide</i> local residents may be allowed subject to applicable laws and rules.
2.	Felling of trees	-	Yes	-	(a) There shall be no felling of trees either on forest, Government, revenue or private lands, without the prior permission of the competent authority in the Union Territory Administration. (b) The felling of trees shall be regulated in accordance with the provisions of the relevant laws for the time being in force.
3.	Setting of saw mills	Yes	-	-	
4.	Setting of industries causing pollution (water, air, soil, noise, etc)	Yes	-	-	
5.	Establishment of commercial hotels and resorts	Yes	-	-	No new commercial hotels and resorts shall be permitted within the Eco-sensitive Zone
6.	Commercial use of firewood	Yes	-	-	
7.	Commercial use of water resources	-	Yes	-	(a) The extraction of water (surface and ground water) for <i>bona fide</i>

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	including ground water harvesting				agricultural and domestic consumption of the occupier of the land shall be allowed. (b) Extraction of surface or ground water for industrial, commercial use shall require prior written permission, including the amount that can be extracted, from the concerned Regulatory Authority (Union Territory Administration Ground Water Board/Union territory Administration irrigation Department). (c) No sale of surface/ground water shall be permitted. (d) Steps shall be taken to prevent contamination or pollution of water including from agriculture.
8.	Establishment of new major hydroelectric projects	Yes	-	-	
9.	Erection of electrical cables and telecommunication towers	-	Yes	-	Promote underground cabling
10.	Ongoing agriculture and horticulture practices by local communities	-	-	Yes	As per Zonal Master plan
11.	Rain Water harvesting	-	-	Yes	Shall be actively promoted
12.	Fencing of premises of Hotels and Lodges	-	Yes	-	
13.	Organic farming	-	-	Yes	Shall be actively promoted.
14.	Use of renewable energy sources	-	-	Yes	Shall be actively promoted.
15.	Widening and strengthening of existing roads and construction of new roads	-	Yes	-	Shall be done with proper Environment Impact Assessment and mitigation measures, as applicable.
16.	Movement of vehicular traffic at night	-	Yes	-	(a) For commercial purpose. (b) Suitable barriers to be erected at sensitive locations
17.	Use or production of any hazardous substances	Yes	-	-	
18.	Discharge of untreated effluents and solid waste in natural water bodies or terrestrial area	Yes	-	-	
19.	Discharge of treated effluents in natural water bodies or terrestrial area	-	Yes	-	Recycling of treated effluent be encouraged and for disposal of sludge or solid waste the existing regulations shall be followed.
20.	Air and vehicular pollution	-	Yes	-	

21.	Commercial Sign boards and hoardings	-	Yes	-	-
22.	Cottage industries including village artisans etc.	-	-	Yes	-
23.	Small scale industries not causing pollution	-	Yes	-	Non-polluting, non-hazardous, small-scale and service industry, agriculture, horticulture or agro-based industry producing products from indigenous goods from the Eco-sensitive Zone, and which do not cause any adverse impact on environment.
24.	New wood based industry	Yes	-	-	No establishment of new wood based industry shall be permitted within the limits of Eco Sensitive Zone.
25.	Collection of Forest produce or Non-timber Forest Product	-	Yes	-	-
26.	Construction Activities	Yes	-	-	No new construction of any kind shall be allowed in the Eco-sensitive Zone : Provided that, local people shall be allowed to undertake construction in their land for their residential use with the prior permission from the Competent Authority.
27.	Use of plastic carry bags	Yes	-	-	-
28.	Introduction of exotic Species	-	Yes	-	-

5. The Union Territory Level Eco-sensitive Zone Monitoring Committee (UESZMC) for the Union Territories of Daman and Diu and Dadra and Nagar Haveli -

The Central Government, for effective monitoring of the Eco-sensitive Zone, hereby constitutes a Committee, to be called Union Territory Level Eco-sensitive Zone Monitoring Committee for the Union Territories of Daman and Diu and Dadra and Nagar Haveli comprising of the following, namely:—

- Administrator, Union Territories of Daman and Diu and Dadra and Nagar Haveli – Chairman;
- Special Secretary, Environment and Forests Department and Chief Conservator of Forests, Union Territories of Daman and Diu and Dadra and Nagar Haveli – Member
- Chief Wildlife Warden, Union Territories of Daman and Diu and Dadra and Nagar Haveli – Member
- Representative of the Ministry of Environment, Forests and Climate Change- Member;

- (e) Deputy Conservator of Forests (Territorial), Dadra and Nagar Haveli - Member;
- (f) Member Secretary, Pollution Control Committee, Daman and Diu and Dadra and Nagar Haveli - Member;
- (g) Resident Deputy Collector, Silvassa - Member;
- (h) Resident Deputy Collector, Khanvel - Member;
- (i) Chief Town Planner, Dadra and Nagar Haveli - Member;
- (j) Survey and Settlement Officer, Dadra and Nagar Haveli- Member;
- (k) One Representative of Non-Governmental Organisation working in the field of Environment (to be nominated by Union Territory Administration of Dadra and Nagar Haveli)- Member;
- (l) Deputy Conservator of Forests (Wildlife), Dadra and Nagar Haveli- Member Secretary.

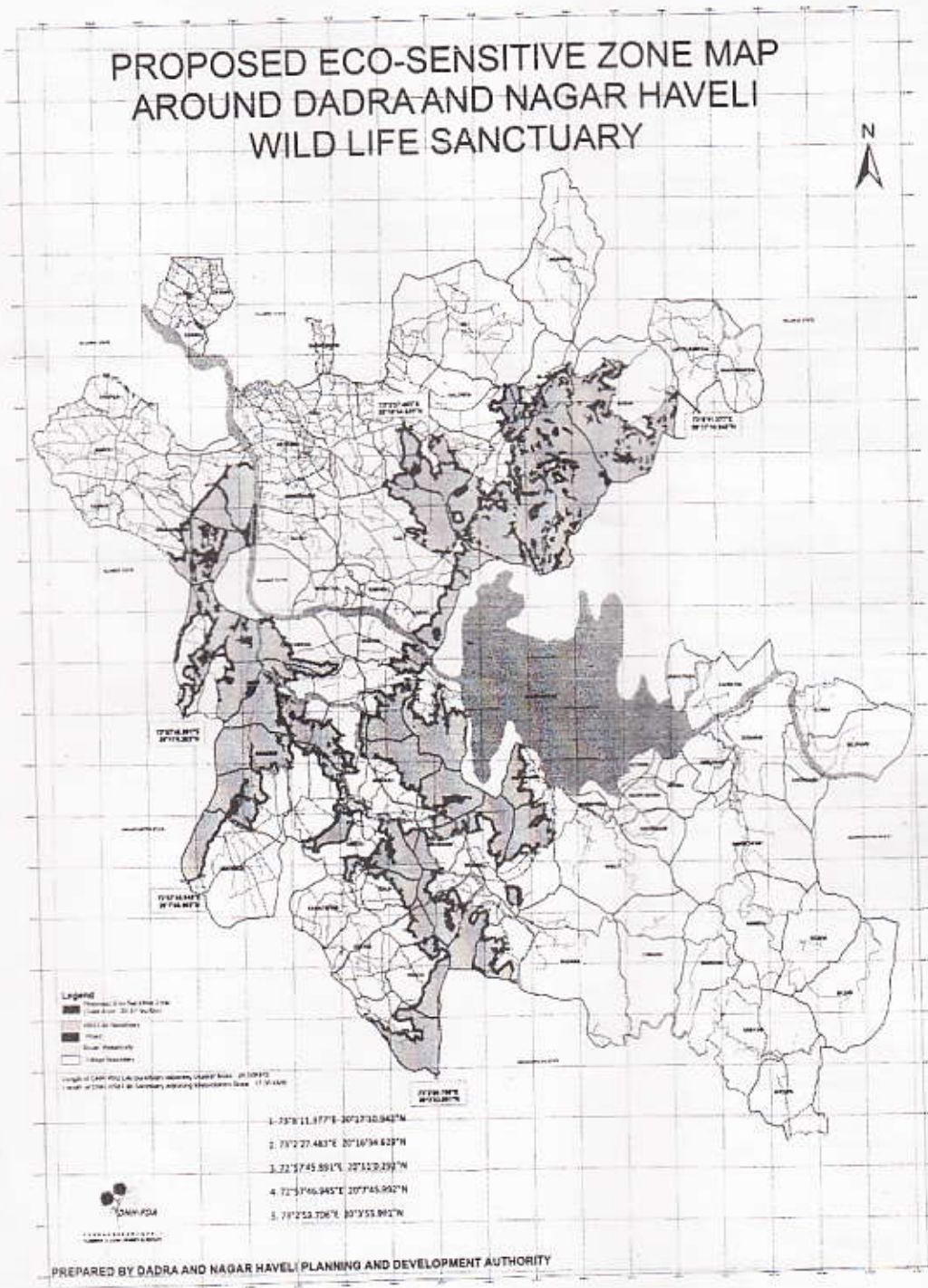
(2) The Union Territory Level Eco-sensitive Zone Monitoring Committee shall monitor the compliance of the provisions of this notification.

- (3) In case of activities that are covered in the Schedule of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533, dated the 14th September, 2006 and are falling in the Eco-sensitive Zone except the prohibited activities as provided under paragraph 4 to this notification, shall be scrutinised by the Union Territory Level Eco-sensitive Zone Monitoring Committee based on the actual site-specific conditions and shall be referred to the Central Government in the Ministry of Environment, Forests and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533, dated the 14th September, 2006 but are falling in the Eco-sensitive Zone except the prohibited activities as provided under paragraph 4 to this notification, shall be scrutinised by the Union Territory Level Eco-sensitive Zone Monitoring Committee based on the actual site-specific conditions and shall be referred to the concerned Regulatory Authorities.
- (5) The Member Secretary of the Union Territory Level Eco-sensitive Zone Monitoring Committee or the concerned District Collector or the Divisional Forest Officer in charge of the Wildlife Sanctuary shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 (29 of 1986) against any person who contravenes the provisions of this notification.
- (6) The Union Territory Level Eco-sensitive Zone 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 Union Territory Level Eco-sensitive Zone Monitoring Committee shall submit the annual action taken report of its activities as on 31st March of every year by 30th June of that year to the Central Government in the Ministry of Environment, Forests and Climate Change as per pro forma given in Annexure III.
- (8) The Central Government in the Ministry of Environment, Forests and Climate Change shall give directions, from time to time, to the UESZMC for effective discharge of its functions.

[F.No. 25/26/2014-RE/ESZ]

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Map of Eco-sensitive Zone



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Annexure II

List of Villages falling Within Eco Sensitive Zone of Dadra and Nagar Haveli Wildlife Sanctuary

S.No.	Village Name
1	Athal
2	Kharapada
3	Luhari
4	Chinchpada
5	Vasona
6	Dapada
7	Pati
8	Chikali
9	Surangi
10	Apti
11	Khadoli
12	Umarvani
13	Tinoda
14	Khutli
15	Khanvel
16	Shelti
17	Amboli
18	Velugam
19	Brindrabin
20	Kala
21	Chauda
22	Karachgam
23	Talavali
24	Parzia
25	Dolara
26	Silli
27	Kilwani
28	Bonta
29	Golanda
30	Amili
31	Athola
32	Sayali
33	Karad
34	Falandi
35	Umarkui
36	Kherdi

Annexure III

Proforma of Action Taken Report: - Union Territory Level Eco-sensitive Zone Monitoring Committee

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