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**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS**

NOTIFICATION

New Delhi, the June 25, 2009

S.O.1545(E) – WHEREAS, Mount Abu area has significant ecological importance comprising of tropical dry deciduous forests at lower altitude and evergreen forests at higher altitude and the flora and fauna of the region comprise of several endemic and rare species; besides Mount Abu has natural heritage such as Nakki Lake and man-made heritage like Dilwara temples and other heritage buildings and structures;

AND WHEREAS, considerable adverse environment impact has been caused due to degradation of the environment with excessive soil erosion and water and air pollution on account of certain developmental activities, thereby endangering not only the natural resources, but also affecting the health and very survival of living beings;

AND WHEREAS, it is necessary to conserve and protect the area from ecological and environmental point of view;

AND WHEREAS, a draft notification under 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) was published in the Gazette of India, Extraordinary, vide Notification of Government of India in the Ministry of Environment and Forests vide number S.O. No. 2497 (E), dated the 22nd October, 2008, 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 22nd October, 2008;

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

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 Mount Abu and surrounding region enclosed within the boundary described below in the State of Rajasthan as the Mount Abu Eco-sensitive Zone (hereinafter called "the Eco-sensitive Zone").

2. Boundaries of Eco-sensitive Zone

(a) The said Eco-sensitive Zone is situated in the southern area of Rajasthan in Sirohi District between 24° 33' 42" and 24° 39' 00" North latitude and between 72° 41' 36" and 72° 48' 06" East longitude and the configuration of land is hilly and rugged with high altitudinal variation ranging from 300 meter to 1727 meter. Gurushikar, the highest peak of the Aravali, is the highest peak between the Himalayas and the Nilgiris. The boundaries of the said Eco-sensitive Zone comprise:

North – Southern Boundary of Abu Forest Block No. 3

South – Northern Boundary of Abu Forest Block No. 1.

East – Western and Southern Boundary of Abu Forest Block No. 2.

West – Eastern Boundary of Abu Forest Block No. 3.

(b) The Eco-sensitive Zone covers the entire area of Notified Urban Area Limit, including Mount Abu Municipal Limits adjoining Forest Block Areas.

(c) The map of the Eco-sensitive Zone is at Annexure-A and the list of the villages in the Eco-sensitive Zone is at Annexure-B.

(d) All activities in the Forest Block Areas (both within and outside Municipal Areas) shall be governed by the provisions of the Rajasthan Forest Act, 1953 and the Forests (Conservation) Act, 1980 (69 of 1980) and all the activities in the Protected Areas (Sanctuary) shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).

3. The following activities are to be regulated in the Eco-sensitive Zone, namely:-

(1) 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 two years from the date of publication of this notification and submitted for approval to the Central Government in the Ministry of Environment and Forests.
- (ii) 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 Rajasthan State Pollution Control Board for integrating environmental and ecological considerations into it.
- (iii) The Zonal Master plan shall provide for restoration of denuded areas, conservation of existing water bodies including Nakki Lake, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community, conservation of heritage sites (both natural and cultural) and their surroundings and such other aspects of the ecology and environment that need attention.
- (iv) The Zonal Master Plan shall demarcate all the existing village settlements, tribal areas including tribal hamlets, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies, natural heritage sites including points (such as Sunset Point) and man-made heritage sites, steep slopes, drainage channels, first order streams, ground water

recharge areas and areas rich in ground water, spring recharge areas, spring lines and other environmentally and ecologically sensitive areas and no change of land use from green uses such as orchards, horticulture areas, agriculture parks and other like places to non green uses shall be permitted in the Zonal Master Plan, except that strictly limited conversion of agricultural lands may be 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 and similarly, no change in use of land from tribal uses to non tribal uses shall be permitted without the prior approval of the State Government.

- (v) The Zonal Master Plan shall indicate measures and lay down stipulations for regulation of traffic.
- (vi) The area within and outside Mount Abu Municipal Council area shall have separate Sub-zonal Master Plans which may be prepared by the State Government as a component of the Zonal Master Plan which will be submitted for approval to the Ministry of Environment and Forests. The Zonal Master Plan shall also identify and demarcate the maximum expansion area of the village settlements and of Mount Abu Town.
- (vii) 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, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible ground coverage, maximum number of floors and maximum height and all new constructions shall be allowed only after the proposals are scrutinized and approved by the Monitoring Committee and all other development activities including additions, alterations, demolitions, repairs, renovations and restorations of buildings shall require prior approval of the Monitoring Committee provided that these do not involve structural changes and are on the existing authorised plinth areas in the Mount Abu Municipal Limits and there shall be no consequential reduction in Tribal area, Forest area, Green area and Agricultural area.
- (viii) The State Government or the Ministry of Environment and Forests shall prescribe additional measures, if necessary, in furtherance of the objectives and for giving effect to the provisions of this notification.

(2) Industrial Units:

- (i) Only non-polluting, non-hazardous cottage industries like ice cream, hosiery, embroidery on readymade garments, sewing works, ayurvedic drugs, etc. situated in the villages in the Notified area and service industries, agriculture, floriculture, horticulture or agro-based industries producing products from Mount Abu shall be permitted as per the guidelines drawn by the Government of Rajasthan.
- (ii) Structures connected with small agro-based industries activities related to the needs of the local village economy and processing or storage of local agro-based products may be allowed subject to the usual “non Agricultural permission requirements and a maximum of 1/8th of the plot areas being built up”.

(3) Quarrying and Mining:

- (i) The Quarrying and Mining activities shall be restricted in the Eco-sensitive Zone.
- (ii) The Monitoring Committee shall have the authority to grant special permission for limited quarrying of materials required for the construction of local residential housing and traditional road making and maintenance work in Mount Abu, based on site evaluation.
- (iii) No quarrying shall be permitted on steep hill slopes with a gradient of 20 degrees or more or areas with a high degree of erosion, or on forestland.

(4) Trees: There shall be no felling of trees whether on Forest, Government, Revenue or private lands within the Eco- sensitive Zone without the prior permission of the State Government in case of forest land and the respective District Collector in case of Government, Revenue and private land as per the procedure which shall be laid down by the State Government:

Provided that the District Collector shall not delegate this power to any subordinate officer below the rank of Sub-Divisional Officer.

Provided further that no building permission shall be granted on a plot where trees have been felled or otherwise destroyed without obtaining the requisite prior permission.

(5) Restriction for use of fuel wood: To restrict the commercial establishments from using fuel wood for cooking and bonfire, only Liquefied Petroleum Gas (LPG) shall be used and arrangements shall be ensured to provide Liquefied Petroleum Gas (LPG) or natural gas to meet such fuel requirements of commercial establishments including hotels. An action plan shall be prepared for phasing out use of fuel wood even in non-commercial establishments.

(6) Restriction on encroachment: All the existing encroachments within the Eco-sensitive Zone including the forest area shall be identified and necessary action shall be taken against such encroachments in a time bound manner subject to the provisions of the State Grant Act, 1961 and other existing State Laws.

(7) Tourism:

- (i) The tourism activities shall be as per the Tourism Master Plan to be prepared by the Department of Tourism of the Rajasthan State Government.
- (ii) The Tourism Master Plan shall also form a component of the Zonal Master Plan and shall be based on a detailed Carrying Capacity Study of the Eco-Sensitive Zone, which may be carried out by the State Government.
- (iii) All new tourism activities, development for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this Tourism Master Plan.
- (iv) The Carrying Capacity Study shall be carried out based on the existing infrastructure and shall not be based on future projections of any project that requires environmental or forest clearance.
- (v) Till the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities may be permitted by the Monitoring Committee only after a detailed analysis is carried out by the Monitoring Committee and shall be subject to the guidelines laid down by the State Government and the Central Government in this regard.

(8) Natural Heritage: Mount Abu has natural sites such as Nakki Lake, Toad rock, rock formations, waterfalls, pools, springs, gorges, groves, caves, points, walks, etc., and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan and Sub-Zonal Master Plan and strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities and all the general pool reserve areas in the Zone shall be reserved.

(9) Man-made Heritage: Mount Abu is famous for several temples, the most prominent being Dilwara Temples and the main heritage and historical buildings are Achalgarh Fort, Dilwara Jain Temples, Rishav Deo Temple, Neminath Temple, Adinath Temple, Parshwanath Temple, Mahaveer Temple, etc., and later heritage buildings, structures and precincts. The plans for their conservation shall be prepared and incorporated in the Zonal and Sub-Zonal Master Plan and the development or construction activities at or around the heritage sites shall be regulated under the statutory provisions of the Rajasthan Monuments, Archaeological Sites and Antiquities Act and in accordance with the Draft Model Regulations for Conservation of Natural and Manmade Heritage Sites formulated by the Central Government in the Ministry of Environment and Forests in 1995.

(10) Water:

- (i) All future and existing buildings, where possible, in the Municipal Area shall provide roof-top rain water harvesting structures commensurate with their plinth area and the Institutional and commercial buildings shall not draw water from existing water supply schemes in a manner that adversely affects water supply especially to local villages or settlements.
- (ii) In Non-Municipal Areas rain water harvesting shall be undertaken through such structures as percolation tanks and storage tanks and only other means. Ground water aquifer recharge structures shall be constructed wherever such structures do not lead to slope instabilities.
- (iii) The rain water collected through storm water drains shall be used to recharge the ground water or to clean the waste disposal drains and sewers.
- (iv) The extraction of ground water shall be permitted only for the bona-fide agricultural and domestic consumption of the occupier of the plot and the extraction of ground water for industrial or commercial or residential estates or complexes shall require prior written permission, including of the amount that can be extracted, from the State Ground Water Department. However, the areas rich in ground water may not be diverted for construction activities.
- (v) No sale of ground water shall be permitted except with the prior approval of the State Ground Water Department and all steps shall be taken to prevent contamination or pollution of water including from agriculture.
- (vi) The area has three big water bodies namely Upper Kodra dam, Lower Kodra dam and Nakki Lake and in addition to this the area has around 25 water places, where water remains through out the year, which include natural nalla, dams, anicuts, seepage and baoris that are spread over entire area and must be protected.

(11) Use of Plastics: No person shall use plastic carry bags within the notified area.

(12) Noise pollution: The Environment Department, Rajasthan shall be the authority to draw up guidelines and regulations for the control of noise and the Monitoring Committee shall ensure adherence to these guidelines.

(13) Development on and protection of hill slopes:

- (i) The Zonal Master Plan shall indicate areas on hill slopes where development shall not be permitted.
- (ii) No development shall be undertaken in areas having a steep slope or areas which fall in fault or hazard zones or areas falling on the spring lines and first order streams or slopes with a high degree of erosion as identified by the State Government on the basis of available scientific evidence.
- (iii) No development on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(14) Discharge of sewage and effluents: No untreated sewage or effluent shall be permitted to be discharged into any water body or forests within the Eco-sensitive Zone and the local authority shall provide proper drainage and treatment system for collection, treatment and disposal of untreated / and treated effluent in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974. Moreover, the treated sewage and treated effluent shall be disposed only at or into a point(s) identified and approved by the local authorities and the Monitoring Committee.

(15) 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 preferable through composting or vermiculture and the inorganic material may be disposed in an environmentally acceptable manner at the site identified outside the Eco-sensitive Zone. No burning or incineration of solid wastes shall be permitted.

Explanation:- In this notification, “solid wastes” shall include domestic, industrial commercial and garden wastes.

(16) Natural Springs: The catchment areas of all springs shall be identified and plans for their conservation and rejuvenation of those that have run dry, in their natural setting shall be incorporated in the Zonal Master Plan and the strict guidelines shall be drawn up by the State Government to ban development activities at or near these areas.

(17) Hill Roads: Guidelines shall be framed for the construction and maintenance of hill roads and incorporated in the Zonal Master Plan:

- (i) for construction of any road including untarred in the Eco-sensitive Zone of more than 5 km length (including the extension or widening of existing roads);
- (ii) provision shall be made in the design of the road for treatment of hill slope instabilities resulting from road cutting cross drainage works and culverts using bio-

- engineering and other appropriate techniques and by including the cost of such measures in the cost estimate of the proposed road;
- (iii) the debris shall not be dumped down the khud or slopes but shall be subsumed in the construction of roads and the provision shall also be made for disposal of unused debris in appropriate manner at suitable and identified locations so as not to affect the ecology of the area adversely and the debris shall be treated and landscaped using bio-engineering and other appropriate techniques and the cost of such measures shall be included in the cost estimate of the proposed road;
 - (iv) whenever hot mix plants are used they shall be set up at least 2 kilometer away from the settlements and a minimum area of 200 square meter surrounding the site shall be devoid of vegetation;
 - (v) all roads shall be provided with adequate number of road side drains and these drains shall be kept free from blockage for runoff disposals. This runoff from the road side drainage shall be connected with the natural drainage system in the area;
 - (vi) alignment shall be selected so as to minimise loss of vegetal cover;
 - (vii) appropriate design standards shall be followed while designing the roads including mass balancing of cut and fill and avoidance of unnecessary cutting;

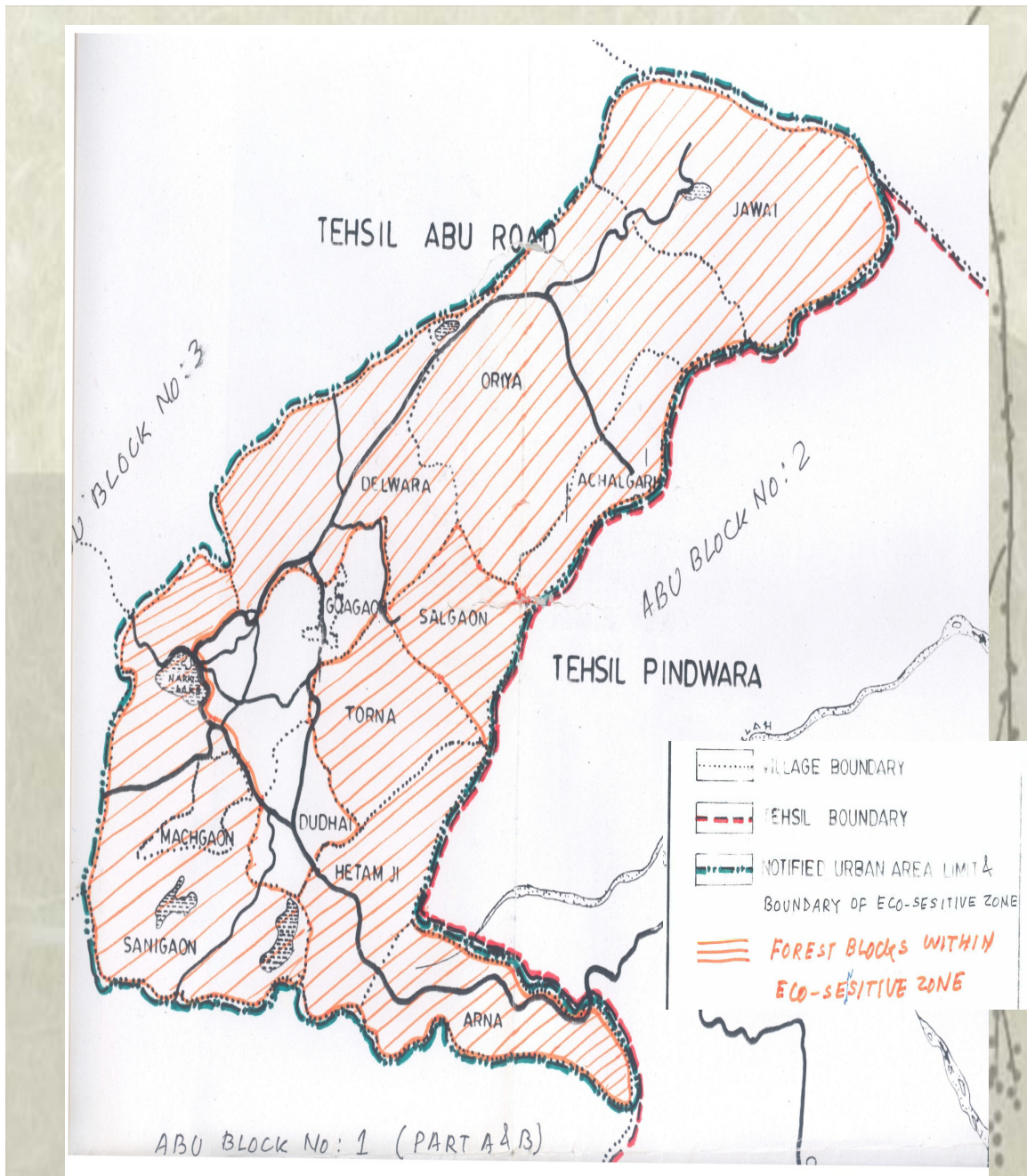
4. Monitoring Committee:

- (1) Under the provisions of sub-section (3) of section 3 of the Environment (protection) Act, 1986 (29 of 1986), the Central Government shall constitute a committee to be called the Monitoring Committee to monitor the compliance of the provisions of this notification.
- (2) 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:
 - (1) a representative of the Ministry of Environment and Forests, Government of India;
 - (2) senior Town Planner of the Area;
 - (3) one expert, on the Eco-sensitive Zones nominated by Government of India;
 - (4) two local residents / people knowledgeable about the region to be nominated by the Government of India.
 - (5) two representatives of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India;
 - (6) Assistant Director (Tourism), Mount Abu;
 - (7) Regional Officer, Rajasthan State Pollution Control Board, Pali;
 - (8) Deputy Conservator of Forests (Wild Life), Mount Abu;
 - (9) the District Collector, Sirohi as the Member Secretary.
- (3) In case of activities requiring prior permission or environmental clearance, such activities shall be referred to the State Level Environment Impact Assessment Authority, which shall be the Competent Authority for grant of such clearances.
- (4) The Monitoring Committee may also invite the representatives or experts from concerned Departments or Associations to assist in its deliberations depending on the requirement of the issues.

(5) The Chairman or Member Secretary of the Monitoring Committee or any officer authorised by the Monitoring Committee shall be competent to file complaints under section 19 of the Environment (Protection) Act, 1986 (29 of 1986) for non-compliance of the provisions of this notification.

5. The Monitoring Committee shall submit its annual action taken reports by the 31st March of every year to the Ministry of Environment and Forests.
6. The Central Government in the Ministry of Environment and Forests Ministry shall give directions to the Monitoring Committee from time to time for effective discharge of the function of the Monitoring Committee.

ANNEXURE – A
[See paragraph 2(c)]



ANNEXURE – B
[See paragraph 2(c)]

LIST OF VILLAGES FALLING UNDER ECO SENSITIVE ZONE

Serial Number	Name of village
1.	Sanigaon
2.	Machgaon
3.	Goagaon
4.	Delwara
5.	Oriya
6.	Jawal
7.	Achalgarh
8.	Salgaon
9.	Torna
10.	Dudhai
11.	Hetamji
12.	Arna

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