

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) of dated the March, 2011]

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

New Delhi, the March, 2011

S.O. – (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), 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 objection or suggestion 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 and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi-110003, or at e-mail address: envisect@nic.in.

Draft Notification

WHEREAS, the Dalma Wildlife Sanctuary, Jamshedpur lies between Latitudes 22°46'30" and 22°57' N and Longitudes 86°3'15" and 86°26'30" E in the East Singhbhum and Sariaakela-Kharsawan districts of Jharkhand and extends over an area of 193.22 square kilometers;

AND WHEREAS, the Asian elephant is the species of vital importance in Dalma wildlife sanctuary, besides, some of the most endangered species like Ratel, Mouse deer, Indian giant squirrel, the Python, Pangolin, Serpent eagle, etc., are also found in this Sanctuary;

AND WHEREAS, the forests of this sanctuary intercept rainfall and help recharge ground water aquifer and protect rivers and streams against siltation by minimizing soil erosion and the sanctuary has a well knit network of 159 streams spreading throughout the sanctuary, out of which 82 are perennial or semi perennial arid the rest 77 streams are of seasonal nature, Subarnarekha River, Subarnarekha Canal and Dirnna Lake are fed by these streams;

AND WHEREAS, it is necessary to conserve and protect the area around the protected area of Dalma Wildlife Sanctuary 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 the Dalma Wildlife Sanctuary enclosed within the boundary described below in the State of Jharkhand as the Eco-sensitive Zone (herein after called as the Eco-sensitive Zone), namely:-

Boundaries of Dalma Wildlife Sanctuary Eco-sensitive Zone. –

(1) Dalma Wildlife Sanctuary is bounded by the forests of Dhalbhum and Saraikela Forest Division of Jharkhand and Kansabati Forest Division of West Bengal, Jamshedpur township and Chandil sub divisional town are merely 0 -5 kilometers from the boundary of Dalma Wildlife Sanctuary.

(2) The said Eco-sensitive Zone would cover an area of 522.98 square kilometre in Jharkhand, consisting of the followings, namely:-

(i) Enclave villages:

Total number of villages - 85

Area to be included in the Eco-sensitive zone:

Non-forest area	-	200.28 square kilometers
Forest area	-	<u>198.30 square kilometers</u>
Total	=	398.58 square kilometers;

(ii) Villages situated outside the boundary of Protected Areas:

The Total number of villages - 51

Area to be included in the Eco-sensitive zone:

Non-forest area	-	80.45 square kilometers
Forest area	-	<u>43.95 square kilometers</u>
Total	=	124.40 square kilometers;

(iii) Development Blocks:

Patamda, Jamshedpur and Golmuri blocks of East Singhbhum district and Chandil and Nimdih blocks of Saraikela- Kharsawan district;

(iv) District wise area:

Name of District	Area of eco-sensitive zone
East Singhbhum	377.89 square kilometers
Saraikela- Kharsawan	145.09 square kilometers
Total	522.98 square kilometers

(2) The map of the Eco-sensitive Zone is appended to this notification as **Appendix - A** and the list of the villages falling within the Dalma Eco-sensitive Zone is appended as **Appendix - B**.

2. Zonal Master Plan for the Dalma Eco-sensitive Zone. –

(1) A Zonal Master Plan for the Dalma Eco-sensitive Zone shall be prepared by the State Government, in such manner as are specified under the Wild Life (Protection) Act, 1972 (53 of 1972), the divisional working plans and the guidelines issued by Central Government, within a period of one year from the date of this notification and approved by the Central Government in the Ministry of Environment and Forests.

(2) The Zonal Master Plan shall be prepared with in consultation with all concerned State Departments of Environment, Forest, Urban Development, Tourism, Municipal, Revenue and the Gujarat State Pollution Control Board with a view to include therein various aspects of the environment and ecology.

(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 worshipping places, village settlements, types and kinds of forests, agricultural areas, fertile lands, green areas, horticultural areas, orchards, lakes and other water bodies.
- (5) No change of land use from green uses such as tea gardens, horticulture areas, agriculture parks and others like places to non green uses shall be permitted in the Zonal Master Plan: Provided that with a view to meet the residential needs of the local residents and the natural growth of the local populations existing on the date of this Notification, the conversion of agricultural land may be permitted.
- (6) Pending the preparation of the Zonal Master Plan for Eco-sensitive Zone and approval thereof by the Central Government all new constructions shall be allowed only after the proposals are scrutinised and approved by the Monitoring Committee referred to in paragraph 4.
- (7) There shall be no consequential reduction in Forest area, Green area and agricultural area and the unused or unproductive agricultural areas may be converted into forest areas.
- (8) The Zonal Master Plan shall be a reference document for the Monitoring Committee of the Eco-sensitive Zone for any decision to be taken by them including consideration for relaxation.
- (9) The State Government may specify other measures, if it considered necessary, in giving effect to the provisions of this notification.

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

(1) Industrial Units:

- (a) On or after the publication of this notification in the Official Gazette, no polluting industries shall be allowed within the Eco-sensitive Zone;
- (b) any non-polluting, non-hazardous, small-scale and service industries, agriculture, floriculture, horticulture or agro-based industries producing products from indigenous goods from the Eco-sensitive Zone, and which do not cause any adverse impact on environment, may be permitted in the Eco-sensitive Zone;
- (b) no establishment of new wood based industries shall be permitted within the Eco-sensitive Zone.

(2) Quarrying and Mining:

- (a) No mining activity except for bonafide domestic use of the local residents shall be allowed within the Eco-sensitive Zone;
- (b) No crushing activity shall be allowed within the Eco-sensitive Zone.

(3) Construction Activities:

No new construction of any kind shall be allowed in the area falling within a distance of three hundred meters from the boundary of the Dalma Wildlife Sanctuary.

(4) Trees: There shall be no felling of trees either on forest, Government, revenue or private lands, 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, granted in such manner as may be laid down by the State Government.

(5) Tourism: Tourism activities shall be allowed in accordance with the Tourism Master Plan, with emphasis on eco-tourism, eco-education and eco-development, to be prepared by the Department of Tourism of the State Government in consultation with the Ministry of Tourism, Government of India and approved by the Ministry of Environment and Forests which shall also form a part of the Zonal Master Plan.

(6) Natural Heritage Sites:

- (a) The sites of valuable natural heritage in the Eco-sensitive Zone shall be identified, particularly rock formations, waterfalls, pools, springs, gorges, groves, caves, points, walks, rides and the like and plans for their conservation in their natural setting shall be incorporated in the Zonal Master Plan;
- (b) the State Government shall issue necessary guidelines to discourage construction activities at or near the Eco-sensitive Zone, including for providing tourist facilities;
- (c) the development or construction activities at or around the heritage sites shall be regulated in accordance with the Model Regulations for Conservation of Natural and Man-made Heritage Sites formulated by Central Government in the Ministry of Environment and Forests. These plans shall form a part of the Zonal Master Plan and Sub-zonal Master Plan.

(7) Man-made heritage sites:

- (a) Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and plans for their conservation, particularly their exteriors including their interiors wherever deemed appropriate, shall be prepared and incorporated in the Zonal Master Plan;
- (b) the State Government shall issue necessary guidelines to regulate building and other activities in the Eco-sensitive Zone, with a view to protect and maintain the special character and distinct ambience of the town and the Eco-sensitive Zone;
- (c) the development or construction activities at or around the heritage sites shall be regulated in accordance with the Model Regulations for Conservation of Natural and Manmade Heritage Sites referred to in clause (c) of sub-paragraph (b).

(8) Ground Water:

- (a) Extraction of ground water for the bona-fide agricultural and domestic consumption of the occupier of land shall be allowed;
- (b) extraction of ground water for industrial, commercial or residential complexes shall require prior written permission, including the amount that can be extracted, from the State Ground Water Board;
- (c) no sale of ground water shall be permitted except with the prior approval of the Monitoring Committee constituted under paragraph 4;
- (d) appropriate steps shall be taken to prevent contamination or pollution of water, including from agriculture activities.

(9) Protection of Hill Slopes:

- (a) The Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted;
- (b) no construction on existing steep hill slopes or slopes with a high degree of erosion shall be permitted.

(10) Roads: Widening and strengthening of existing roads and construction of new roads may be allowed in the Eco-sensitive Zone.

(11) Use of Plastics: No person shall use plastic carry bags within the Eco-sensitive zone area and the disposal of plastic articles shall be strictly prohibited.

(12) Noise pollution: The Environment Department or the Forest Department of the State Government shall be the authority to frame and issue guidelines and regulations for the control of noise in the Eco-sensitive Zone.

(13) Discharge of effluents: No untreated or industrial effluent shall be permitted to be discharged into any water body within the Eco-sensitive Zone and the treated effluent shall meet the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

(14) Solid Wastes:

- (a) The solid waste disposal shall be carried out in accordance with the provisions of the Municipal Solid Waste (Management and Handling) Rules, 2000 notified by the Central Government vide notification number S.O. 908 (E), dated the 25th September, 2000, as amended from time to time;
- (b)
 - (i) the local authorities shall prepare 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;
 - (iii) the inorganic material may be disposed in an environmentally acceptable manner at site identified outside the Eco-sensitive Zone; and
 - (iv) no burning or incineration of solid wastes shall be permitted in the Eco-sensitive Zone.

(15) 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 State Government shall issue guidelines to prohibit the development activities at or near these areas.

(16) All activities in the Dalma Eco-sensitive Zone shall be governed by the provisions of the Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) and the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

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 Dalma Eco-sensitive Zone Monitoring Committee to monitor the compliance of this notification.

(2) The Monitoring Committee referred to in sub-paragraph (1), shall consist of the following members, namely:-

- (a) the Commissioner of Kolhan Revenue Division – Chairman;
- (b) a representative of the Ministry of Environment and Forests, Government of India – Member;
- (c) a representative of the Central Pollution Control Board, Government of India – Member;
- (d) a representative of the Department of Forests and Environment, Government of Jharkhand – Member;
- (e) a representative of the Department of Mines, Government of Jharkhand – Member;
- (f) a representative of the Department of Industries, Government of Jharkhand – Member;

- (g) a representative of the Department of Revenue, Government of Jharkhand – Member;
- (h) a representative of the Department of Irrigation, Government of Jharkhand – Member;
- (i) a representative of the Department of Public Works, Government of Jharkhand – Member;
- (j) two representatives of Non-governmental Organizations working in the field of environment (including heritage conservation) to be nominated by the Government of India – Member;
- (k) the Regional Officer, Jharkhand State Pollution Control Board, Ranchi – Member;
- (l) the Senior Town Planner of the area – Member;
- (m) the Divisional Forest Officer, Wildlife Division, Ranchi – Convenor.

- (3) The powers and functions of the Monitoring Committee shall be restricted to the compliance of the provisions of this notification.
- (4) In case of activities requiring prior permission, under the provisions of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 1533, dated the 14th September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), the Monitoring Committee shall refer such matters to the State Level Environment Impact Assessment Authority constituted under that notification which shall grant the clearances in accordance with the provisions of the said notification.
- (5) The Monitoring Committee may 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 the Convenor of the Monitoring Committee 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.
- (7) The Monitoring Committee shall submit the annual action taken report of its activities by the 31st March of every year to the Central Government in the Ministry of Environment and Forests.
- (8) The Central Government in the Ministry of Environment and Forests shall give directions, from time to time, to the Monitoring Committee for effective discharge of the functions of the Monitoring Committee.

APPENDIX – A
[See paragraph 1(2)]

APPENDIX – B
[See paragraph 1(2)]

List of Villages falling within the areas of Dalma Eco-sensitive Zone

S. No. (1)	Name of Village (2)	Administrative Block (3)	Thana No. (4)	Area of Village (in Ha) (5)	Forest Area (in Ha) (6)	No. of Houses (7)	Population (8)
1	Bonta	Patmda	119/14	1371.32	798.20	249	1286
2	Kutimakuli	Patmda	120/15	180.62	65.13	40	232
3	Bhadudih	Patmda	121/16	205.69	54.97	21	136
4	Saldoha	Patmda	122/17	196.29	87.12	19	118
5	Haludbani	Patmda	123/18	320.88	232.37	108	504
6	Patipani	Patmda	124/19	425.68	366.28	56	246
7	Mirzadih	Patmda	137/20	577.70	315.80	205	991
8	Geruwa	Patmda	138/21	484.31	350.29	129	561
9	Brajpur	Patmda	139/22	155.91	76.23	24.00	115
10	Punsa	Patmda	140/23	302.71	138.45	116	604
11	Nutandih	Patmda	141/24	808.44	437.87	215	1014
12	Bataluka	Patmda	142/25	544.31	394.32	104	527
13	Amdaphari	Patmda	143/15	368.56	249.33	67	284
14	Apo	Patmda	144/15	859.59	428.66	219	1086
15	Sari	Patmda	145/26	774.78	475.68	218	1114
16	Laylam	Patmda	146/27	1057.63	550.97	273	1510
17	Pagda	Patmda	164/45	349.92	170.23	174	883
18	Kumari	Patmda	166/47	286.56	152.72	132	596
19	Chimti	Patmda	167/48	336.55	226.97	104	459
20	Kukru	Patmda	400/15	248.52	120.91	86	440
21	Ghoraban	Patmda	401/15	617.99	331.19	113	565
22	Jamdih	Patmda	402/15	615.45	509.22	130	708
23	Jhunjhka	Patmda	405/16	1183.49	751.07	252	1219
24	Khokoro	Patmda	524/10	914.55	766.36	98	450
25	Baghra	Patmda	117/12	290.51	54.97	223	1204
26	Koyani	Patmda	118/13	947.56	664.74	443	2546
27	Goburghu	Patmda	147/28	1042.51	683.92	291	1361
28	Kundruko	Patmda	148/29	150.17	35.52	45	195
29	Bamni	Patmda	149/30	534.80	166.70	213	1019
30	Gagiburu	Patmda	154/35	225.02	10.15	130	690
31	Beldih	Patmda	161/42	947.75	281.51	359	1865
32	Buridih	Patmda	162/92	73.00	65.14	2	22
33	Dhusra	Patmda	163/44	430.83	181.90	186	920
B4	Rapcha	Patmda	165/46	222.16	82.14	81	430
55	Andharjho	Patmda	168/49	772.66	346.79	296	1701
36	Dangdung	Patmda	169/50	755.01	353.68	226	1222
37	Dhobni	Patmda	170/51	572.70	325.06	129	801
38	Tungburu	Patmda	404/16	287.94	33.49	119	600
39	Jorisa	Patmda	406/16	450.57	175.44	118	515
40	Dangardih	Patmda	523/09	247.76	72.63	143	685
41	Kaira	Patmda	525/11	1170.59	723.11	203	1062

42	Somadiah	Patmda	526/06-	290.45	30.60	131	665
43	Bachkamk	Nim dih	254	199.85	93.85	81	426
44	Tankocha	Nim dih	274	341.00	212.77	78	393
45	Ugdih	Nim dih	243	72.84	14.85	168	776
46	Bumdungri	Nim dih	244	92.40	13.81	311	1426
47	Tengadiah	Nim dih	275	878.16	386.38	252	1149
48	Jharridih	Nim dih	276	323.81	17.23	42	217
49	Tetla	Nim dih	278	323.81	114.63	271	1024
50	Lupungdih	Nim dih	279	342.21	55.44	403	1877
51	Pitki	Nim dih	280	189.11	33.83	152	768
52	Chelema	Nim dih	310	764.81	210.59	L_569	2686
53	Bandhdih	Nim dih	312	863.78	586.08	31	159
54	Dahubera	Nim dih	314	258.69	72.70	110	499
55	Makulakoc	Chandil	Ch268	344.35	238.28	70	347
56	Kadamdih	Chandil	Ch247	72.30	14.25	101	544
57	Shaharbera	Chandil	Ch252	190.83	23.53	251	446
58	Sikli	Chandil	Ch253	80.84	37.53	50	249
59	Baralakha	Chandil	Ch255	179.75	30.79	73	391
60	Pata	Chandil	Ch256	350.65	129.88	242	1241
61	Chilgo	Chandil	Ch265	216.99	56.94	341	1788
62	Chakulia	Chandil	Ch266	186.61	48.80	135	657
63	Sharharber	Chandil	Ch267	531.68	312.02	253	1253
64	Tulin	Chandil	Ch269	264.12	151.81	30	135
65	Katjhor	Chandil	Ch270	446.85	153.03	275	1373
66	Hamsda	Chandil	Ch 271	423.83	213.39	143	701
68	Humid	Chandil	Ch273	95.41	23.70	209	923
69	Kadamjho	Chandil	Ch311	479.12	378.42	62	250
70	Asanbani	Chandil	Ch325	1532.27	780.09	275	1467
71	Ramgarh	Chandil	Ch326	696.38	373.99	153	702
72	Kanderber	Chandil	Ch327	662.05	315.00	256	1223
73	Suklahra	Golmuri	Gh	482.75	208.27	131	650
74	Dalapani	Golmuri	Gh	477.79	284.24	68	378
75	Jhantipaha	Golmuri	Ghll34	98.91	98.86	24	131
76	Kudlung	Golmuri	Gh	321.15	142.04	105	569
77	Beko	Golmuri	Gh	518.64	185.08	231	1070
78	Kalajhor	Golmuri	Ghll38	399.38	164.76	147	708
79	Chhotoba	Golmuri	Gh	422.04	185.65	158	759
80	Palasbani	Jamshedpur	Gh	938.26	318.93	'334	2006
81	Bhelaipaha	Jamshedpur	Ghll46	567.96	236.07	243	1287
82	Deoghar	Jamshedpur	Ghll47	506.21	181.86	271	1453
83	Baliguma	Jamshedpur	Ghll50	216.36	140.12	1958	8898
84	Pardih	Jamshedpur	Gh	324.65	137.26	5878	29388
85	Dimna	Jamshedpur	Gh	450.75	60.94	6004	29974
			Total	39858.22	38585.1	40336	198974

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Baghra	Patmda	117/12	290.51	54.97	223	1204
2	Dangdung	Patmda	169/50	755.01	353.68	226	1222
3	Dhobni	Patmda	170/51	572.70	325.06	129	801
4	Dangardih	Patmda	523/09	247.76	72.63	143	685
5	Barudih	Patmda	-	248.00	91.60	120	628
6	Barubera	Patmda	-	131.00	29.14	101	510
7	Bankucha	Patmda	-	774.00	70.24	400	1993
8	Loadih	Patmda	-	192.00	30.73	162	856
9	Paharpur	Patmda	-	355.00	55.02	198	1186
10	Raherdih	Patmda	-	123.00	4.05	103	503
11	Chamdih	Patmda	-	142.00	5.37	87	493
12	Rakhdih	Patmda	-	171.00	61.62	78	397
13	Rupsham	Patmda	-	249.00	15.98	159	874
14	Muchidhi	Patmda	-	178.00	18.31	127	671
15	Champir	Patmda	-	71.00	20.36	44	237
16	Jilingdungr	Patmda	-	55.00	21.86	30	148
17	Jawa	Patmda	-	204.00	76.39	109	478
18	Lekro	Patmda	-	210.00	19.81	67	352
19	Kherwa	Patmda	-	816.00	336.26	373	1942
20	Gordih	Patmda	-	164.00	48.63	167	917
21	Jharbani	Patmda	-	93.00	1205.00	69	339
22	Naingjuri	Patmda	-	113.00	13.15	46	217
23	Sishda	Patmda	-	252.00	72.85	1 ⁷⁵	403
24	Sarjumli	Patmda	-	89.00	11.23	37	193
25	Lachhipur	Patmda	-	260.00	8.34	217	1016
26.	Bantoraya	Patmda	-	39.00	8.12	151	709
27	Bansgarh	Patmda	-	262.00	0.47	149	725
28	Poklabera	Patmda	-	373.00	19.53	278	1388
29	Patamda	Patmda	-	398.00	172.98	376	2187
30	Amjhor	Patmda	-	397.78	-	-	128
31	Sunderpur	Patmda	-	380.42	-	-	68
32	Bandih	Patmda	-	90.41	-	-	107
33	Murugdih	Patmda	-	325.00	50.99	176	1020
34	Barhadih	Golmuri-cum-Jugsalia	-	197.20	318.17	80	106
35	Parasdungri	Golmuri-cum-Jugsalia	-	246.15	264.72	100	38
36	Ugdih	Nimdih	-	71.00	3.70	168	776
37	Janta	Nimdih	-	250.00	9.87	226	1101
38	Kamadula	Nimdih	-	49.00	8.80	39	206
39	Bagri	Nimdih	-	205.00	10.57	134	732
40	Burudih	Nimdih	-	174.00	82.26	55	281
41	Atasimal	Nimdih	-	64.00	7.13	32	171
42	Murugdih	Nimdih	-	325.00	50.99	176	1020
43	Rupadhi	Nimdih	-	59.00	9.99	38	198
44	Kishundih	Nimdih	-	168.00	5.65	j 120	637 j
45	Pathardih	Nimdih	-	88.00	6.98	91	424
46	Phaeranga	Nimdih	-	86.00	4.11	111	489
47	Bankada	Nimdih	-	214.68	-	-	73
48	Singati	Chandil	-	190.00	45.00	227	1148

49	Kashidih	Chandil	-	210.00	47.00	102	552
50	Khuchidih	Chandil	-	562.00	225.32	234	1197
51	Karnidih	Chandil	-	259.00	20.00	247	1305
Total				12439.62	4394.63	6800	35051

[F. No. Jharkhand/1/2011-ESZ]

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