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**राजस्थान सरकार**  
**नगरीय विकास विभाग**

क्रमांक प: 18(13)नविवि/जयपुर/2016

जयपुर, दिनांक 15 FEB 2018

सचिव,  
जयपुर/जोधपुर/अजमेर विकास प्राधिकरण,  
जयपुर/जोधपुर/अजमेर।

सचिव,  
नगर विकास न्यास,  
समस्त।

*Consultant (TP)*  
16/2/18

**विषय:- एकीकृत भवन विनियम-2017 के विनियम 8.12 के संबंध में।**

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि एकीकृत भवन विनियम-2017 समसंख्यक अधिसूचना दिनांक 18.10.2017 के द्वारा राज्य के सभी प्राधिकरणों/न्यासों/निकायों में लागू है। उक्त भवन विनियमों के विनियम 8.12 में पर्यावरण स्वीकृति की शर्तें केन्द्र सरकार द्वारा जारी मॉडल भवन विनियम के अनुरूप निर्धारित की गई हैं। प्रावधान के अनुसार पर्यावरण की शर्तें तभी लागू होगी जब पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा इन शर्तों का अनुमोदन कर दिया जावे। वर्तमान में केन्द्र सरकार के वन एवं पर्यावरण विभाग द्वारा पर्यावरण तकनीकी विज्ञानों का पंजीकरण नहीं किया गया है एवं इस प्रावधान पर राष्ट्रीय ग्रीन ट्रिब्यूनल द्वारा रोक लगाई गई है। अतः यह स्पष्ट किया जाता है कि राज्य में लागू एकीकृत भवन विनियम-2017 के विनियम 8.12 तब तक लागू नहीं होंगे जब तक केन्द्र सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा इस प्रावधान को अनुमोदित नहीं किया जाता है।

उपरोक्त स्थिति में पर्यावरण संरक्षण नियम-2006 (प्रति संलग्न) के प्रावधानों के अनुसार निर्धारित सीमा से अधिक निर्मित क्षेत्र पर पर्यावरण विभाग से पूर्वानुसार अनापत्ति लिया जाना आवश्यक है।

संलग्न:- उपरोक्तानुसार

*JE (BPC) IPS*  
20/2/18

*ATP (BPC) II*

भवदीय,  
*M 15/2/18*  
(राजेन्द्र सिंह शेखावत)  
संयुक्त शासन सचिव-प्रथम

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. निदेशक, स्थानीय निकाय विभाग राजस्थान जयपुर को उनके अधीन स्थानीय निकायों को इस संबंध दिशा निर्देश जारी किये जाने हेतु।
2. मुख्य नगर नियोजक, राजस्थान जयपुर।

*M 15/2/18*  
संयुक्त शासन सचिव-प्रथम

*20/2/18*  
*20/2/18*

*ATP (BPC) II*  
*20/2/18*

*20/2/18*  
*20/2/18*

(To be published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii))  
**MINISTRY OF ENVIRONMENT AND FORESTS**

New Delhi 14<sup>th</sup> September, 2006

**Notification**

S.O. 1533 Whereas, a draft notification under sub-rule (3) of Rule 5 of the **Environment (Protection) Rules, 1986** for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India<sup>1</sup>, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18<sup>th</sup> May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15<sup>th</sup> September, 2005 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 Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15<sup>th</sup> September, 2005;

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) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27<sup>th</sup> January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

<sup>1</sup>Includes the territorial waters

## SCHEDULE

(See paragraph 2 and 7)

### LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
1(a)	Mining of minerals	≥ 50 ha. of mining lease area  Asbestos mining irrespective of mining area	<50 ha ≥ 5 ha .of mining lease area.	General Condition shall apply <u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	General Condition shall apply
1(d)	Thermal Power Plants	≥ 500 MW (coal/lignite/naptha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels -)	< 500 MW (coal/lignite/naptha & gas based); <50 MW ≥ 5MW (Pet coke ,diesel and all other fuels )	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
<b>8</b>		<b>Building /Construction projects/Area Development projects and Townships</b>		
<b>8(a)</b>	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area )
<b>8(b)</b>	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	**All projects under Item 8(b) shall be appraised as Category B1

**Note:-**

**General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

**Specific Condition (SC):**

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).