

Report of the Committee

(Constituted in pursuance of order of Hon'ble NGT dt 07.08.2018) regarding conformity of Sub-regional Plans of the Constituent States and Regional Plan-2021 of NCRPB

Submitted to:

National Green Tribunal

Ministry of Environment, Forest and Climate Change

Government of India, New Delhi

November, 2019

Abbreviations Used

DDA	Delhi Development Authority
DLC	District Level Committee
ELU	Estimated Landuse
MoEFCC	Ministry of Environment, Forest and Climate Change
NCR	National Capital region
NCRPB	National Capital Region Planning Board
NCT	National Capital Territory
NCZ	Natural Conservation Zone
NGT	National Green Tribunal
NRSC	National Remote Sensing centre
RP-21	Regional Plan-2021
SLC	State level Committee
SRP	Sub-Regional Plan
ToR	Terms of Reference
UP	Uttar Pradesh

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Index

Sl No.	Sections	Page No.
1	Introduction	1
2	Brief Background	1
3	Meetings of the Committee	4
4	Report of State of Haryana	5
5	Report of State of NCT of Delhi	7
6	Report of State of Rajasthan	7
7	Report of State of Uttar Pradesh	8
8	Recommendations of the Committee	9
9	Annexure-I	11
10	Annexure-II	13
11	Annexure-III	16
12	Annexure-IV	30
13	Annexure-V	48
14	Annexure-VI	49
15	Annexure-VII	50

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Report of the Committee, constituted as per the direction of Hon'ble NGT in its order dt 07.08.2018, with regard to conformity of SRPs with the RP-21 of NCRPB

1. Introduction:

1.1 This report is submitted by the Committee, which was constituted as per the direction of the Hon'ble NGT in its order dated 07.08.2018, while disposing an Original Application (OA) no. 147 of 2014, in the matter of Legal Aid Committee vs. MoEF & Others.

1.2 In pursuance of the above order, the Committee was constituted by MoEF&CC vide a notification no. F. No. 7-85/2018-FC, dated 25.10.2018 (Annexure-I). The Terms of Reference for the Committee were as follows:

- i. To examine whether the Sub-Regional Plans (SRPs), prepared by the constituent states are consistent with the Regional Plan-2021 (RP-21), statutorily prepared by the National Capital Region Planning Board (hereinafter referred as 'Board' or 'NCRPB')
- ii. To suggest appropriate steps in case of any inconsistency between SRP of any state and the RP-21 of NCRPB
- iii. To recommend revision of the RP-21 (or any part thereof) of NCRPB.

2. Brief background:

2.1 NCRPB was created under the provisions of "National Capital Region Planning Board Act, 1985". As provided under this Act, the Board has prepared the RP-21 for the notified area of National Capital Region (NCR) i.e. 33,578 sq. km, with the participation of the NCR constituent States of Haryana, NCT of Delhi, Rajasthan and Uttar Pradesh, the concerned Central Ministries/ Departments and subject experts. The RP-2021 was notified in the Gazette of India on 17.9.2005 after its approval by NCRPB on 9th July 2005. For the purpose of RP-21, National Remote Sensing Centre (NRSC) used satellite imageries of IRS 1C/1D (PAN + LISS III) data.

2.2 As per the regional land use plan, designated areas under the category of Natural Conservation Zone (NCZ) have been defined and are to be delineated in the NCR. Chapter-17 of the RP-21 deals with NCZ. These areas are environmentally sensitive areas which are primarily consisting of extension of Aravalli range in Rajasthan, Haryana and NCT of Delhi, the forest areas, the rivers & tributaries of Yamuna, Ganga, Kali., Hindon and Sahibi, sanctuaries, major lakes and water bodies such as Badkal lake, Surajkund and Damdama in Haryana, and Siliserh lake in Rajasthan etc. NCZ also includes ground water recharging areas such as water bodies, oxbow lakes and paleo channels.

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2.3

- 2.3.1 The Regional Plan-2021 (RP-21) is a broad framework which includes proposed landuses in NCR. The document has been prepared under the provisions of NCRPB Act, 1985. As given at section 17.4.3 of the Regional Plan-2021, the major natural features constituting the natural conservation zone (NCZ) have been demarcated in the Regional Plan-2021. These areas are to be further detailed out in the Sub Regional Plans and Master/Development Plans.
- 2.3.2 As per zoning regulations given at section 17.5 of RP-21 four broad zones have been identified for application of strict land use control, development and enabling preparation for detail plans such as Sub Regional/Master/Local Area Plans. The elaboration of the land use details and zoning regulations would be incorporated in the Sub-Regional Plans and Master/ Development Plans by respective State Governments.
- 2.3.3 Moreover, in the footnote of the "Proposed land use map 2021" (Map no. 17.2) of RP-21, it has been categorically mentioned that *"the boundaries of the conservation zone i.e. forest cover, bird and wildlife sanctuaries, ridge, river bed and flood plains are tentative and shall be in accordance with Sub-Regional Plans/Master/Development Plans/Notifications of MOE&F thereof."*
- 2.3.4 In view of above, it is obvious that such exercise has to be carried out by the respective states, for which only broad governing policies have been given under the same section of Regional Plan.
- 2.4 The term and concept of NCZ came into being with the publishing of the RP-21 in 2005. It is possible that there were certain actual landuses on the ground which are in contrast to the land use (as per the revenue record) that constitute NCZ. This calls for adequate detailing to bring facts to record, which should be undertaken by the constituent states only. This has also been stipulated in RP-21, as mentioned at para 2.3 above.
- 2.5 In its special meeting on 25.04.2014, NCRPB decided that NCZ be delineated based on detailed ground truthing along with verification of revenue records and the exercise was to be carried out by a team consisting of officials from NRSC and NCRPB, led by the State nodal officer. However, it was noted that the SRP of Uttar Pradesh sub-region was approved by NCRPB before this special meeting of the Board.

Later, Terms of Reference (ToR) was issued by Ministry of Housing & Urban Affairs, Govt. of India, for delineation of NCZ, on 12.08.2014. A copy of ToR is given at **Annexure-II**. Subsequently, as per a decision of the Board in its meeting on 09.06.2015, the representative of NCRPB was excluded from the team to carry out the

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delineation exercise for NCZ as well as from the sub-committees constituted for ground truthing by the state governments.

- 2.6 In the year 2012, based on estimation of area under NCZ in the sub regions, NCRPB issued notices to constituent states; where explanation for shrinkage was sought. The details of shrinkage are provided below:

Table I
(Areas in Hectares)

Sl. No.	Components of NCR	2005 (ha)	2012 (ha)	Difference in Ha	Diff. in percentage
1.	Haryana Sub-region	122113.30	90402.42	31710.88	25.97
2.	Uttar Pradesh Sub-region	85739.36	48118.45	37620.91	43.88
3.	Rajasthan Sub-region	265321.74	235654.94	29666.8	11.18
4.	NCT of Delhi Sub-region	15437.06	13054.63	2382.43	15.43

- 2.7 An application was filed in NGT against the shrinkage in area of NCZ in NCR at an alarming rate in violation of RP-2021. NGT in its order dated 07.08.2018 constituted a Committee (with MoEF&CC as nodal Ministry) to examine consistency of SRPs with RP-21 and to suggest steps to be taken if SRPs are not consistent with RP-2021.
- 2.8 The committee constituted by MoEF&CC based on the deliberations in first two meetings asked constituent states to submit report based on detailed ground truthing for delineation of NCZ.
- 2.9 On the observations of the State Governments regarding discrepancies Satellite images and their interpretations, the Committee accepted the submission of NRSC that:
- NRSC has used single season cloud-free multi-spectral satellite data for mapping the Regional Land use.
 - Moreover, interpretation of the Classification schema adopted for mapping Regional Land Use classes are season-invariant (i.e. not dependent on season).
- 2.10 During deliberations in meetings with constituent States regarding reported shrinkage of NCZ area in all the four sub regions, the committee observed that:
- 2.10.1 Its mandate of examining conformity of Sub regional plans of constituent State Governments with Regional Plan are limited to Shrinkage in NCZ areas with reasons thereof and not the entire SRP.

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2.10.2 Primary data based on which the shrinkage has been estimated are the satellite data of two different reference years i.e. 1999 and 2012. In the year 1999, satellite imageries of IRS 1C (LISSIII) having resolution of 23.5mtr X 23.5 mtr were merged with PAN data having resolution 5.8 mtr X 5.8 mtr were used. The interpretation and demarcation was carried out on the physical copy of such merged data. Thereafter the demarcations were digitized and area was calculated on the computer system. However, for the year 2012, digital data of Resourcesat-2 LISS IV imageries were used, which had resolution of 5.8 mtr X 5.8 mtr. Interpretation, demarcation and area calculation from this data was carried out on the computer system.

2.10.3 There might be genuine technical limitations in comparing two different satellite data sets due to following:

- i. As explained in 2.10.2 above, 1999 data was on hard copy whereas 2012 data was digital one.
- ii. The data sources are satellites of different specifications.
- iii. Only limited ground truthing was done.
- iv. Even though cloud free and same season data was used for comparison considering the time gap of more than 10 years, there is likelihood that climatic/weather conditions (having influence on certain features that comprises some categories under NCZ) may not be exactly similar for comparison.

3. Meetings of the Committee:

3.1 The committee constituted in pursuance of this, has conducted three meetings on 02.11.2018, 28.03.2019 and 22.07.2019. The following decisions were taken in the meetings:

3.2 1st Meeting (held on 2nd November 2018):

3.2.1 The states should examine the reported shrinkage in area of NCZ and report the same with reasons, to this Ministry on or before 30.11.2018.

3.2.2 The following officials of the Centre and states shall be co-opted in the next meetings:

- i. Member Secretary, NCRPB
- ii. Vice Chairman, DDA
- iii. DG, Town and country Planning, Govt of Haryana
- iv. Official from Planning Board, Government of NCT of Delhi
- v. Official from Department of Housing & Urban Planning, Govt of UP



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3.3 2nd Meeting (held on 28th March 2019):

- 3.3.1 All the Constituent States have to submit the report regarding the following points
- What was the area under NCZ in the Year 2005 as per NRSC report?
 - What was the area under NCZ in year 2012 as per NRSC report?
 - Difference in area (shrinkage) as per detail ground truthing by the states and reason for the same.
- 3.3.2 All the constituent states will submit the above reports to MOEF&CC by 15th April 2019.
- 3.3.3 Thereafter the reports will be shared with NCRPB for its further action including consultation with NRSC, if required.
- 3.3.4 Considering the ongoing election process and the involvement of the state officials in this process, the Ministry may seek additional time from Hon'ble NGT for filing the final affidavit.

3.4 3rd Meeting (held on 22nd July 2019):

- 3.4.1 The Committee held its third meeting on 22.07.2019 under the chairmanship of Secretary, EF&CC. It was decided that a draft report will be framed which will be subsequently circulated for comments. Thereafter, the final report will be updated with information/comments/observations received from constituent states, NCRPB and NRSC.
- 3.4.2 The reports/submissions from all the four constituent states, including those received after the third meeting, were accordingly analyzed and suitably incorporated in the report.

4. Report of State of Haryana.

- 4.1 In its report (Annexure-III), the state has made, inter alia, following significant submissions, explaining reasons for reported shrinkage and result of detailed ground truthing:
- 4.1.1 NCZ was reflected in the 2005 and 2012 land use plans solely based on satellite imageries. Moreover, the nature of satellite imageries used in these two reference years are of different specifications. While the 2005 information was based on hard copies of IRS (PAN + LISS III) data of 1999, in 2012 digital data of Resourcesat-2 LISS IV imageries were used.
 - 4.1.2 Many areas having man made features built prior to 1999 have also been erroneously included in the NCZ. The state has submitted that, this is one

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of the primary reasons for excess areas which have been included in 2005 land use plan.

- 4.1.3 As per detailed survey, Haryana Government has submitted following district-wise interim figures in respect of delineation of NCZ.

Table II
(Areas in Hectares)

District	As per Estimated Land Use (ELU) 1999	As per Estimated Land Use (ELU) 2012	As per ground truthing
Faridabad	15,401.55	11,400.68	12,517.84
Gurugram	19,417.29	19,215.61	15,083.06
Jhajjar	12,661.88	7,214.07	2,226.32
Mewat	21,657.47	17,942.62	17,441.56
Palwal	8,180.98	5,177.64	3,257.03
Panipat	8,762.69	6,511.46	1,763.13
Rewari	9,898.89	9,299.99	8,732.21
Rohtak	10,294.85	5,064.61	794.85
Sonipat	15,837.70	8,575.74	2,568.66
Total	1,22,113.30	90,402.42	64,384.66

- 4.1.4 However, the state government has informed that the reports of the District Level Committees (DLCs) are not final and the same will be considered by the State Level Committee (SLC) for their finalization by the State Government. Since the DLC reports have not been finalized by the State Government same were not examined by the Committee.

4.2 Committee deliberated on the submissions of the state and observed that:

- 4.2.1 There has been significant difference in figures in respect of NCZ delineated in 1999 and 2012, the main reasons of which have been given at para 4.1 above.
- 4.2.2 Although it was NCRPB under the auspices of which 1999 and 2012 surveys were conducted by National Remote Sensing Centre (NRSC) and difference in figures were recorded, it was NCRPB which later decided in its Board meeting on 25.04.2014 that:



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"The Board decided that NCZ in NCR be delineated by each participating states based on detailed ground truthing, along with verification of state revenue records. This exercise should be carried out by the team of Officers consisting of NRSC, participating State Government and NCRPB within 30 days. Thereafter, the SRPs would stand amended."

- 4.2.3 Committee also noted that 'land' is primarily a state subject and accordingly all records including revenue records are maintained by the state. It was quite appropriate in part of NCRPB, given the disagreement that has resulted due to reported discrepancies in NCZ delineation matter, to direct the state Governments to conduct detailed ground truthing and delineate NCZ areas.
- 4.3 The detailed reports received from Haryana prepared by District Level Committees have not been examined by this committee. These figures need to be first verified and finalized by their State Level Committee, constituted for this purpose.

5. Report of State of NCT of Delhi

- 5.1 As per the notice issued vide memo dated 23.06.2014 by NCRPB to all constituent States, the NCT of Delhi sub-region has registered a shrinkage of 15.43 percent in NCZ areas during 2012, compared to report published in 2005 (Table I at page-3).
- 5.2 Government of NCT of Delhi had written to MoEF&CC vide its letter dt. 02.05.2019, (Annexure-IV) giving a status on variation in NCZ in Delhi.
- 5.3 Later, the Delhi Development Authority (DDA) has written to Government of NCT of Delhi, in its communication dated 29.08.2019 (Annexure-V), copy endorsed to MoEF&CC and NCRPB, that as per their table-top exercise after in house vectorization of digital maps and interpretation, 156 pockets have been identified as NCZ areas having a total of 10668.37 ha. GNCTD is in the process of obtaining inputs on land uses as per definition of NCZ from other Delhi Government Departments like Forest, Irrigation etc. Many such land owning authorities have land having land use that conforms to features of NCZ. GNCTD has written to these departments to submit details. Earlier Updated information in this regard is still awaited.

Committee observed that:

- i. Table top exercise of DDA does not provide comprehensive picture in respect of NCT of Delhi sub-region.
- ii. There is no SRP document prepared for NCT of Delhi sub-region.

6. Report of State of Rajasthan

- 6.1 As per the notice issued by NCRPB, there has been an overall 11.18 percent shrinkage in the NCZ areas in Rajasthan Sub-region, as per the (Table-1 at page-3).

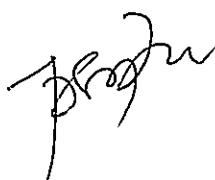


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- 6.2 The Government of Rajasthan has informed (**Annexure-VI**) the committee that the apparent shrinkage is due to interpretation of satellite images used. Hence carrying out of any ground truthing exercise was not required.
- 6.3 State Government has also informed that, the SRP of the State has been considered by the Board on 09.06.2015 which has been approved. The NCZ area in the SRP has been given as 2237 sq.km and the State Government has committed to abide with any further directions by Hon'ble NGT in this matter.
- 6.4 There is no further updates from the State Government to MoEF&CC.
- 6.5 However Committee also noted that, SRP-21 of Rajasthan sub-region was considered conditionally by NCRPB. The condition was to delineate NCZ, after which the SRP would be amended. Same has not been completed. Moreover, the figure 2237 sq.km, as under NCZ, has not been agreed upon by the state Government so far.
- 6.6 Committee observed that delineation of NCZ in the Rajasthan sub-region is not completed and the state Government needs to finalize its figures accordingly.

7. Report of State of Uttar Pradesh

- 7.1 Regarding the State of Uttar Pradesh, as per the notice issued by NCRPB, there is a shrinkage of 43.88 percent of NCZ areas in UP sub-region (Table-1 at page-3).
- 7.2 The state was of the view that such variation in identification and mapping are due to erroneous recording as natural areas which were already built up before 1999 (for ex. Naroura Nuclear Power project), use of imageries of different seasons for two reference years or interpretation of satellite imageries. Report of the state Government of Uttar Pradesh is given at **Annexure-VII**.
- 7.3 The State Government has stated that,
i. There is no shrinkage in NCZ area as per revenue records
ii. The SRP for the UP sub region has been approved by NCRPB in 2013, (before the special Board meeting held in 2014).
iii. UP has conveyed that area under forests (56,336 Ha) and water bodies (26,744 Ha) is together more than the estimated figures (48118.45 ha) under NCZ in 2012. Hence there is no shrinkage.
iv. The state Government has also suggested for re-examination of the whole matter by NCRPB.
- 7.4 During deliberations the Committee observed that the UP sub region is the only constituent, where Aravallis do not exist.
- 7.5 The Committee was of the view that the state Government should clearly confirm the overall NCZ figures.



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8. Recommendations of the Committee: The Committee based on detailed deliberations in the meeting, discussions with representatives of constituent States and referring available records, recommended as follows.

8.1 To examine whether the Sub-regional plans (SRPs), prepared by the constituent states are consistent with the Regional Plan (RP-21), statutorily prepared by the National Capital Region Planning Board

NCT of Delhi has not prepared its sub-regional plan. However, regarding other three SRPs, after their thorough examination and review vis-à-vis RP-21, it was noted that: as far as area under NCZ is concerned, there is no state-wise figure of area under NCZ mentioned in the RP-21. Hence, in this regard there is no perceptible difference between RP-21 and SRPs of the three states.

The area under NCZ in different sub-regions have been estimated by NRSC based on interpretation of satellite imageries of 1999 and 2012 with very limited ground truthing. These exercises revealed a shrinkage in NCZ areas in every sub-region and were based on land use data reported by NRSC. The states have furnished their respective explanations over which Committee has made its observations in the previous paras.

8.2 To suggest appropriate steps in case of any inconsistency between Sub-Regional Plan of any state and the RP-21 of NCRPB

Although there is no perceptible inconsistency, Committee noted the difference in figures of NCZ delineated areas with respect to estimation pertaining to the years 1999 and 2012. It suggested that:

- i. Future mapping or delineation should be done preferably with 1:4,000 scale but not less 1: 10,000 scale of physical maps. Since local level mapping and planning requires high level accuracy, satellite data having resolution of less than 0.6 meters, such as Quickbird, Geoeye, Worldview etc should be used. This should be uniformly applied to all sub regions.
- ii. Although in the matter of interpretation of imageries and delineation of any category of land use, the capability of NRSC cannot be questioned, for better and more acceptable results, the following may be ensured:
 - a. The sample size of ground truthing should not be less than 75%
 - b. During such table-top or field exercise, it is always advisable to involve third-party/independent authorities, to enhance credibility of the information that is generated
- iii. Once accepted, the delineated NCZ areas should be clearly demarcated on revenue maps, so that these are readily identifiable on ground.

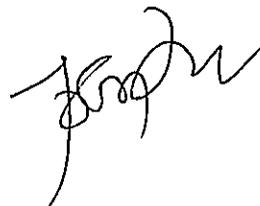


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- iv. It shall be the responsibility of the concerned state Government to develop ways and means of protecting the NCZ areas.

8.3 To recommend revision of the RP-21 (or any part thereof) of NCRPB

Considering the detailed examinations of the facts & documents available with MoEF&CC, Ministry of Housing & Urban Affairs, NCRPB & NRSC, submissions by respective constituent states of the NCR, review of the policies & proposals in RP-2021 and deliberations held in all the meetings, the Committee recommends that the concerned States may finalize their respective figures as per RP-21 or ground truthing, as deemed fit and submit the same to NCRPB for onward action.



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F. No. 7-85/2018-FC

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Dated: 25 October, 2018

Order

Sub: Constitution of the Committee as per order of the Hon'ble NGT, Principal Bench, Delhi, in Review Application No. 41/2018 in MA No. 1375 of 2018 in O.A. No. 147 of 2014, in the matter of Legal Aid Committee, NGT Bar Association v/s MOEF&CC & Others-Reg.

In pursuance of the order of Hon'ble NGT, Principal Bench, Delhi dated 04.10.2018 (copy enclosed) in the Review Application no. 41/2018 in MA No. 1375 of 2018 in O.A. No. 147 of 2014 in the matter of Legal Aid Committee, NGT Bar Association v/s MOEF&CC & others, the following committee is hereby constituted:

1. Secretary, Ministry of Environment, Forests and Climate Change, Government of India.
2. Secretary, Ministry of Housing & Urban Affairs, Government of India.
3. Chairman, Central Pollution Control Board.
4. National Remote Sensing Centre (NSRC), Indian Space Research Organisation (ISRO), Government of India
5. Secretary, Urban Development, Government of Uttar Pradesh.
6. Secretary, Urban Development, Government of Rajasthan.
7. Secretary, Urban Development, Government of Haryana.
8. Secretary, Urban Development, Government of NCT of Delhi.

The Terms of Reference (ToR) of the Committee shall be:

- i. To examine whether the Sub-regional plans, prepared by the constituent states are consistent with the Regional Plan, statutorily prepared by the National Capital Region Planning Board (NCRPB)
- ii. To suggest appropriate steps in case of any inconsistency between Sub-Regional Plan of any state and the Regional Plan of NCRPB
- iii. To recommend revision the Regional Plan (or any part thereof) of NCRPB.
- iv. The Committee shall finalize its report within three months for onward submission to the Hon'ble Tribunal.

The first meeting of the committee is scheduled to be held on 2nd November, 2018 at 12:00 PM in Kaveri Conference Hall, Prithvi Block, Indira Paryavaran Bhawan, Jor-Bagh Road, New Delhi. All members of the Committee are requested to make it convenient to attend the meeting.

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25/10/18
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Deputy Inspector General of Forests

Distribution:

1. Secretary, MoEF&CC, Govt. of India
2. Secretary, Ministry of Housing & Urban Affairs, Government of India.
3. Chairman, Central Pollution Control Board.
4. Director, National Remote Sensing Centre (NSRC), Indian Space Research Organisation (ISRO), Government of India.
5. Secretary, Urban Development, Government of Uttar Pradesh.
6. Secretary, Urban Development, Government of Rajasthan.
7. Secretary, Urban Development, Government of Haryana.
8. Secretary, Urban Development, Government NCT of Delhi.

Copy to:

1. DGF&SS, MoEF&CC, Govt. of India: For information
2. Inspector General of Forests (FC), MoEF&CC, Govt of India.

TERMS OF REFERENCE

FOR

DELINEATION OF
NATURAL CONSERVATION ZONE (NCZ)

BY

EACH PARTICIPATING STATE OF NATIONAL
CAPITAL REGION

August, 2014

Terms of Reference for delineation of Natural Conservation Zone (NCZ) by each participating State

1. In the Special Meeting of the NCR Planning Board held on 25.04.2014, it was decided:

"NCZ in NCR be delineated by each participating State based on detailed ground truthing, along with verification of State revenue records. This exercise should be carried out by a team of Officers consisting of NRSC, participating State Governments and NCRPB within 30 days. Thereafter, the SRPs would stand amended."

2. In the Regional Plan-2021 Natural Conservation Zone (NCZ) has been defined in Para-17.4.3 of Chapter-17 as comprising following environmentally sensitive major natural features/areas:

- i. Aravalli range in Rajasthan and Haryana Sub-region and its extension as the Ridge in NCT-Delhi
- ii. Forest areas and Sanctuaries
- iii. Rivers and tributaries of Yamuna, Ganga, Kali, Hindon and Sahibi
- iv. Major lakes and water bodies such as Badkal lake, SurajKund, Damdama, Siliserh lake, etc.
- v. Ground water recharging areas such as water bodies, ox-bow lakes and paleo-channels;
- vi. Proposed Green Areas/Forest Areas on the Wastelands, which include Gullied Land, Salt affected Land, Waterlogged, Barren and Rocky Areas

Details of various levels of Landuse classifications is at Annexure-I

3. Scope of Work

Delineation of various components of NCZ as mentioned in para-2 above is required to be carried out in respect of Sub-Regional Plan by each Participating State based on detailed ground truthing/Satellite imagery at a scale of 1:25,000 or 1:10,000, along with verification of State revenue records, by a team of officers from participating State Governments, NRSC and NCRPB, taking maps of Regional Plan-2021 at 1:50,000 scale as the starting point.

4. Time Schedule

The delineation work would be completed within three months.

5. Action Plan

Four teams (one each for each sub-region) will be formed. Nodal officer from the Participating State will be the chairman of the team. Composition of team for each sub-region will be as follows:

- Nodal Officers from NCR Participating State:
- a. Principal Secretary, Town & Country Planning Department, Govt. of Haryana
 - b. Principal Secretary, Housing & Urban Planning Department, Govt. of UP,
 - c. Principal Secretary (PWD), Govt. of NCT-Delhi,
 - d. Principal Secretary, Urban Development, Housing & LSG, Govt. of Rajasthan.
- Chief Regional Planner, NCRPB

ToR for delineation of NCZ

- iii. Group Head, Urban Studies Department, NRSC
- iv. Chief Town Planner/Chief Coordinator Planner, State T&CP Department
- v. Inspector General of Forests, State Forests Department
- vi. Senior level officer from State Revenue Department
- vii. Senior level officer from State Geology Department
- viii. Representative of Ministry of Environment & Forests, Govt. of India
- ix. District Magistrate/Deputy Commissioner of respective districts of all NCR constituent areas
- x. Divisional Forest Officers of respective districts of all NCR constituent areas

6. Methodology to be followed

6.1 Teams would be led by Nodal Officer from each NCR Participating State. NRSC may also utilise the services of experts from various Divisions in NRSC like Forestry, Geology, Water Resources, etc. Ground truthing will be carried out to clearly demarcate the NCZ, so as to ensure correct delineation of environmentally sensitive areas.

6.2 Each team should take the following maps prepared by NRSC as inputs:

- i. Existing Landuse 1999
- ii. Existing Landuse 2012
- iii. Proposed Landuse 2021 of RP-2021
- iv. Proposed Landuse 2021 of Revised RP-2021

6.3 The Revenue Records (including Shajra) in digital form as inputs should be provided by the respective State Govt.

ToR for delineation of NCZ

From

Principal Secretary to Govt. Haryana
Town & Country Planning Department
Chandigarh

To

✓ The Secretary,
Ministry of Environment, Forests and Climate Change,
(Forest Conservation Division),
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road,
New Delhi-110003

Memo No. CCP (NCR)/271 (Vol-III)/2019/1427

Dated: 12/07/2019

Subject: Committee Constituted as per the orders of the Hon'ble NGT in the matter of OA No. 147 of 2014 titled as Legal Aid-Committee, NGT Bar Association Vs. MoEF&CC & others - Ground truthing of areas under NCZ in Haryana Sub-Region of NCR.

Reference: Your office memo No. F.No.11/184/2016-FC dated 2.04.2019 and even No. dated 18.06.2019 in subject cited matter.

It is to inform that a petition bearing OA No. 147 of 2014 was filed in the Hon'ble National Green Tribunal (NGT) and decided on 07.08.2018 with a order for forming a Committee under the Chairmanship of Secretary, MoEF&CC having Members from MoHUA, CPCB, NRSC and participating States of NCR to examine that whether the Sub-Regional Plans of the States are consistent with the RP-2021. Accordingly, meetings have been held of the above Committee and in the meeting held on 28.03.2019, direction was given to the participating States to provide the status regarding NCZ.

2. On this aspect, it is to inform that the Regional Plan 2021 AD (RP-2021) of NCR was published by NCRPB in the year 2005, wherein the provisions for earmarking & maintaining Natural Conservation Zones (NCZ) were also provided. As per Regional Plan 2021 AD, NCZ comprises of major natural features, identified as environmentally sensitive areas;

- (i) Extension of Aravali ridge in Rajasthan, Haryana and NCT Delhi,
- (ii) Forest areas,
- (iii) Rivers and Tributaries of Yamuna, Ganga, Kali, Hindon & Sahibi
- (iv) Sanctuaries,
- (v) Major lakes and water bodies such as Badkhal Lake, Surajkund and Damdama in Haryana Sub-Region and Siliserh Lake in Rajasthan.
- (vi) Ground water recharging areas such as water bodies, ox-bow lakes and paleo channels;

3. The Natural Conservation Zone were reflected in the existing & proposed land use plans of Regional Plan 2021 (notified in the year 2005) solely on the basis of

the satellite imageries of 1999 supplied by NRSC and NCZ area were reflected without any ground truthing. Due to this, even the man-made features & structures have been shown as NCZ in the RP-2021 which include many major Central Government establishments like; National Security Guard, Border Security Force, Central Reserve Police Force, Haryana Police Training Centre, National Institute of Financial Management, National Brain Institute etc. Even the fish pond constructed by a farmer has been indicated as NCZ, whereas it is an artificial man-made structure. It is again stressed that naturally existing features as covered in the categories listed in para 2 above only are NCZ and man-made structures are artificial and cannot be NCZ. After random checking, it was noticed that NCZ pockets are also shown in the areas where structures were existing/constructed prior to 1999. Therefore, the State Government took up the issue of ground truthing of these NCZ areas before finalizing the same. The view point of the State was agreed upon by NCRPB in its special Board meeting held on 25.04.2014 with following observations:

"The boundaries of conservation zones i.e. forest cover, bird & wild life sanctuaries, ridge, river bed & flood plains are tentative and shall be in accordance with the Sub-Regional Plans/Master/Development Plans/ Notifications of MoEF thereof."

Accordingly, the Board decided that NCZ in NCR be delineated by each participating State based on detailed ground truthing, along with verification of State revenue records. This exercise should be carried out by a team of Officers consisting of NRSC, participating State Governments and NCRPB. Thereafter, the Sub-Regional Plans would stand amended.

4. However, NCRPB, vide memo dated 23.06.2014 issued a notice under Section 29(2) of NCRPB Act, 1985 on account of shrinkage in the NCZ areas in the State of Haryana. In the said notice, NCRPB informed that NCZ area of 1,22,113.30 hectare in 2005 has been reduced to 90,402.42 hectare in 2012. The district-wise NCZ area as worked out by NCRPB on the basis of satellite imageries is given below for ready reference:

Sr. No.	District	Area (in Hectare)	
		As per ELU 1999 (published in 2005 with RP 2021)	As per ELU 2012 (prepared for revised RP 2021)
1.	Faridabad	15,401.55	11,400.68
2.	Gurugram	19,417.29	19,215.61
3.	Jhajjar	12,661.88	7,214.07
4.	Mewat	21,657.47	17,942.62
5.	Palwal	8,180.98	5,177.64
6.	Panipat	8,762.69	6,511.46
7.	Rewari	9,898.89	9,299.99

Sr. No.	District	Area (in Hectare)	
		As per ELU 1999 (published in 2005 with RP-2021)	As per ELU 2012 (prepared for revised RP 2021)
8.	Rohtak	10,294.85	5,064.61
9.	Sonapat	15,837.70	8,575.74
Sub Region		1,22,113.30	90,402.42

Therefore, the reasons for shrinkage of NCZ area by 25.97% were sought through said notice. The detailed reply to said notice was given by the State to Member Secretary, NCRPB, New Delhi on 14.07.2014 (Annexure-A) after obtaining field reports, which is reproduced below for ready reference:

"Refer your memo No.K-14011/40/2008-NCRPB(Vol.-V), dated 23.06.2014 and in continuation of our letter no. 14805 dated 7.07.2014. The above-referred memo of NCRPB was though dispatched on 23.06.2014 and was sent through speed post, yet it has been received by the undersigned on 30.06.2014. The reasons for the delay may please be ascertained because a time bound response has been sought from the State Government. Such correspondence should ideally have been sent through email as the Board Secretariat has been doing in many cases also to avoid postal delays.

2. At the outset, it is stated that this notice is totally illegal, uncalled for, mischievous and abuse of delegated powers as demonstrated in subsequent paras. The very origin of this notice is wrong depiction of Natural Conservation Zone [NCZ] on the existing and proposed land use maps-2021 which was pointed out by the State of Haryana vide letter No. CCP(NCR)/2014/521 dated 20.03.2014 as has also been noted by you in your ibid notice. This is not a 'find' or 'revelation' by the NCR Planning Board. The comments on 20 observations regarding NCZ were sent by the Board Secretariat vide letter dated 07.04.2014 which is a direct admission of the fact that in remaining 25 cases, the Board had wrongly depicted NCZ on the land use map of revised RP-2021. This was replied to by our letter dated 11.04.2014. In the agenda papers circulated as addendum to Agenda Item No.3 pertaining to consideration of Draft Sub Regional Plan of Haryana Sub Region of NCR-2021 in the Special meeting of Board on 25.04.2014, all these facts were noted and it was mentioned that "The matter is being placed as supplementary agenda item No.1 in the Special Board Meeting". However, no supplementary agenda item was circulated by the Board as

[Signature]

itself recommended by it but while discussing the matter of delineation of Natural Conservation Zone, the Board in its Special meeting held on 25.04.2014 decided as under:-

"The Board decided that NCZ in NCR be delineated by each participating State based on detailed ground truthing, along with verification of State revenue records. This exercise should be carried out by a team of Officers consisting of NRSC, participating State Governments and NCRPB within 30 days. Thereafter, the SRP would stand amended."

Hence, without undertaking the exercise of ground truthing which was to be initiated by the NCR Planning Board, issuance of notice on the basis of these alleged 20 variations, which were pointed out by the Haryana Government itself, is against the specific decision of the Board and hence is illegal in the eyes of law.

3. This notice has been issued despite the fact that the State Government and the Haryana Cell have been pointing out discrepancies with respect to the depiction of NCZ areas in the Regional Plan-2021. This fact is evident from the series of correspondence like letter dated 11.04.2014 and 21.04.2014 from the Principal Secretary to Government Haryana, Town & Country Planning Department and letter dated 24.04.2014 from Director General, Town & Country Planning, Haryana. It was time and again pointed out that the NCZ areas identified in the Regional Plan notified in the year 2005 and Revised Regional Plan need to be checked on the ground because at no. of locations, these have been designated in the areas where buildings/institutions were existing much prior to notification of Regional Plan in the year 2005. The State Government was and is conscious of this fact that some of the Natural Conservation Zones have been marked within the urbanizable area of the Development Plan in utter disregard of the principles laid down in the RP-2021 as well as revised RP-2021 for identifying the Natural Conservation Zone. This matter was discussed in the 3rd Planning Committee meeting held on 20.02.2014 wherein despite the fact that the Board Secretariat has committed irregularity in showing Natural Conservation Zone on the land use maps in utter disregard of its own principles enumerated in RP-2021 and Revised RP-2021, suggestion was given that the Natural Conservation Zones falling

Agreed

in the urbanizable zone/notified SEZs will be compensated elsewhere by the State Government by designating the area as NCZs in the Sub Regional Plan to retain the total area of Natural Conservation Zone as it is which showed honest intentions of the State of Haryana in this regard. However, this proposal was not accepted by the Planning Committee. Consequently, the State Government accepted the recommendations of the Planning Committee and accordingly, the Sub Regional Plan for the Haryana Sub Region of NCR has been prepared and finalized. A foot note has been added in the proposed land use plan of Sub Regional Plan that wherever the NCZ has been provided in the Revised Regional Plan, the same will be incorporated in the Sub Regional Plan. Therefore, the intent of the State Government is not to violate the provisions of the Regional Plan.

4. In the above background, it is very clear that the concern of the State Government regarding discrepancies of the Natural Conservation Zones depicted in the Regional Plan viz-a-viz situation at the ground have been brought to the knowledge of Board Secretariat a number of times. The Board Secretariat has taken note of this concern and accordingly, the matter was placed before the Board. Therefore, the issuance of notice under section-29(2) is blatant violation of the decision taken by the Board in its meeting on 25.04.2014.

5. The insistence and efforts of the Board Secretariat in establishing the violations by the State Government culminating into issuance of the notice under section 29(2) are unfathomable because the Board Secretariat itself has kept quiet about the remaining 25 locations which were also subject matter of the letter dated 20.03.2014. Therefore, it is amply clear that the Board Secretariat without going into the merits of the issues raised by the State Government is hell bent upon to prove that the State Government is committing violations of the Regional Plan-2021, whereas the State Government all along has given assurance that the sanctity of the Regional Plan/Revised Regional Plan-2021 will be maintained. The State Government has even gone a mile further by providing that till such time the matter is resolved by actual ground truthing in accordance with the decision taken by the Board in its meeting held on 25.04.2014, the provisions of Regional Plan with respect to NCZ will be adhered to. Moreover, the State has also agreed to keep the restriction of 500 mtrs.

around Mangar-Bani; till minutes are placed before the Board for confirmation as same have been wrongly recorded and would comply with the final decision.

6. It is very unfortunate that instead of following the due process for ground truthing and adhering to the timeline decided by the Board and before verification of facts, a notice under section 29(2) has been issued with respect to 20 locations which were subject matter of letter dated 20.03.2014 and which formed the basis for above referred decision of the Board. Such course of action by the Board Secretariat raises serious doubts regarding its true intentions, because the conclusion as drawn in 20 cases referred in the memo dated 23.6.2014 (Annexure-I) are not on the basis of any field visit by the officers from the Board Secretariat nor have been looked into by the Committee constituted for such purpose by the Board itself. It needs to be pointed out here that some of the discrepancies pointed out by the State Government do not need even ground truthing. For example the National Security Guard (NSG) Campus at Manesar was established/developed in eighties in the last century. Location and importance of this Campus is known to the Board Secretariat. Admittedly, the Natural Conservation Zone was first notified/shown on the proposed land use 2021 on 17.09.2005 and this prestigious institution was set up much before 17.09.2005. Then in that situation, what action, the Board Secretariat expects the State Government to take against this National Institution having important role in National security? Likewise National Brain Research Institute at Manesar was dedicated to the Nation by the then H.E. President of India in year 2003, still it is designated as NCZ. Similarly, the National Institute of Financial Management is existing since 1993, but still the Board Secretariat is insisting that developments have come up after publication of Regional Plan-2021 on 17.09.2005 and has been included as violation in the notice. Similarly, some of the buildings like Tehsil Complexes, Colleges and other public buildings which are located within the towns/abadies and were constructed in seventies and eighties of the last century as is evident from the foundation/inauguration plaques placed in these buildings, but these have also been designated as NCZs and have been included as violations in the notice. In one of the cases, the Board Secretariat is insisting that developments have come up after publication of the Regional Plan-2021; the project, in fact was

undertaken with the financial assistance of NCRPB itself in the year 2001.

Even a residential colony namely Green Field Colony exempted from the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 in the year 1982 and one temple known to be existing for last about 100 years have been shown as violation. This shows that the Board Secretariat has been blind to the facts and has been totally careless and insensitive towards situation of the ground and has scant regard for the decision of the Board itself to carry out ground truthing in respect of depiction of Natural Conservation Zone on the land use maps.

7. It has also been noticed that uniform approach has not been followed while depicting the NCZ's and built up areas. Whereas number of NCZ's have been designated in thickly built up areas/urbanizable areas but one exempted colony namely Kant Enclave in District Faridabad which has very sparsely built up area, has been shown as built up area in the proposed land use map enclosed with the Revised Regional Plan-2021. In fact, in this colony of about 425 acres, only 32 no. of residential houses, 3 no. of water tanks and 2 no. of tubewells have been constructed till date. Hence, by no stretch of imagination it can be designated as built up area specially when the colonizer has lost the case in the Hon'ble Supreme Court but has again filed an IA. Depiction of a large area of the said colony as built up area in the proposed land use map enclosed with the Revised Regional Plan-2021 even when there is no construction on ground, is an attempt to give undue and huge benefit to the private colonizer and illustrates the dishonest intentions of the concerned officials of the Board Secretariat. This clearly indicates that the ground realities have not been taken into consideration either due to lack of seriousness in preparing the existing land use plan and consequently in designation of NCZ's or due to some extraneous considerations.

8. No one in the State had ever imagined that such areas will be designated as NCZs on the basis of perception gathered from the satellite imageries. Instead of making corrections in these unwarranted mistakes, the State is now being threatened with a notice. Needless to mention that the State Government has already nominated the officers to be associated in ground truthing in the Committee referred above. The delay in completing the task as assigned by the Board squarely lies with the Board

Secretariat because it has to initiate the process of ground truthing with respect to the NCZs:

9. The issue of locating the NCZ within the property/ownership of private individuals is against the fundamental right to property, therefore, needs to be taken very seriously. Mere depiction of NCZ on the basis of satellite imageries in the areas where buildings are in existence before finalization of Regional Plan and the stubborn attitude of the officers of the Board to keep on insisting that these developments have come after publication of Regional Plan-2005, without verifying the facts from the field, raises serious questions regarding the intent of these officers.

10. It may not be out of context to mention here that the NCRFB has been constituted with the consent of each participating State. The States have equal stakes in achieving the objectives of formulation of this Board and to implement the decisions of the Board in its true spirit. The State Government has already given its commitment that the sanctity of NCZ areas as proposed in the Regional Plan-2021 will be adhered to. Therefore, the issuance of show cause notice, in utter disregard of the decision of the Board and commitment of the State Government, goes against the spirit of constitution of Board, hence, needs to be immediately withdrawn. Therefore, instead of issuing the notice in haste, it would have been appropriate that the committee constituted for the purpose should have been activated by the Board Secretariat and the factual status on ground as communicated by the State Government should have been verified before reaching at any conclusion. This verification would have enabled the Board to make necessary changes in Revised Regional Plan-2021 and consequently by the State Government in the Sub Regional Plan of Haryana Sub Region of NCR-2021.

11. The cases referred to in Annexure-I of your letter dated 23.06.2014 have again been got verified at site and the comments with respect to each of the case have been prepared and are attached as Annexure-'A'. Photographs of the sites have also been obtained and are enclosed. The facts and circumstances referred against each of the case treated to be violation by the Board Secretariat indicate that the issue of identifying the Natural Conservation Zone is being treated in a very casual manner by the

Board Secretariat and a serious issue is being trivialized. Conclusions have been drawn without going into the facts and details either provided by the Department or which are already available in the Board. Since the Board Secretariat was so much concerned regarding violations of Natural Conservation Zone designated areas, it would have been appropriate that these sites should have been visited along with the officers of the State Government and factual position should have been ascertained before reaching at definite conclusions treating these as violations.

12. In Para No.5 of the *ibid* notice dated 23.06.2014, an analysis has been done in depiction of Natural Conservation Zone area as per land use in RP-2021 notified in 2005 and as per existing land use 2012 which indicates that a huge reduction of 31710.89 hectares has been done in the area shown as Natural Conservation Zone in the Haryana Sub Region. The Board is aware of the fact that the State of Haryana never requested for reduction in the area ear-marked as Natural Conservation Zone. Rather, it has been clearly stated in our communication dated 20.03.2014 that the State remains fully committed to the concept that the natural features identified as environmentally sensitive areas need to be developed as per broad policies described in the Plan. This huge reduction of 31710.89 hectare by the NCR Planning Board on the basis of their own exercise is an admission of the fact that the earlier depiction in the land use Plan in the RP-2021 notified in 2005 was erroneous and against the principles laid down in the RP-2021. The Board has failed to explain as to why and how this huge reduction has been done by it suo-moto. The State Government has only pointed out that the depiction of Natural Conservation Zone should be in accordance with the principles laid down in RP-2021 as well as RRP-2021 and to support its arguments, an illustrative list of 45 cases along with documentary evidence was provided on which the Board, after careful consideration, decided to go for time bound ground truthing which unfortunately has not been initiated by the NCR Planning Board till date. Since the State of Haryana has no role to play in reduction of Natural Conservation Zone areas as shown in Para No.5 of the notice, it should not have formed part of the notice at all. By showing this change analysis, an attempt has been made to show as if this huge reduction has been done at the initiative of State of Haryana which it is not. Rather, thankfully the correction has been made by the Board Secretariat realizing that it had

Page 24 of 22

wrongly depicted huge area as Natural Conservation Zone earlier in total disregard of principles laid down for identification of Natural Conservation Zone. Unfortunately, the same inconsistencies persist in the revised depiction also which will hopefully be corrected soon after ground truthing.

13. Moreover, the mandate secured by the Board Secretariat to issue such notices is based on the supplementary agenda placed before the special meeting of the Board on 25.04.2014. The main reason was that wherever developments are being carried out and which are inconsistent with the Regional Plan and amount to violation, notices are to be issued because the time gap between the Board meetings is minimum six months. In the present case, no violation after the said Board meeting has been alleged; rather the discrepancies pointed out by the State Government and duly taken cognizance by the Board in the aforesaid meeting have been considered as violations and a notice has been issued. Therefore, the notice is not only unwarranted but is total abuse of the delegation granted by the Board in this regard.

In view of the above, it is requested that the above notice dated 23.06.2014 be immediately withdrawn and the matter may also be placed before the Board to 'censure' the Board Secretariat; since the State Government firmly believes that issuance of this Notice is gross misuse of the delegated powers. It is further requested that ground truthing exercise should be undertaken at once as the large number of people are facing great inconvenience due to wrongful depiction of their areas as Natural Conservation Zone at present. We have given commitment to abide by the depiction done by the NCRPB as at present till ground truthing is done. Therefore, any delay in carrying out corrections may give rise to numerous litigations for which the Board Secretariat will be squarely responsible."

Alongwith the said reply, the documentary evidences about wrong depiction of NCZ by NCRPB were also provided. It was also stated that the State of Maryana has no role to play in reduction of NCZ areas as referred in the notice. This aspect regarding non-validity of the NCZ areas on the basis of satellite imageries can also be very well apprehended by the fact that in Gurugram, an area measuring 19,417 and 19,215 hectare was categorized as NCZ in the Existing Land Use (ELU)-1999 & 2012, respectively.

Moreover, in case of Rohtak, the areas identified in the ELU-2012 as NCZ are altogether different from the areas identified under NCZ in ELU-1999. These discrepancies have been cropped up due to the reason that neither the NCZ areas were marked on the Regional Plan after ground truthing and nor it was supported by revenue-based boundaries which could assist in delineation of NCZ at site. Please see 'Annexure-K'.

5. Further, in compliance of decision of Special Board Meeting held on 25.04.2014, referred at para 3 above, the NCRPB, vide letter dated 12.08.2014 issued the Terms of Reference (ToR) for ground truthing of NCZ and for this purpose constituted a committee under the Chairmanship of Principal Secretary concerned of the participating States having representative of MoEF&CC, NCRPB and NRSC along with officers of Forest Department, Revenue Department, Mining Department of State Government and concerned Deputy Commissioners as members of the Committee. A copy of ToR is enclosed as 'Annexure-B'.

6. Immediately after receipt of ToR, the State took up the matter on priority and the 1st meeting of the Committee, constituted for ground truthing of NCZ, was held on 25.08.2014, wherein it was decided that NCZ indicated in RP 2021 AD may be adopted only as references to initiate the study. Nine District Level Sub-Committees were constituted under the Chairmanship of concerned Deputy Commissioners to carry out the ground truthing, which was consisting of officers from Forest Department, NRSC, NCRPB, MoEF, Mining Department and T&CP. The DTPs of the nine Districts were instructed to submit the final certified report as approved by the Sub-Committee. It is relevant to mention here that though the initial meetings of the SLC-NCZ and ground truthing by DLSC were attended by the representatives of NCRPB, MoEF&CC and NRSC; however, subsequently the participation of these organizations in the meetings of SLC-NCZ as well as ground truthing being carried out by respective DLSCs had been negligible despite notices to attend being sent every time for the meeting(s).

7. The issue relating to ground truthing of NCZ was again discussed in the 37th meeting of NCRPB held on 04.12.2017, wherein the Board directed the NCR participating States to examine the revenue records and carry out the ground truthing. Accordingly, the directions were given to all concerned Deputy Commissioners & DTPs on 20.02.2018 to ensure completion of the ground truthing of 'yet to be decided' pockets of NCZ by the respective District Level Sub-Committees. The resurvey of these pockets has been carried out by field offices and as per report the area under NCZ is as under:

(Area in Hectares)

District	As per ELU 1999	As per ELU 2012	As per ground truthing
Faridabad	15,401.55	11,400.68	12,517.84 (Increase over 2012)
Gurugram	19,417.29	19,215.61	15,083.06
Jhajjar	12,661.88	7,214.07	2,226.32
Mewat	21,657.47	17,942.62	17,441.56
Palwal	8,180.98	5,177.64	3,257.03
Panipat	8,762.69	6,511.46	1,763.13
Rewari	9,898.89	9,299.99	8,732.21
Rohtak	10,294.85	5,064.61	794.85
Sonapat	15,837.70	8,575.74	2,568.66
Total	1,27,113.30	90,402.42	64,384.66

8. Here, it is also to mention that the State had been repeatedly requesting NCRPB for clarification relating to applicability of the MoEF Aravalli notification dated 07.05.1992 on the areas not specified in the said notification. With reference to meeting held under the Chairmanship of Secretary, MoUD on 16.08.2016 and 16.09.2016, vide memo dated 29.12.2016 (Annexure-C), addressed to Member Secretary, NCRPB, New Delhi, it was reiterated by the State that the term Aravalli range/hills doesn't exist in revenue records. The hills and land parcels associated with hills are recorded as Gair Mumkin Pahar in revenue records. However, there are certain pockets which are recorded as Gair Mumkin Pahar, but actual uses such as agriculture, roads, building etc. have been prevalent for decades and therefore, these pockets may be categorized as per ground realities. The issue was raised by State of Haryana during the 37th Board meeting of NCRPB held on 04.12.2017 that the notification of Aravali dated 07.05.1992 is to be followed completely and in its letter and spirit and thus for inclusion of any area not specified in the notification under NCZ, the same must be part of either the instant Aravali Notification or any other Statute/Rule/Notification etc. However, the above said views of the State were not correctly reflected in the minutes of the Board meeting and thus for its inclusion in the minutes, a reference vide Principal Secretary, Town & Country Planning, Haryana, Chandigarh dated 01.03.2018 was issued with a request for modification of minutes.

Therefore, a clear decision on the issue of applicability of Aravali notification is required, which is still awaited. Moreover, it was also stated in the above reference that the Aravalli notification permits certain activities with the permission of MoEF&CC, while the NCZ defined in the RP-2021 provides for the construction activities only upto 0.5% for Regional Recreational activities. Moreover, all the States including NCT

Delhi should be put to same parameters of NCZ. Hence, these issues are yet to be sorted out despite follow up by subsequent correspondences by the State, as mentioned below:

- a) DO letter dated 30.12.2016 (Annexure-D) written by the then Additional Chief Secretary, Town & Country Planning, Haryana, Chandigarh to Secretary, MoUD, New Delhi;
- b) DO letter dated 19.01.2017 (Annexure-E) written by Hon'ble CM, Haryana to Hon'ble Union Minister of Urban Development, New Delhi;
- c) Memo dated 15.06.2017 (Annexure-F) written by Principal Secretary, Town & Country Planning, Haryana, Chandigarh to Secretary, MoUD, New Delhi;
- d) Memo dated 29.11.2017 (Annexure-G) written by Principal Secretary, Town & Country Planning, Haryana, Chandigarh to Member Secretary, NCRPB, New Delhi.
- e) Memo dated 01.03.2018 (Annexure-L) written by Principal Secretary, Town & Country Planning, Haryana, Chandigarh conveying observations on the minutes of NCRP Board meeting dated 04.12.2017 to Member Secretary, NCRPB, New Delhi.

35. Further, it has been observed that there are certain areas, wherein the mining was being done earlier but banned in the year 2002 due to orders of Hon'ble Court. Since, the matter is still *sub-judice*, therefore, the final status of the area will be clear after the decision of the Hon'ble Court and outcome of appeal, if any, as the recommendations for keeping certain area open for mining already stands given by CEC, MoEF&CC and the State Government in Hon'ble Apex Court. Accordingly, the recommendations have been given by the DLSCs as per ground-truthing of the area and the connected revenue record, whose status may be finalized after decision of Hon'ble Apex Court. It is also stressed here that Environmental Clearance (EC) for mining in these areas is a prerequisite as per law & policy.

9. The detailed district-wise recommendations of the ground-truthing reports carried out by the respective DLSCs keeping in view the components of NCZ enumerated in RP-2021, is enclosed (Annexure-H) for necessary reference, along with the issues involved therein. In view of the same, it is to inform that the ground-truthing of NCZ areas have been carried out by the State and the same are being examined and will be finalized after approval of State Level Committee (SLC) for ground-truthing of NCZ and only thereafter the final area under NCZ will be communicated. The area, so finalized under NCZ, will have to be incorporated in the Regional Plan of NCR also.

10. Regarding conformity of SRP-2021 AD with Regional Plan, it is to inform that in the special Board meeting of NCRPB held on 25.04.2014, it was decided that the NCZ in NCR will be delineated by the participating States based on detailed ground-truthing, alongwith verification of State revenue records and thereafter the SRPs would stand amended. The relevant extract of minutes of said meeting is placed at (Annexure-I) for ready reference. In view of above, the SRP-2021 AD for Haryana Sub-Region was finalized by the State on 28.05.2014 after due consideration of observations of NCRPB as well as of MoEF&CC as conveyed by NCRPB, which was confirmed by the State vide memo dated 28.05.2014 (Annexure-J) while intimating NCRPB about publication of above said SRP. Accordingly, after finalization of ground-truthing reports of NCZ, the same will be incorporated in the published SRP after getting the NCZ sites geo-referenced.

11. In view of above, it is apparent that the area under NCZ was never final in the Regional Plan as the same were shown without any ground-truthing or site verification. Therefore, the question regarding variation in the NCZ doesn't arise. Instead, the NCZ area to be finalized by the SLC, on the basis of the recommendations of the District Level Sub-Committees (DLSCs), after conducting the detailed ground-truthing exercise should be adopted as reference for having any assessment about variation in the NCZ areas. As on date, the State is of the view that the apprehension of the NCRPB/MoEF&CC about reduction in NCZ areas doesn't have any merit as in the past there have never been ground-truthing exercise to ascertain the exact extent of NCZ areas. Therefore, the areas likely to be finalized shortly by the SLC under NCZ are proposed to be adopted in the RP/SRP as well as the reference point for measuring any variation in the NCZ areas and till then the reports of the DLSCs are being forwarded for information and necessary action.

DA/As above.

[Signature] 12.7.19
Principal Secretary to Govt. Haryana
Town & Country Planning Department
Chandigarh

Endst. No. CCP (NCR)/271-Vol-III/2019/

Dated:

A copy is forwarded to the Member Secretary, National Capital Region Planning Board, India Habitat Centre, Lodhi Road, New Delhi for information and necessary action.

DA/As above.

[Signature]
Principal Secretary to Govt. Haryana
Town & Country Planning Department
Chandigarh

GOVERNMENT OF NCT OF DELHI
DEPARTMENT OF FORESTS & WILDLIFE
A-BLOCK, 2ND FLOOR, VIKAS BHAWAN, IP ESTATE, NEW DELHI-110002

F.No.8(352)/Forest/Plg/2012-13/Vol-III/Pt-A/3333

Date: 02 May 2019

To,

Sh. Shrawan Kumar Verma
Dy. Inspector General of Forests
Ministry of Environment, Forests & Climate Change
Government of India
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi-03

Sub: Status report variation of Natural Conservation Zone (NCZ) in Delhi-reg.

Sir,

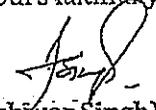
This is with reference to the delineation of Natural Conservation Zone in Delhi. In this regard, please find attached herewith a status report regarding variation of Natural Conservation Zone (NCZ) in NCT of Delhi received from DDA through e-mail on our request. It describes the follows:

1. The area under NCZ in the year 1999 (evaluated in 2005) as per National Remote Sensing Report.
2. The area under NCZ in year 2012 as per National Remote Sensing Centre (NRSC) report
3. Difference in area (shrinkage) as per detail ground truthing by the states and reasons for the same.

As land under NCZ is under the jurisdiction of different departments and process of ground truthing is in progress, the precise area change can be furnished once ground truthing is over.

Encl. A/A

Yours faithfully


(Ishwar Singh)
PCCF & HoD

Status Report- Variation of Natural Conservation Zone (NCZ) in NCT Delhi

1. In Master Plan 2021, there is no terminology as "Natural Conservation Zone". MPD 2021 provides different land use categories such as "Recreational" (Regional Park, District Park, City park, Community Park, Historical Monuments) and Green belt/ and Water body (Plant Nursery, green belt/agricultural Green). In addition to these land use categories, the recreational area can also be part of other land use such as Industrial, Residential etc, DDA has developed and maintaining large green areas in NCT Delhi.

NCZ as per MPD 2021 : As per table 1.0 of Chapter 1.0-Regional and Sub-Regional Frame Para 1.3 of MPD 2021, area for Natural Features (Forest, Wild Life Sanctuary, Ridge, River Yamuna and Other Water Bodies/Drains) is considered as 19509.10 Ha (13.16 % of NCT area)

Table 1.0: Availability of Urbanisable Land in NCT-Delhi for 2021

Sl.No.	Land Use	Area (Ha)	Percentage of Total Area (%)
1	Total Geographical Area - NCT Delhi	148300	100
2	Built-up Area (As per IRS (CIS-3 III-Satellite Data 1999)	70162	47.31
3	Natural Features (Forest, Wild Life Sanctuary, Ridge, River Yamuna and Other Water Bodies /Drains)	19509.10	13.16
4	Sub- Total (Built-Up + Natural Features)	89671.10	60.47
5	Balanced land available in NCT - Delhi (1-4)	58628.90	39.53
6	Land to be kept reserved for:		
	(i) Disposal of Solid Waste generated up to 2051 (sanitary landfill & statutory green belts)	10000	6.74
	(ii) Metro Services / Utilities e.g. power plant, grid station water and sewerage treatment plant, etc.	10000	6.74
	(iii) Agriculture zone in NCT Delhi including dairy farming, horticulture, greenbelts etc.	11000	7.42
7	Sub Total - 6	31000	20.90
8	Proposed/Actual Land available for urbanization (5-7)	27628.90*	18.63
9	Total Urbanisable area 2021 (including built up area 1999) (2+8)	97790.90	65.94
10	Population, which can be accommodated in 97790.90 ha. @ 225 PPH = 220 lakh		

*This included unplanned and existing built up area.
Source: NCR Plan 2021

2. MPD 2021 was prepared on the base map of Survey of India sheet (year 2001) in the scale of 1:10,000 wherein it was tried that all natural features are considered in planning to the extent possible.

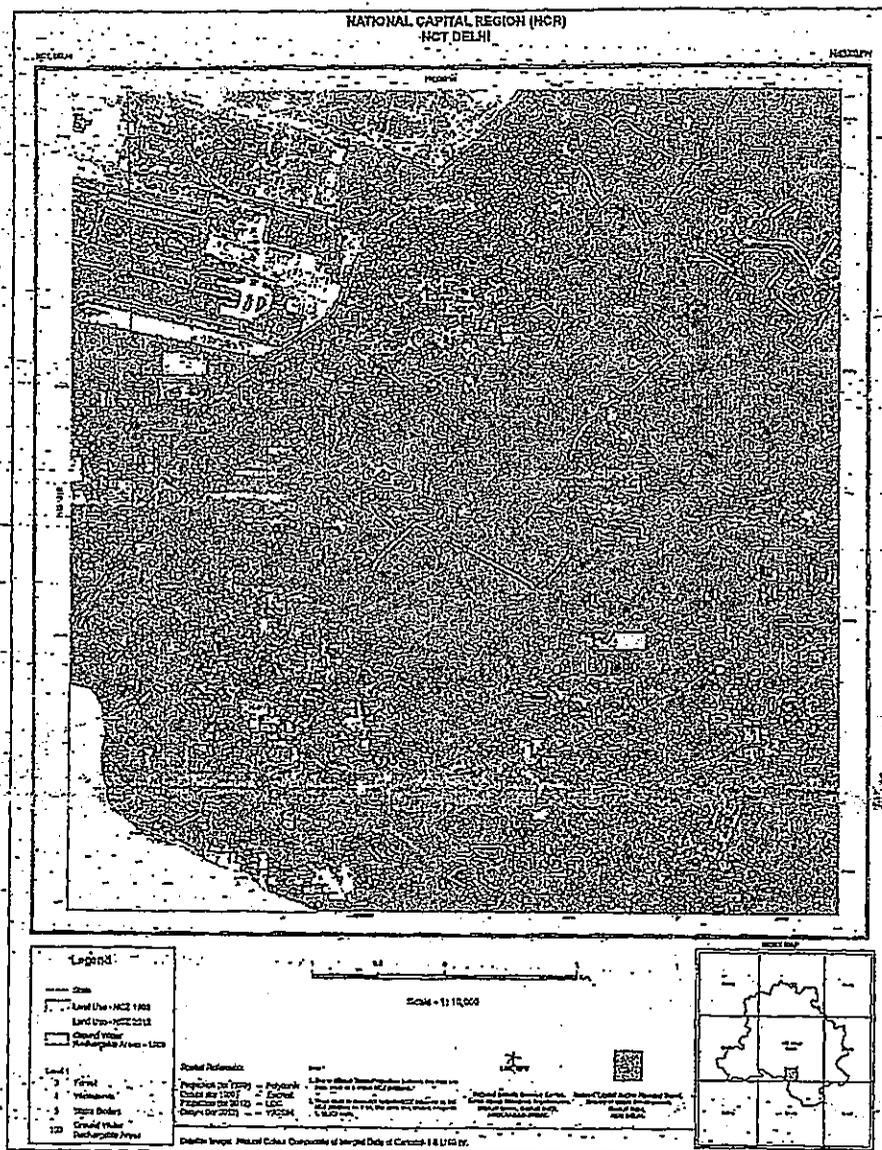
3. Natural Conservation Zone (NCZ) as proposed in the NCR Plan 2021 was incorporated in revised draft chapter 9.0 on 'Environment' of MPD 2021 in para 9.4.5 "Natural Conservation Zone (NCZ). The chapter is under consideration of MoHUA and is still not notified.

4. Natural Conservation Zone has been mentioned in the approved & notified Zonal Development Plan of River Yamuna/ River Front, Zone O (in para 5.4) as the Regional Plan-2021 has identified river zone as natural conservation zone and recommends that the water bodies be kept free from any encroachment/development to allow free flow of water

5. Following table indicates about 14.43% variations (reduction) in NCZ area on NCT Delhi as per NRSC analysis on variation in NCZ in NCR Participating States as supplied by NCRPB:

LAND USE CLASSES	2003	2012	Area Variation (Ha)	Area Variation (%)
Forest	7008.67	5910.27	1098.40	-15.67
Wastelands	5474.39	4849.14	625.25	-11.42
Water bodies	2909.69	2250.85	658.83	-22.64
Ground water rechargeable area	44.31	44.37	-0.05	0.12
Total NCZ area	15437.06	13054.63	2382.43	-15.43
%NCZ to Total Area	10.41	8.80		

6. Delineation of Natural Conservation Zone in Delhi was discussed in 33rd meeting of NCRPB held on 01.07.2013 under the Chairmanship of Hon'ble Minister for Urban Development. To delineate Natural Conservation Zone in Delhi as identified by NCRPB, Satellite imagery (1:10,000 scale) of NCZ as per the draft RP-2021 was obtained through NCRPB/UD Dept, GNCTD in the year 2015 and superimposed on approved Land Use Plans of MPD-2021/ ZDPs by GIS unit, DDA. Image on next page is the example of one part of the satellite image of 2012 as received in DDA with yellow polygon as NCZ of year 1999 and green polygon as NCZ of year 2012.



7. Subsequently after ground truthing and interdepartmental meetings of DDA, updated status was submitted to Chief Regional Planner, NCRPB with a copy to Spl. Secretary (Works/PWD), GNCTD vide letter no. F. 15 (10)2012/MP/D-14 dated: 02/06/16 along with consolidated zone wise 156 NCZ pockets details for NCZ as per year 2012.

List of 156 NCZ pockets falling in Delhi is as below:

NATURAL CONSERVATION ZONES REVISED REGIONAL PLAN (2015)

S.NO	FID_NCZ	Zone Name	MPD 2021 -LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
1	58	B	SPECIAL AREA TRANSPORTATION	RECREATIONAL TRANSPORTATION RESIDENTIAL	14.49	ROAD DISTRICT PARK /MULTIPURPOSE
2	59	B	SPECIAL AREA	PUBLIC & SEMI PUBLIC	1.68	FACILITY CENTER
3	60	B	SPECIAL AREA	RESIDENTIAL	0.12	
4	61	B	SPECIAL AREA TRANSPORTATION	COMMERCIAL TRANSPORTATION RECREATIONAL RESIDENTIAL	17.5	ROAD, DISTRICT PARK/MULTIPURPOSE
5	55	B & D	RECREATIONAL TRANSPORTATION PUBLIC & SEMI PUBLIC RESIDENTIAL	RESIDENTIAL RECREATIONAL	736.84	ROAD REGIONAL PARK HOSPITAL SOCIO CULTUAL (SC) RELIGIOUS
6	8	C	RECREATIONAL	RECREATIONAL RESIDENTIAL	2.02	DISTRICT PARK
7	9	C	RESIDENTIAL	RESIDENTIAL, TRANSPORTATION	9.75	ROAD
8	10	C	RESIDENTIAL	RESIDENTIAL TRANSPORTATION	3.1	ROAD
9	11	C	PUBLIC & SEMI PUBLIC RECREATIONAL COMMERCIAL TRANSPORTATION	RESIDENTIAL COMMERCIAL TRANSPORTATION	7.65	DISTRIC CENTER
10	12		PUBLIC & SEMI PUBLIC RESIDENTIAL RECREATIONAL WATER BODY UTILITIES TRANSPORTATION COMMERCIAL	RESIDENTIAL PUBLIC & SEMI PUBLIC RECREATIONAL WATER BODY UTILITIES COMMERCIAL	255.1	TRANSPORTATION TRANSMISSION CENTER, CITY PARK DISTRICT PARK COMMUNITY PARK
11	62	C	RECREATIONAL PUBLIC & SEMI PUBLIC TRANSPORTATION	RECREATIONAL PUBLIC & SEMI PUBLIC TRANSPORTATION	155.17	REGIONAL PARK HOSPITAL
12	63	C	RESIDENTIAL TRANSPORTATION	RESIDENTIAL TRANSPORTATION	1.31	MRTS
13	57	D	RECREATIONAL	RECREATIONAL	8.38	REGIONAL PARK
14	97	E	COMMERCIAL	COMMERCIAL RECREATIONAL	1.3	WHOLE SALE
15	98	E	COMMERCIAL INDUSTRIAL	INDUSTRIAL COMMERCIAL RECREATION TRANSPORTATION UTILITIES	3	WHOLE SALE ELECTRIC SUB STATION
16	99	E	TRANSPORTATION	TRANSPORTATION	0.17	
17	100	E	RECREATIONAL COMMERCIAL TRANSPORTATION RESIDENTIAL	RECREATIONAL WATER BODY RESIDENTIAL TRANSPORTATION COMMERCIAL	20.56	
18	125	E	RECREATIONAL	RECREATIONAL	6.36	CITY PARK DISTRICT PARK

NATURAL CONSERVATION / ZONED REGIONAL P/S (2013)						
S.NO.	FID / MCZ	Zone Name	MPD 2021 -LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
19	133	E	AGRICULTURE/GREEN BELT	RECREATIONAL AGRICULTURE/GREEN BELT	1.52	
20	134	E	AGRICULTURE/GREEN BELT	AGRICULTURE/GREEN BELT	0.94	
21	135	E	AGRICULTURE/GREEN BELT	AGRICULTURE/GREEN BELT	42.14	
22	54	F	GOVT. LAND GREEN BELT RESIDENTIAL PUBLIC & SEMI PUBLIC TRANSPORTATION COMMERCIAL	GOVT. LAND RESIDENTIAL RECREATIONAL PUBLIC & SEMI PUBLIC TRANSPORTATION	593.58	
23	65	F	RECREATIONAL TRANSPORTATION	RECREATIONAL PUBLIC & SEMI PUBLIC	189.52	DISTRICT PARK CITY PARK
24	74	F	RECREATIONAL	RECREATIONAL	4.94	CITY PARK DISTRICT PARK
25	50	F & J	URBANISABLE AREA AGRICULTURE/GREEN BELT RECREATIONAL PUBLIC & SEMI PUBLIC	RECREATIONAL, RESIDENTIAL PUBLIC & SEMI PUBLIC GOVT. LAND TRANSPORTATION WATER BODY	703.83	
26	66	F & J	RECREATIONAL TRANSPORTATION RESIDENTIAL	RECREATIONAL TRANSPORTATION RESIDENTIAL	44.42	REGIONAL PARK
27	69	F & J	RECREATIONAL TRANSPORTATION	RECREATIONAL TRANSPORTATION	72.95	REGIONAL PARK
28	110	F & J	RECREATIONAL URBANISABLE AREA PUBLIC & SEMI PUBLIC	RECREATIONAL RESIDENTIAL WATER BODY	4477.85	REGIONAL PARK SPORTS UNIVERSITY
29	115	F & J	PUBLIC & SEMI PUBLIC TRANSPORTATION	PUBLIC & SEMI PUBLIC TRANSPORTATION	2.4	
30	49	G	AGRICULTURE/GREEN BELT	AGRICULTURE/GREEN BELT TRANSPORTATION	8.99	
31	56	G	GOVT. LAND	GOVT. LAND	6.61	
32	64	G	RESIDENTIAL TRANSPORTATION	RESIDENTIAL TRANSPORTATION	6.54	
33	149	G	DRAIN RECREATIONAL	DRAIN RECREATIONAL	13.61	DISTRICT PARK CITY PARK COMMUNITY PARK
34	147	G & K-I	DRAIN	DRAIN RECREATIONAL	4.56	RIVER BED
35	148	G & K-I	DRAIN	DRAIN RECREATIONAL	18.46	
36	51		URBANISABLE AREA	RESIDENTIAL PUBLIC & SEMI PUBLIC TRANSPORTATION	92.26	
37	52	J	URBANISABLE AREA	RESIDENTIAL PUBLIC & SEMI PUBLIC	16.16	

NATURAL CONSERVATION ZONES REVISED REGIONAL PLAN (2012)						
S.NO	FID NCZ	Zone Name	MPD 2021 - LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
38	53	J	AGRICULTURE / GREEN BELT	AGRICULTURE / GREEN BELT	1.37	
39	67	J	RECREATIONAL	RECREATIONAL RESIDENTIAL	0.77	REGIONAL PARK
40	68	J	RECREATIONAL	RECREATIONAL	9.5	REGIONAL PARK
41	70	J	RECREATIONAL	RECREATIONAL	3.24	REGIONAL PARK
42	71	J	RECREATIONAL URBANISABLE AREA	RECREATIONAL RESIDENTIAL	34.57	REGIONAL PARK
43	72	J	RECREATIONAL URBANISABLE AREA PUBLIC & SEMI PUBLIC	RECREATIONAL RESIDENTIAL TRANSPORTATION	79.53	REGIONAL PARK UNIVERSITY
44	73	J	RECREATIONAL	RECREATIONAL	0.08	REGIONAL PARK
45	111	J	URBANISABLE AREA RECREATIONAL	RESIDENTIAL PUBLIC & SEMI PUBLIC RECREATIONAL TRANSPORTATION	12.02	REGIONAL PARK
46	112	J	RECREATIONAL URBANISABLE AREA RESIDENTIAL	RESIDENTIAL PUBLIC & SEMI PUBLIC RECREATIONAL AGRICULTURE / GREEN BELT TRANSPORTATION	758.44	REGIONAL PARK
47	113	J	URBANISABLE AREA	RESIDENTIAL PUBLIC & SEMI PUBLIC TRANSPORTATION	58.46	
48	114	J	RECREATIONAL URBANISABLE AREA	RECREATIONAL AGRICULTURE / GREEN-BELT WATER BODY	80.99	REGIONAL PARK
49	116	J	RECREATIONAL	RECREATIONAL	5.08	REGIONAL PARK
50	117	J	URBANISABLE AREA	RESIDENTIAL	0.44	
51	118	J	URBANISABLE AREA	RESIDENTIAL	1.07	
52	150	J	RECREATIONAL	RECREATIONAL	6.39	REGIONAL PARK
53	153	J	RECREATIONAL PUBLIC & SEMI PUBLIC	RECREATIONAL INDUSTRY TRANSPORTATION	7.67	UNIVERSTIY REGIONAL PARK
54	155	J	RECREATIONAL	RECREATIONAL	0.95	REGIONAL PARK
55	28	K-I	URBANISABLE AREA	RESIDENTIAL	7.19	
56	29	K-I	URBANISABLE AREA	PUBLIC & SEMI PUBLIC	3.67	
57	30	K-I	URBANISABLE AREA	RESIDENTIAL	1.28	
58	140	K-I	DRAIN	RESIDENTIAL, DRAIN	6.85	RIVER BED
59	141	K-I	DRAIN	DRAIN	1.35	RIVER BED
60	142	K-I	DRAIN	DRAIN	7.58	RIVER BED
61	143	K-I	DRAIN	DRAIN	3.59	RIVER BED
62	144	K-I	DRAIN	DRAIN	22.98	RIVER BED
63	145	K-I	DRAIN	DRAIN	1.21	
64	146	K-I	DRAIN	DRAIN	1.96	
65	152	K-I	DRAIN	DRAIN	1.04	RIVER BED
66	48	K-I & L	DRAIN	DRAIN	38.24	

S.NO	FID_NUZ	Zone Name	MPD 2021 LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
67	47	K-II	AGRICULTURE / GREEN BELT	AGRICULTURE / GREEN BELT	5.44	
68	48	K-II	AGRICULTURE / GREEN BELT TRANSPORTATION COMMERCIAL	AGRICULTURE / GREEN BELT COMMERCIAL TRANSPORTATION	11.84	
69	31	L	URBANISABLE AREA	RESIDENTIAL TRANSPORTATION PUBLIC & SEMI PUBLIC RECREATIONAL	37.99	DISTRICT PARK CITY PARK COMMUNITY PARK
70	32	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT FOREST RESIDENTIAL	39.82	
71	33	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT	19.97	
72	34	L	AGRI./GREEN BELT, WATER BODY	AGRI./GREEN BELT WATER BODY RECREATIONAL	32.32	DISTRICT PARK CITY PARK COMMUNITY PARK
73	35	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT	17.86	
74	36	L	URBANISABLE AREA	TRANSPORTATION PUBLIC & SEMI PUBLIC RESIDENTIAL RECREATIONAL	25.55	DISTRICT PARK CITY PARK COMMUNITY PARK
75	37	L	URBANISABLE AREA	PUBLIC & SEMI PUBLIC TRANSPORTATION	6.3	
76	38	L	URBANISABLE AREA	RECREATIONAL RIVER RESIDENTIAL TRANSPORTATION PUBLIC & SEMI PUBLIC	63.54	
77	39	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT	4.11	
78	41	L	AGRI./GREEN BELT, WATERBODY	AGRICULTURE/GREEN BELT WATER BODY	31.1	
79	42	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT	12.06	
80	43	L	AGRICULTURE / GREEN BELT	AGRICULTURE/GREEN BELT TRANSPORTATION	7.81	
81	44	L	AGRICULTURE / GREEN BELT	FOREST RESIDENTIAL AGRICULTURE/GREEN BELT WATER BODY	59.13	
82	45	L	URBANISABLE AREA	TRANSPORTATION, RESIDENTIAL, PUBLIC & SEMI PUBLIC	8.89	
83	27	M & H	UTILITY, RECREATIONAL, RESIDENTIAL	UTILITIES, RECREATIONAL	58.76	

37

NATURAL CONSERVATION ZONES (REVISED REGIONAL PLAN 2011)						
S.NO	FID_N CZ	Zone Name	MPD 2021 - LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
84	22	N	URBANISABLE AREA	RESIDENTIAL	9.02	
85	23	N	AGRICULTURE / GREEN BELT	GREEN BELT	12.23	
86	24	N	AGRICULTURE / GREEN BELT	GREEN BELT	9.43	
87	25	N	URBANISABLE AREA	RECREATIONAL	78.68	
88	26	N	AGRICULTURE / GREEN BELT	GREEN BELT	6.95	
89	40	N	URBANISABLE AREA	COMMERCIAL TRANSPORTATION PUBLIC & SEMI PUBLIC RESIDENTIAL RECREATIONAL	72.61	
90	19	N & M & P-J	UTILITY RECREATIONAL COMMERCIAL TRANSPORTATION	UTILITIES COMMERCIAL AGRICULTURE/GRE EN BELT TRANSPORTATION	73.76	ELECTRICAL SUB STATION WATER TREATMENT PLANT
91	75	O	TRANSPORTATION RIVER	RIVER TRANSPORTATION RECREATIONAL	24.72	WATER BODY
92	76	O	RIVER	RIVER UTILITY	0.38	RIVER BED
93	77	O	RIVER	RIVER	17.5	RIVER BED
94	78	O	RIVER	RIVER	1.43	RIVER BED
95	79	O	RIVER TRANSPORTATION	RIVER RECREATIONAL TRANSPORTATION	7.92	RIVER BED
96	80	O	RIVER	RIVER	23.44	RIVER BED
97	81	O	RIVER	RIVER	4.55	RIVER BED
98	82	O	RIVER	RIVER RECREATIONAL	9.89	RIVER BED
99	83	O	RIVER	RIVER	9.94	RIVER BED
100	84	O	RIVER	RIVER	53.01	RIVER BED
101	85	O	RIVER	RIVER	50.37	RIVER BED
102	86	O	RIVER	RIVER	18.48	RIVER BED
103	87	O	RIVER	RIVER	40.36	RIVER BED
104	88	O	RIVER	RIVER	22.37	RIVER BED
105	89	O	RIVER	RIVER	4.1	
106	90	O	URBANISABLE AREA RECREATIONAL	RIVER RECREATIONAL UTILITIES	4.43	DISTRICT PARK CITY PARK COMMUNITY PARK
107	91	O	URBANISABLE AREA RECREATIONAL	RIVER RECREATIONAL	4.45	DISTRICT PARK CITY PARK COMMUNITY PARK
108	92	O	RIVER TRANSPORTATION	RIVER	3.3	RIVER BED
109	93	O	RIVER UTILITY TRANSPORTATION	UTILITIES RECREATIONAL RIVER TRANSPORTATION	338.12	RIVER BED WATER TREATMENT PLANT
110	94	O	RIVER	RIVER	3.62	
111	95	O	RIVER	RIVER	5.01	RIVER BED
112	96	O	RIVER TRANSPORTATION	RIVER RECREATIONAL	1.65	RIVER BED
113	101	O	RIVER TRANSPORTATION	RIVER	64.67	RIVER BED
114	102	O	RIVER	RIVER	31	RIVER BED
115	103	O	RIVER	RIVER	6.47	RIVER BED

NATURAL CONSERVATION ZONES BASED REGIONAL PLAN (ZONING)						
S.NO	FD_NCZ	Zone Name	MPD 2021 - LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
116	105	O	RIVER	RIVER	16.53	RIVER BED
117	107	O	RIVER	RIVER	5.43	RIVER BED
118	108	O	RIVER	RIVER	12.47	RIVER BED
119	109	O	RIVER	RIVER	1.66	RIVER BED
120	119	O	RIVER	RIVER	10.58	RIVER BED
121	120	O	RIVER	RIVER	1.42	RIVER BED
122	121	O	RIVER	RIVER	0.8	RIVER BED
123	122	O	RIVER TRANSPORTATION	RIVER	1.57	
124	123	O	RIVER	RIVER RECREATIONAL	1.5	RIVER BED
125	124	O	RIVER	RIVER RECREATIONAL	6.7	
126	128	O	RIVER	RIVER RECREATIONAL	1.51	RIVER BED
127	129	O	RIVER	RIVER RECREATIONAL	0.51	RIVER BED
128	130	O	RIVER	RIVER RECREATIONAL	0.65	RIVER BED
129	131	O	RIVER	RIVER RECREATIONAL	0.48	RIVER BED
130	132	O	RIVER	RIVER TRANSPORTATION	1.15	RIVER BED
131	136	O	RECREATIONAL PUBLIC & SEMI PUBLIC	PUBLIC & SEMI PUBLIC RECREATIONAL	12.41	DISTRICT PARK CITY PARK, COMMUNITY PARK
132	137	O	RECREATIONAL	RECREATIONAL	1.16	DISTRICT PARK CITY PARK COMMUNITY PARK
133	138	O	RIVER	RIVER	15.35	RIVER BED
134	139	O	RIVER	RIVER	74.99	RIVER BED
135	154	O	RIVER	RIVER	0.58	RIVER BED
136	125	D & E	RIVER TRANSPORTATION	RIVER	6.23	DISTRICT PARK CITY PARK COMMUNITY PARK
137	127	O & E	RIVER	RIVER	2.1	RIVER BED
138	104	O & F	RIVER RESIDENTIAL TRANSPORTATION	RIVER TRANSPORTATION	15.54	RIVER BED
139	106	O & F	RIVER	RIVER	6.15	RIVER BED
140	13	P-I	RECREATIONAL	RECREATIONAL	50.23	CITY FOREST
141	14	P-I	AGRICULTURE/GREEN BELT UTILITY	AGRICULTURE/GREEN BELT UTILITY	10.44	ELECTRICAL SUB STATION
142	15	P-I	INDUSTRIAL RECREATIONAL TRANSPORTATION	INDUSTRIAL COMMERCIAL RECREATIONAL TRANSPORTATION	16.58	
143	16	P-I	AGRICULTURE/GREEN BELT	AGRICULTURE/GREEN BELT	39.54	
144	17	P-I	AGRICULTURE/GREEN BELT	AGRICULTURE/GREEN BELT	47.46	
145	18	P-I	RESIDENTIAL PUBLIC & SEMI PUBLIC TRANSPORTATION	RESIDENTIAL PUBLIC & SEMI PUBLIC COMMERCIAL TRANSPORTATION	27.11	
146	20	P-I	PUBLIC & SEMI PUBLIC	PUBLIC & SEMI PUBLIC	3.8	

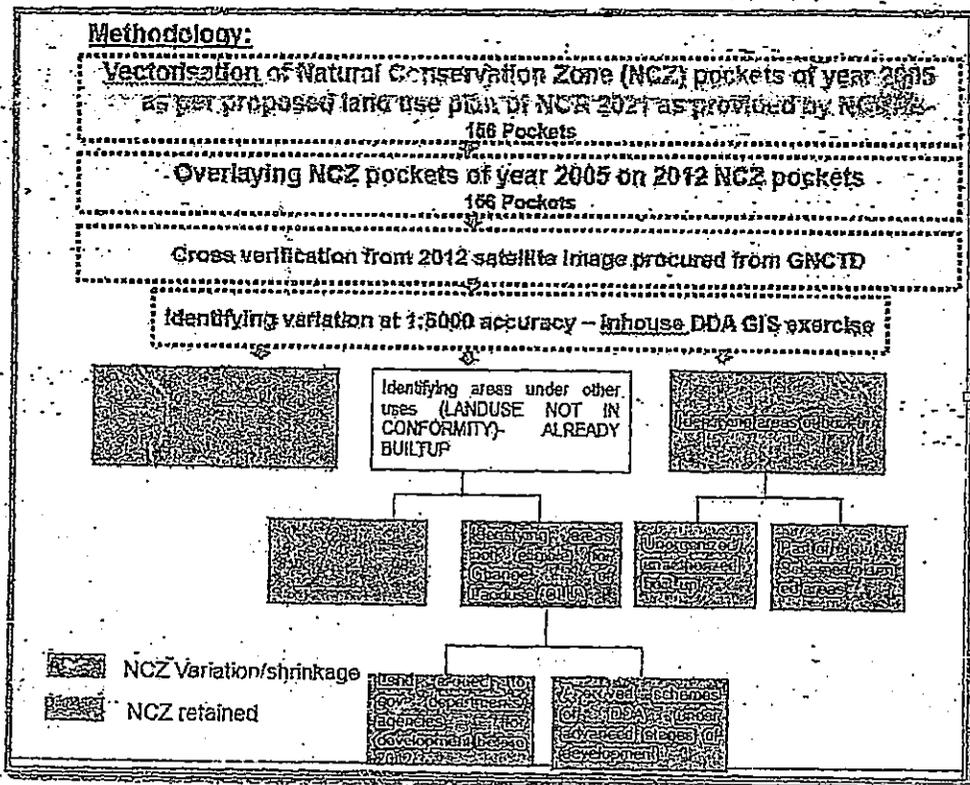
NATURAL CONSERVATION ZONE - REVISED REGIONAL PLAN (2012)						
S.NO	FID_NCZ	Zone Name	MPD-2021 LAND USE	ZDP LAND USE	Area (Ha)	REMARKS
				TRANSPORTATION AGRICULTURE/GREEN BELT		
147	21	P-I	AGRICULTURE / GREEN BELT	AGRICULTURE / GREEN BELT	23.79	
148	151	P-I	RESIDENTIAL	RESIDENTIAL	3.89	WATER BODY
149	0	P-II	URBANISABLE AREA	RESIDENTIAL	1.23	
150	1	P-II	URBANISABLE AREA	RECREATIONAL	9.3	FOREST AREA
151	2	P-II	UTILITY	RECREATIONAL UTILITIES TRANSPORTATION	25.38	SEWERAGE TREATMENT PLANT
152	3	P-II	URBANISABLE AREA	RESIDENTIAL	11.54	
153	4	P-II	RESIDENTIAL/RESIDENTIAL	RESIDENTIAL TRANSPORTATION	15.25	
154	5	P-II	URBANISABLE AREA	RESIDENTIAL	1.62	
155	6	P-II	URBANISABLE AREA	RESIDENTIAL	0.72	
156	7	P-II	DRAIN RECREATIONAL TRANSPORTATION	DRAIN RECREATIONAL TRANSPORTATION	21.19	WATER BODY
NCZ AREA MARKED ON MPD-2021 - AS PER REVISED REGIONAL PLAN -2021 (PROPOSED LAND USE MAP- 2012).					10668.37	

8. As a result of the ground truthing, it was observed that many of the sites identified at NCZ by NRSC fall on already built-up area and therefore it was communicated to NCRPB that it may not be possible for DDA to indicate all the 156 sites as NCZ. However, wherever possible available sites can be shown as "Recreational", under established hierarchy of green spaces in the MPD-2021. It was also communicated to NCRPB vide letter dated: 02/06/16 that wherever feasible both legally and physically as per site conditions, change of land use of sites will be carried out by DDA as now most of the area has been transferred to local bodies and they are now the land owning agencies, therefore a request has to come from local bodies and they have to be involved for such demarcations and land use change.

9. As the information relating to NCZ boundaries was not on vector/ digital format, images provided by NCRPB are also not geo-referenced, digitized therefore tentative superimposition has been done on the MPD-2021 land use map. It is further to state that MPD-2021 land use map is also not on vector/digital format. Therefore, the accuracy of the extent of land uses falling inside the NCZ boundaries is questionable and cannot be provided with exact percentages. However, the same is tentatively earmarked in the consolidated report submitted by DDA for all the pockets w.r.t MPD & ZDPs as mentioned above and submitted to NCRPB in the year 2016.

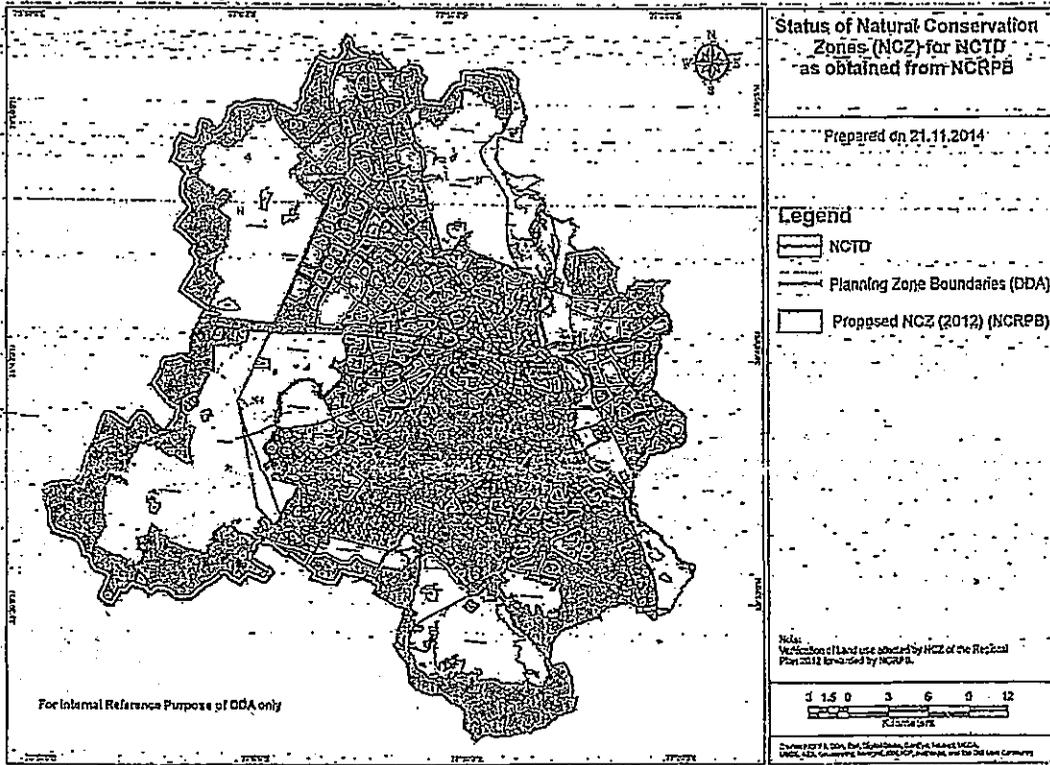
10. To ensure accuracy, it has been therefore considered very important to prepare the next MPD-2041 on GIS platform with all information in vector/digital format for which it has been clearly mentioned in the Memorandum of Understanding (MoU) signed between DDA and NIUA for developing a unified GIS based data platform for Delhi while preparing MPD-2041
11. With constraints mentioned in paras above, an exercise of revisiting the year 2016 ground truthing report has been done and an attempt has been made to find out the reasons of the shrinkage/variation in the Natural Conservation Zone in Delhi as identified by NCRPB and mentioned at para 5 above. This exercise has been done as per the directions of Secretary MoEF&CC given in the second meeting on 28/03/2019 in pursuance of order of Hon'ble NGT in OA No. 147 of 2014 (M.A.No. 436/2015 & M.A. No. 1074/2018) in the matter of Legal Aid Committee, NGT Bar Association Vs MoEF & CC.
12. It was decided in the meeting that all the state governments will provide status report for the shrinkage in Natural Conservation Zone (NCZ) in the NCR participating states to MoEF&CC. DDA was directed to analyse this shrinkage and forward to GNCTD for vetting and after validation onward submission to the Secretary, MoEF&CC for perusal.

13. Methodology:



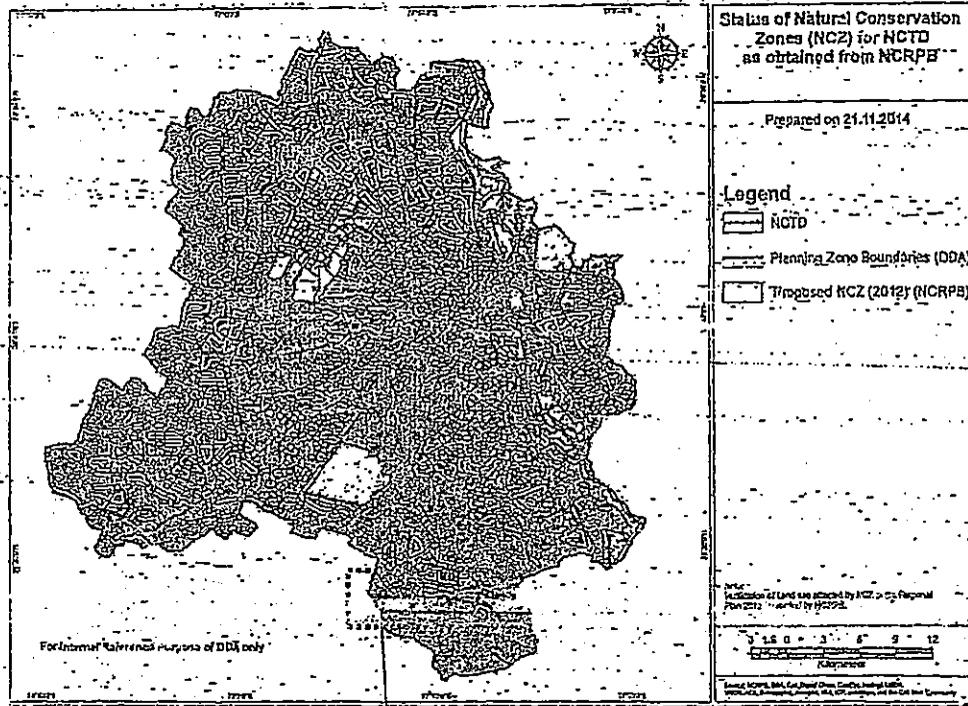
14. NCZ as per MPD 2021:

Natural Conservation Zone (NCZ) as a category of land use is proposed on Land use maps of the Regional Plan-2021 as well as the revised Regional Plan -2021 based on the NRSC satellite images. The NCZ comprises of major natural features identified as environmentally sensitive area such as Aravalli ranges, forest areas, rivers, lakes, water bodies and ground water recharging areas. As per Clause 4 of Chapter -17.0 Development Code of MPD -2021, NCZ can be categorized under 'Recreational' and 'Green belt' and 'Water body' category. The MPD 2021 was notified in the year 2007, when NCZ was not a part of Master Plan.



15. NCZ as per Zonal Development Plans (ZDPs):

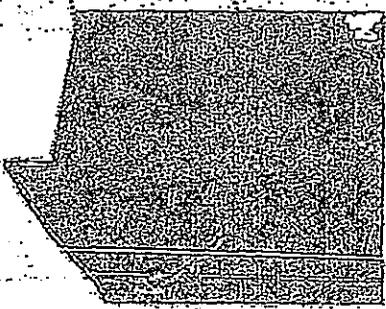
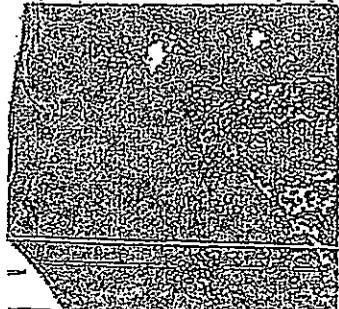
In DDA, all the Zonal Development Plans (ZDPs) of various planning zones were approved and notified on or before year 2010. While overlaying these approved ZDPs on the NCZs, it was observed that despite maximum precaution taken to preserve these environmentally sensitive areas, NCZs as delineated by NRSC and shared by NCRPB showed some variations.



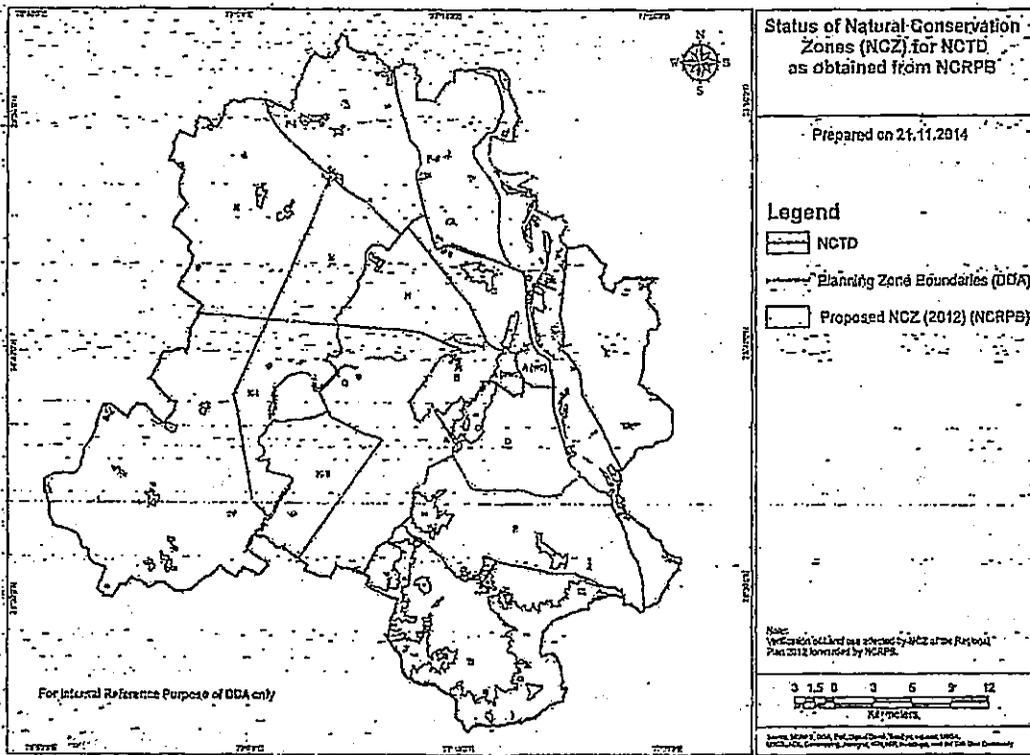
1. Overall to track the way & buffer
2. Buffer zone

RED NCZ: 114
Area - 60.98 Ha
(Approved)

1. Overall to track the way & buffer
2. Buffer zone



16. Location of all 156 NCZ pockets in Delhi :



17. Observations and Findings:

- a. Natural Conservation Zones (NCZ) as marked by NRSC and Supplied by NCRPB in the year 2012 when compared to 1999 satellite image showed variation (reduction/shrinking) of - 15 %.
- When analysed at DDA by inhouse vectorisation of the year 2005 and year 2012 data, it was observed that the figures shared by NRSC/NCRPB is not the same.

The exercise of analysing this variation showed following results:

Sr. No.	Zones of NCT Delhi	Total Area of Zones (in Ha.)	2005 (In Ha.)	2012 (In Ha.)	Area in Variation in Ha.	Area Variation In (%)
1	E	21072.8	48.8	65.7	-16.9	-34.7
2	G	29913.4	6.3	55.1	-48.8	-779.4
3	F	27808.0	6575.9	6096.8	479.1	7.3
4	D	16739.6	822.2	745.2	77.0	9.4
5	A (WC)	1541.7	0.0	0.0	0.0	0.0
6	B	5717.7	54.2	33.8	20.4	-37.7
7	A (OWC)	1343.6	0.0	0.0	0.0	0.0
8	H	13577.4	0.0	53.1	-53.1	0.0
9	P-I	23730.8	969.6	272.4	697.2	71.9
10	M	13812.7	281.3	17.8	263.5	93.7
11	K-I	15881.7	78.1	81.0	-2.9	-3.7
12	P-II	20032.8	322.0	86.2	235.8	73.2
13	O	24490.7	1308.3	951.5	356.9	27.3
14	K-II	14135.6	147.7	17.3	130.4	88.3
15	C	9551.2	413.5	434.2	-20.6	-5.0
16	N	34716.2	511.4	201.0	310.3	60.7
17	J	38475.8	1027.7	1169.0	-141.3	-13.7
18	L	54666.3	524.0	388.4	135.7	25.9
	TOTAL	367260.8				

b. As explained in para 8 & 9 of the report, the variation is attributed to the fact that the information relating to NCZ boundaries was not on vector/ digital format, images provided by NCRPB are also not geo-referenced, digitized therefore tentative superimposition has been done on the MPD-2021 landuse map. It is further to state that MPD-2021 landuse map is also not on vector/digital format. Therefore, the accuracy of the extent of landuses falling inside the NCZ boundaries is questionable and cannot be provided with exact percentages.

c. The Natural Conservation Zones (NCZ) as marked by NRSC and supplied by NCRPB in the year 2012 is not the only environmentally sensitive areas w.r.t Delhi. Large and small environmentally sensitive areas are spread across Delhi which are well incorporated in the Master Plan for Delhi 2021 under "Recreational" Landuse. Some of these missed out NCZ areas by NRSC those need conservation and preservations have to be verified by Forest Department, GNCTD and by other agencies looking after the ground water recharge areas and waterbodies, lakes etc in the state government. These departments are better placed to comment on the actual shrinkage if observed in forest land, water bodies, waste land and ground water recharge areas. Also all the concerned departments and ULB's have to be involved as DDA is not the implementing agency.

d. The variation is also due to built-up that came up in the NCZ areas which are unauthorised in nature and is to be seen and monitored by land owning agencies/urban local bodies as implementation of the plan is the prerogative of concerned departments of the state government.

e. The reason for this variation in Natural Conservation Zone areas as marked by NRSC and supplied by NCRPB could also be attributed to two factors, one being the discrepancy in the NCZs area consideration on the satellite imagery by NRSC and second that the proposal of NCZs was not there at the time of preparation and notification of ZDPs. The requisite revision of MPD and ZDPs under MPD 2041 preparation will ensure incorporation of possible NCZ areas as per ground realities along with other environmentally sensitive areas under the regular category of the landuse of Master Plan for Delhi.

f. DDA is also in the process of signing a MoU with Survey of India (SoI) for procuring latest satellite image based GIS basemap for Delhi (June 2018 vintage) for preparing its Master Plan for Delhi 2041. All the natural features including environmentally sensitive areas such as Aravalli ranges, forest areas, rivers, lakes, wet lands, water bodies and ground water recharging areas will be given utmost consideration in the master plan preparation process as it has been the

mandate of DDA for balanced development of the city. It is pertinent to mention that one of the major thrust of the Master Plan for Delhi 2041 will be 'Environment' and its allied sectors.

18. Conclusion:

The variation in Natural Conservations of Delhi and other information as mentioned in this report should be vetted, validated by GNCTD through ground truthing and subsequently be forwarded for perusal of MoEF&CC and thus perusal of NGT. Any addition/alteration in the number/area of environmentally sensitive areas for Delhi may also be highlighted to NRSC/NCRPB through this process which can counter the shrinkage figure shared by NRSC/NCRPB.

Delhi Development Authority (DDA) as a planning body can only facilitate in incorporating these environmentally sensitive areas while planning for the city and prescribe implementable policies/strategies to these areas through its master plan interventions for their conservation and upkeep.

While planning also, DDA is dependent on the data/information available with various departments of GNCTD handling and maintaining records of these natural conservation areas.

XXX



दिल्ली विकास प्राधिकरण
(DELHI DEVELOPMENT AUTHORITY)
मास्टर प्लान मॉनिटरिंग और समीक्षा तथा एन. सी. आर
(Master Plan Monitoring & Review & NCR),
चौथी तथा तेरह मंज़िल, विकास मीनार, इंद्रप्रस्थ एस्टेट, नई दिल्ली
(4th & 13th Floor, Vikas Minar, Indra Prastha Estate, New Delhi-110002)

File No. F15 (10) 2012/MP/D-379

दिनांक: 29/08/2019

सेवा में,

The Secretary (UD), GNCTD,
Urban Development Department, Government of NCT of Delhi,
10th level, Delhi Secretariat, I.P. Estate, New Delhi – 110002.

विषय: Observations of DDA regarding the Circulation of the Draft Report to be filed in the NGT as discussed in Meeting with Secretary MOEFCC on 22.07.2019.

महोदया,

This is in reference to the draft report shared by the Ministry of Environment and Forest (MoEF&CC) through an email dated 28.08.19 and 29.08.19 wherein the observations on the Draft Report of the Committee constituted in pursuance of order of Hon'ble NGT dated 07.08.2018, with regard to discrepancies in NCZ, between Sub-Regional Plans of the Constituent States and Regional Plan-2021 of NCRPB, has been requested.

In compliance to the directions of Secretary MoEF & CC w.r.t the meeting held on 28.03.19, DDA submitted a Table top exercise, Status report – Variation of Natural Conservation Zone (NCZ) in NCT Delhi to Principal Secretary, UD, GNCTD on 02.05.19 with a revised figure of 10668.37 hectares for NCZ in Delhi as per MPD-2021.

As the ground truthing work of the 156 pockets falling in NCT Delhi boundary is underway by GNCTD through the inputs (ground truthing) by concerned land owning agencies, it is advisable to mention that the figure of 10668.37 hectares is subject to change as per the outcomes of the ground truthing exercise.

The above mentioned disclaimer is advisable to be inserted in the following paragraphs:

1. 5.2 para (iv)
2. 8.4 serial no. 4: NCT of Delhi Sub-region
3. Annexure IV (Page no. 48) in Area variation Table

अलका आर्य
(अलका आर्य)

निदेशक(योजना) (भाग) - एम. पी. एम. आर तथा एन. सी. आर

प्रतिलिपि:

- Spl. Secretary (UD), GNCTD, Urban Development Department, Government of NCT of Delhi, 10th level, Delhi Secretariat, I.P. Estate, New Delhi - 110002
- Member Secretary, NCRPB, Core IV-B, First Floor, India Habitat Center, Lodhi Road, New Delhi – 110003.
- PS to VC, DDA for information of the latter
- Additional Director General of Forest, Forest Conservation Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bag Road, New Delhi-110003
- Technical Officer, Forest Conservation Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bag Road, New Delhi-110003.



सत्यमेव जयते

D. B. Gupta
IAS

डी. बी. गुप्ता, आईएएस

M

Chief Secretary-

मुख्य सचिव

GOVERNMENT OF RAJASTHAN

राजस्थान सरकार

Government Secretariat, Jaipur-302 005

शासन सचिवालय, जयपुर-302 005

D.O. No. TPR/NCR/NCZ/I/17/475
Dated: 29 April, 2019

Dear C.K.

It has been desired vide your D.O. letter dated 24.04.2019 that the report of the shrinkage of Natural Conservation Zone (NCZ) area in Rajasthan Sub-Region, based on ground truthing may be made available to MoEF&CC, Govt. by 30.04.2019. It is pertinent to mention here that NCRPB vide letter dated 12.05.2014 had intimated the State about the overall area of the shrinkage in the NCZ area, after demarcating the NCZ area on Regional Plan-2021 (RP) and revised RP-2021. While comparing the NCZ demarcated on RP-2021 and revised RP-2021, variation in NCZ, in and around, some places in Rajasthan Sub-Region have been observed and the list of places along with maps was provided by NCRPB.

In compliance of the directions of Hon'ble NGT regarding the shrinkage of Natural Conservation Zone (NCZ) areas in Rajasthan Sub-Region, checking was carried out for the locations, sent earlier by NCRPB vide letter dated 12.05.2014 and based on Google images, no shrinkage in NCZ area was found. Accordingly, a reply from the State, was sent to MoEF&CC, Govt on 28.11.2018 stating that the shrinkage detected by NCRPB seems largely due to interpretation of satellite images. (copy enclosed). No further correspondence has been received in this regard from MoEF&CC.

In reference of our letter dated 28.11.2018, as no shrinkage in NCZ area was found in locations (where variations were observed) provided by NCRPB and the variations seems largely due to interpretation of satellite images, so, State is of the view that, carrying out the task of ground truthing at this stage does not appear to be required. However, the compliance of the final decision of Hon'ble NGT in the matter shall be done by the State.

Encl. as above

Warm regards,

Yours Sincerely,

(D.B. Gupta)

Shri C.K. Mishra,
Secretary,
Government of India,
Ministry of Environment, Forest and Climate Change,
New Delhi.

प्रेषक,
दीपक कुमार,
प्रमुख सचिव,
उत्तर प्रदेश शासन।

सेवा में,
सचिव,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
भारत सरकार, नई दिल्ली।

आवास एवं शहरी नियोजन अनुभाग-2

लखनऊ : दिनांक- \ सिताम्बर, 2019

विषय- दिनांक 22.07.2019 को सम्पन्न बैठक में विचार विमर्श के अनुसार मा0 राष्ट्रीय हरित न्यायाधिकरण में दाखिल की जाने वाली रिपोर्ट के ड्राफ्ट पर अभिमत उपलब्ध कराने के सम्बन्ध में।

महोदय,
उपर्युक्त विषयक श्री जीजू जे0एस0 तकनीकी अधिकारी, वन संरक्षण प्रभाग, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार, नई दिल्ली का ई-मेल के माध्यम से प्राप्त पत्र दिनांक 28.08.2019 का संदर्भ ग्रहण करने का कष्ट करें, जिसके साथ सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार की अध्यक्षता में दिनांक 22.07.2019 को सम्पन्न बैठक में विचार विमर्श के अनुसार मा0 राष्ट्रीय हरित न्यायाधिकरण में दाखिल की जाने वाली रिपोर्ट के ड्राफ्ट पर अभिमत उपलब्ध कराने की अपेक्षा की गयी है। इस संदर्भ में मुख्य नगर एवं ग्राम नियोजक, उ0प्र0 से विस्तृत आख्या प्राप्त की गयी।

2- इस सम्बन्ध मुख्य नगर एवं ग्राम नियोजक, उ0प्र0 लखनऊ के पत्र संख्या-1472/वा0नि0/एन.जी.टी.-ओ0ए0-147/2019-20, दिनांक 30.08.2019 द्वारा उपलब्ध करायी गयी आख्या संलग्न कर प्रेषित करते हुए बुझे यह कहने का निदेश हुआ है कि ड्राफ्ट रिपोर्ट में आवास एवं शहरी नियोजन अनुभाग-2 के पत्र संख्या-एन.एस.48/आठ-2-19-105रिट/14, दिनांक 24.05.2019 को संलग्नक संख्या-6 बनाया गया है, जबकि आवास एवं शहरी नियोजन अनुभाग-3 के पत्र संख्या-350/आठ-3-19-31विविध/19, दिनांक 27.03.2019 को रिपोर्ट का भाग नहीं बनाया गया है। अतएव कृपया संदर्भगत पत्र दिनांक 27.03.2019 (छायाप्रति संलग्न) को भी रिपोर्ट का भाग बनाये जाने के अनुरोध के साथ ड्राफ्ट रिपोर्ट में की गयी संस्तुतियों पर सहमति व्यक्त की जाती है।
संलग्नक-यथोचित।

भवदीय,

(दीपक कुमार)
प्रमुख सचिव।

संख्या- 1888(1)/आठ-2-2019, तारीख दिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आक्षेपक कार्यवाही हेतु प्रेषित:-

1. आयुक्त, राष्ट्रीय राजधानी क्षेत्र, उ0प्र0, गाजियाबाद।
2. मुख्य नगर एवं ग्राम नियोजक, उ0प्र0 को उनके पत्र दिनांक 30.08.2019 के संदर्भ में आज्ञा से,

(संजय कुमार सिंह)
उप सचिव।

1888/अनू-219-

नगर एवं ग्राम नियोजन विभाग, उत्तर प्रदेश

टी.सी.जी./1-ए-वी/5, विभूति खण्ड, गोमती नगर, लखनऊ-226010

पत्रांक: 1472/वा.नि./एन0जी0टी0-ओ0ए0-147/2019-20

दिनांक: 30.08.2019

सेवा में,

उप सचिव,
आवास एवं शहरी नियोजन अनुभाग-2,
उ0प्र0शासन।

R.No. 1874/19

श. 2

विषय: सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के स्तर पर दिनांक 22.07.2019 को सम्पन्न बैठक में विचार विमर्श के अनुसार मा0 राष्ट्रीय हरित न्यायाधिकरण में दाखिल की जाने वाली रिपोर्ट के ड्राफ्ट पर अभिमत उपलब्ध कराने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक कृपया शासन के पत्र संख्या-1874/आठ-2-19-1874/19, दिनांक 28.08.2019 का संदर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के स्तर पर दिनांक 22.07.2019 सम्पन्न बैठक में विचार विमर्श के अनुसार मा0 राष्ट्रीय हरित अधिकरण में दाखिल की जाने वाली रिपोर्ट के मसौदे (ड्राफ्ट) की प्रति आवास एवं शहरी नियोजन विभाग को प्रेषित करते हुए ड्राफ्ट पर यथावश्यक सुझाव, परिवर्तन, परिवर्धन के साथ अभिमत उपलब्ध कराने की अपेक्षा की गयी है।

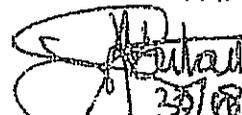
2. इस सम्बन्ध में अवगत कराना है कि उक्त ड्राफ्ट की प्रति का अवलोकन किया गया। जिसमें मा0 एन0जी0टी0 के आदेश दिनांक 07.08.2018 के अनुक्रम में गठित समिति द्वारा ड्राफ्ट के विन्दु संख्या-8 पर संस्तुतियों का उल्लेख किया गया है, जो निम्नवत् है:-

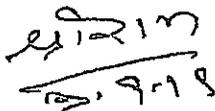
- > While making recommendations, Committee was aware that its mandate was limited to the Natural Conservation Zones (NCZ) in the NCR region.
- > To examine whether the Sub-regional plans (SRPs), prepared by the constituent states are consistent with the Regional Plan (RP-21), statutorily prepared by the National Capital Region Planning Board.
- > To suggest appropriate steps in case of any inconsistency between Sub-Regional Plan of any state and the RP-21 of NCRPB.
- > To recommend revision of the RP-21 (or any part thereof) of NCRPB.

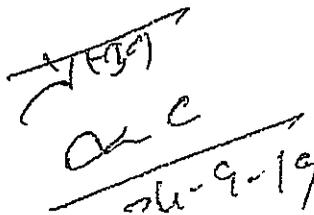
3. मा0 एन0जी0टी0 में प्रस्तुत किये जाने वाले उपरोक्त संस्तुतियों से विभाग सहमत है। यह भी उल्लेख करना है कि राष्ट्रीय राजधानी क्षेत्र के उत्तर प्रदेश प्रभाग में एन0सी0जेड0 से सम्बन्धित तथ्यात्मक आख्या को उ0प्र0शासन के आवास एवं शहरी नियोजन अनुभाग-3 के पत्रांक-350/8-3-19-31विविध/19, दिनांक 27.03.2019 एवं आवास एवं शहरी नियोजन अनुभाग-2 के पत्रांक-एम.एस. 49/आठ-2-19-105रिट/14, दिनांक 24.05.2019 द्वारा सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, नई दिल्ली को प्रेषित किया गया है।

4. उक्त पत्रों में उल्लिखित तथ्यों को पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा अपनी ड्राफ्ट रिपोर्ट में उल्लिखित किया गया है। परन्तु केवल आवास एवं शहरी नियोजन अनुभाग-2 के पत्रांक-एम.एस.49/आठ-2-19-105रिट/14, दिनांक 24.05.2019 को ही ड्राफ्ट रिपोर्ट में Annexure-VI के रूप में संलग्न किया गया है। उ0प्र0शासन के आवास एवं शहरी नियोजन अनुभाग-3 के पत्रांक-350/8-3-19-31विविध/19, दिनांक 27.03.2019 को रिपोर्ट का भाग नहीं बनाया गया है। अतः उक्त पत्र को भी रिपोर्ट का भाग बनाये जाने हेतु अनुरोध किया जाना उचित होगा।

भवदीय,


(अनूप कुमार श्रिवस्तव)
मुख्य नगर एवं ग्राम नियोजक


28-9-19


28-9-19

51

प्रेषक,
माला श्रीवास्तव,
विशेष सचिव,
उ०प्र० शासन।

सेवा में,
सचिव,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
भारत सरकार, नई दिल्ली।

आवास एवं शहरी नियोजन अनुभाग-2

लखनऊ : दिनांक 24 सई, 2019

विषय: Minutes of the meeting held on 2nd November 2018, in pursuance of order of Hon'ble NGT, with regard to conformity of SRPs with the RRP-21 of NCRPB.

महोदय,

कृपया उपरोक्त विषयक राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली के पत्रांक-K-14011/69/2014-NCRPB (Vol.I) दिनांक 05.12.2018 (संलग्नक-1) का सन्दर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के साथ Hon'ble NGT के आदेश दिनांक 07.08.2018 के अनुक्रम में गठित समिति की दिनांक 02.11.2018 को डी.जी.एफ.एन.एस.एस. की अध्यक्षता में इन्दिरा पर्यावरण भवन, जोर बाग के कृष्णा कान्फेरेंस हॉल, दिल्ली में सम्पन्न हुई प्रथम बैठक के कार्यवृत्त (संलग्नक-2) में उल्लेखित निर्णय एन.सी.जैड के Shrinkage से सम्बन्धित बिन्दुओं के सन्दर्भ में परीक्षण कर आख्या उपलब्ध कराये जाने का अनुरोध किया गया है।

2- उक्त के सम्बन्ध में अवगत कराना है कि Hon'ble NGT के आदेश दिनांक 07.08.2018 के अनुक्रम में निम्नवत् समिति गठित की गयी:-

1. Secretary, Ministry of Environment, Forests and Climate Change, Government of India.
2. Secretary, Ministry of Housing & Urban Affairs, Government of India.
3. Chairman, Central Pollution Control Board.
4. National Remote Sensing Centre (NRSC), Indian Space Research Organisation (ISRO) Government of India.
5. Secretary, Urban Development, Government of Uttar Pradesh.
6. Secretary, Urban Development, Government of Rajasthan.
7. Secretary, Urban Development, Government of Haryana.
8. Secretary, Urban Development, Government NCT of Delhi.

3- उपर्युक्त गठित समिति की दिनांक 02.11.2018 को Director of General of Forest & Special Secretary, Ministry of Environment, Forest and Climate Change, Govt of India. की अध्यक्षता में प्रथम बैठक के कार्यवृत्त में उल्लिखित एन.सी.जैड के Shrinkage को निम्नलिखित बिन्दुओं के सन्दर्भ में परीक्षण कर आख्या उपलब्ध कराने के निर्देश दिये गये हैं:-

Whether due to Change in revenue Records
Whether due to Change in Land Use
Whether due to Change in Interpretation

4- उल्लेखनीय है कि राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा एन.आर.एस.सी. हैदराबाद के साथ सैटेलाइट इमेज वर्ष 1999 एवं वर्ष 2012 की तुलना करते हुये राष्ट्रीय राजधानी क्षेत्र में भू-उपयोग परिवर्तन से सम्बन्धित तुलनात्मक विश्लेषण किया गया, जिसमें उ.प्र. प्रभाग में Natural Conservation Zone, (NCZ) का Shrinkage 43.88 प्रतिशत दर्शाया गया है।

5- इस सम्बन्ध में राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा उपलब्ध करायी गयी वर्ष 1999 एवं वर्ष 2012 की सैटेलाइट इमेज एवं राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा पूर्व में उल्लिखित विभिन्न सैटेलाइट इमेज शीट्स का पुनः परीक्षण एवं ग्राउण्ड ट्रूथिंग कर उ.प्र. प्रभाग के अन्तर्गत प्रदर्शित Natural Conservation Zone (NCZ) एवं उसके सम्बन्ध में उल्लिखित Shamkage से उल्लिखित प्रकरण पर आयुक्त, राष्ट्रीय राजधानी क्षेत्र, उओप्रो के कार्यालय द्वारा तथ्यात्मक विश्लेषण एवं आख्या तैयार की गयी है। वर्ष 1999 एवं वर्ष 2012 की सैटेलाइट इमेज की शीट संख्या 53L/8, 53L/7, 53H/16, 53H/15, 53K/3&4, 53L/1 (कुल 6 शीट) के भू-उपयोग विश्लेषण एवं उससे सम्बन्धित ग्राउण्ड ट्रूथिंग का विवरण संलग्नक-3, 4, 5, 6, 7 एवं 8 पर अवलोकनीय है।

6- तालिका संख्या-1 (संलग्नक-3) की शीट संख्या 53L/8 के अन्तर्गत प्रदर्शित भू-उपयोग का विश्लेषण-

6.1 शीट संख्या-53L/8 की वर्ष 1999 की सैटेलाइट इमेज में बिन्दु संख्या-1 से 9 तक नरोरा परमाणु बिजली संयंत्र का अधिकांश भाग Water Logged एवं Barren land के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में सम्पूर्ण भाग को गैर आवासीय एवं Agriculture दर्शाया गया है, जो कि एन.सी.जेड में सम्मिलित नहीं है। उल्लेखनीय है कि नरोरा परमाणु बिजली संयंत्र वर्ष 1999 के पूर्व से ही विद्यमान है।

6.2 वर्ष 1999 की सैटेलाइट इमेज की शीट संख्या 53L/8 के अन्तर्गत बिन्दु-1 में Lake भू-उपयोग दर्शाया गया है, जबकि वर्ष 2012 की सैटेलाइट इमेज 53L/8 के अन्तर्गत उसे Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है। ~~वर्तमान प्रस्तावित स्थल जीव-जीव के कारण वर्ष 1999 में भी एकत्र ही जाता है तथा अन्य प्रजातों में खली होती है।~~

6.3 इसी प्रकार शीट संख्या-53L/8 की वर्ष 1999 की सैटेलाइट इमेज के बिन्दु संख्या-1 से 4 जो भू-उपयोग Forest Plantation दर्शाया गया है उसे वर्ष 2012 में Agriculture Non-Residential एवं Horticulture भू-उपयोग दर्शाया गया है तथा एन.सी. जेड में सम्मिलित नहीं है।

6.4 शीट संख्या-53L/8 की वर्ष 1999 की सैटेलाइट इमेज के बिन्दु संख्या-1 से 4 Open Scrub भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जेड के अन्तर्गत सम्मिलित नहीं है।

7- तालिका संख्या-2 (संलग्नक-4) की शीट संख्या 53L/7 के अन्तर्गत प्रदर्शित भू-उपयोग का विश्लेषण-

7.1 वर्ष 1999 की सैटेलाइट इमेज की शीट संख्या 53L/7 के अन्तर्गत बिन्दु-1 में Water Logged भू-उपयोग दर्शाया गया है, जबकि वर्ष 2012 की सैटेलाइट इमेज 53L/7 के अन्तर्गत उसे Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है।

7.2 शीट संख्या-53L/7 की वर्ष 1999 की सैटेलाइट इमेज में बिन्दु संख्या-1 से 3 तक Forest Plantation भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग दर्शाया गया है, जो कि एन.सी.जेड में सम्मिलित नहीं है।

7.3 शीट संख्या-53L/7 की वर्ष 1999 की सैटेलाइट इमेज में Open Scrub भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जेड के अन्तर्गत सम्मिलित नहीं है।

8- तालिका संख्या-3 (संलग्नक-5) की शीट संख्या 53H/16 के अन्तर्गत प्रदर्शित भू-उपयोग का विश्लेषण-

8.1 वर्ष 1999 की सैटेलाइट इमेज की शीट संख्या 53H/16 के अन्तर्गत बिन्दु-1 से 4 में Water Logged भू-उपयोग दर्शाया गया है, जबकि वर्ष 2012 की सैटेलाइट इमेज 53H/16 के अन्तर्गत Agriculture, Sparse Built-up, Agriculture Plantation भू-उपयोग के अन्तर्गत दर्शाया गया है।

8.2 शीट संख्या-53H/16 की वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 5 तक Forest Plantation भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में

Agriculture, Sparse Built-up, Dense Built-up, Open Scrub, Fallow land एवं Non Residential भू-उपयोग दर्शाया गया है।

8.3 शीट संख्या-53H/16 की वर्ष 1999 की सैटेलाइट इमेज में Open Scrub भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture & Open Scrub भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।

8.4 शीट संख्या-53H/16 की वर्ष 1999 की सैटेलाइट इमेज में बिन्दु संख्या-1 से 7 तक Dense Forest भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।

9- ~~शीट संख्या-4 (सिलबक-6) की शीट संख्या 53H/15 के अन्तर्गत प्रदर्शित भू-उपयोग का~~

~~विश्लेषण-~~

9.1 शीट संख्या 53H/15 में वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 5 तक Water Logged भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज के अन्तर्गत Water Logged, Agriculture, Plantation, Medium Built-up भू-उपयोग के अन्तर्गत दर्शाया गया है।

9.2 शीट संख्या 53H/15 में वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 3 तक Forest Plantation भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग दर्शाया गया है, जो एन.सी.जैड में सम्मिलित नहीं है।

9.3 इसी प्रकार वर्ष 1999 की सैटेलाइट इमेज में बिन्दु सं-1 से 8 तक Open Scrub भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture, Sparse Built-up, Horticulture, Non Residential, Brick Kiln, Open Scrub, Dense Built-up भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।

10- ~~शीट संख्या-5 (सिलबक-7) की शीट संख्या 53K/3&4 के अन्तर्गत प्रदर्शित भू-उपयोग~~

~~का विश्लेषण-~~

10.1 शीट संख्या 53K/3&4 में वर्ष 1999 की सैटेलाइट इमेज में बिन्दु संख्या-1 से 2 तक Water Logged भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज के अन्तर्गत Agriculture, Water Logged भू-उपयोग के अन्तर्गत दर्शाया गया है। Agriculture भू-उपयोग एन.सी.जैड. में सम्मिलित नहीं है।

10.2 शीट संख्या 53K/3&4 में वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 4 में Open Scrub भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में मुख्यतः Agriculture & River sand भू-उपयोग दर्शाया गया है।

10.3 इसी प्रकार वर्ष 1999 की सैटेलाइट इमेज में बिन्दु सं-1 से 3 तक Forest Plantation भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture, Forest Plantation भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।

11. ~~शीट संख्या-8 (सिलबक-8) की शीट संख्या 53L/1 के अन्तर्गत प्रदर्शित भू-उपयोग का~~

~~विश्लेषण-~~

11.1 शीट संख्या 53L/1 में वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 2 के अन्तर्गत Water Logged भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज के अन्तर्गत Agriculture, भू-उपयोग के अन्तर्गत दर्शाया गया है, जो एन.सी.जैड. में सम्मिलित नहीं है।

11.2 शीट संख्या 53L/1 में वर्ष 1999 की सैटेलाइट इमेज में ही बिन्दु संख्या-1 से 5 तक forest Plantation भू-उपयोग के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में मुख्यतः Agriculture भू-उपयोग दर्शाया गया है, एन.सी.जैड में सम्मिलित नहीं है।

- 11.3 इसी प्रकार वर्ष 1999 की सैटेलाइट इमेज में बिन्दु सं-1 से 6 तक Open Scrub भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture & Built up भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।
- 11.4 वर्ष 1999 की सैटेलाइट इमेज में बिन्दु सं-1 से 2 तक River Sand भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।
- 11.5 वर्ष 1999 की सैटेलाइट इमेज में बिन्दु सं-1 से 4 तक Barren Land भू-उपयोग दर्शाया गया है, जब कि वर्ष 2012 की सैटेलाइट इमेज में Agriculture भू-उपयोग के अन्तर्गत दर्शाया गया है, जो कि एन.सी.जैड के अन्तर्गत सम्मिलित नहीं है।

12- संक्षेप में उल्लेखनीय है कि उपर्युक्त तथ्यात्मक विवरण से स्पष्ट है कि वर्ष 1999 एवं वर्ष 2012 की सैटेलाइट इमेज का विश्लेषणोपरान्त विशेष रूप से नदी तटीय क्षेत्र में नदी से लगे भाग में वर्ष 1999 की इमेज में Water Logged दर्शाया गया है, जबकि 2012 की इमेज में काफी भाग कृषि भू-उपयोग के अन्तर्गत दर्शित है। वस्तुतः यह प्रतीत होता है कि यह अन्तर सैटेलाइट इमेज के अलग-अलग मौसम की होने के कारण अथवा Interpretation के कारण होना सम्भावित है। इसी प्रकार शीट संख्या-53L7/53L8 की वर्ष 1999 की सैटेलाइट इमेज में नरौरा परमाणु बिजली संयंत्र का अधिकांश भाग वन एवं वाटर लॉग्ड के रूप में दर्शित है, जबकि वर्ष 2012 की सैटेलाइट इमेज में सम्पूर्ण भाग को गैर आवासीय दर्शाया गया है, जो कि एन.सी.जैड में सम्मिलित नहीं है।

13- यहां पर यह भी अवगत कराना है कि नरौरा परमाणु बिजली संयंत्र वर्ष 1999 से बहुत पहले का निर्मित है। वर्ष 1999 की सैटेलाइट इमेज में दर्शित भू-उपयोग वास्तविकता से भिन्न है। अतः उपरोक्त वर्णित 6 सैटेलाइट इमेज शीट्स का तुलनात्मक विवरण से यह स्पष्ट है कि राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा उ.प्र. प्रभाग में प्राकृतिक संरक्षण क्षेत्र (NCZ) क्षेत्र में कृषि का उल्लेख औचित्यपूर्ण प्रतीत नहीं होता है।

14- उपर्युक्त तथ्यों के अतिरिक्त यह भी उल्लेखनीय है कि उ.प्र. प्रभाग की उ.प्र. उपक्षेत्रीय योजना-2021 का विधिपूर्वक उ.प्र. सरकार एवं राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली की सम्मन्धन हुई 33वीं बोर्ड बैठक दिनांक 01.07.2013 में अनुमोदित किया गया है। उ.प्र. उपक्षेत्रीय योजना-2021 को जी.आई.एस. तकनीक से तैयार किया गया, जो जी.ओ. रिफ्रेन्सड मैप है तथा जिसमें प्राकृतिक संरक्षण क्षेत्र (NCZ) को भू-भांति दर्शाया गया है। अनुसूचित उ.प्र. उपक्षेत्रीय योजना-2021 के अन्तर्गत सब-प्रभाग योजना (संलग्नक-9) के अनुसार Land Under Tree Cover as per satellite image between 1999 to 2012 का प्रतिशत 3.63 (39,201 हे०) से बढ़कर 6.19 प्रतिशत (66,330 हे०) हुआ है। एवं Land Under Water Bodies का प्रतिशत 0.89 (9,626 हे०) से बढ़कर 2.46 प्रतिशत (26,744 हे०) हुआ है। राष्ट्रीय राजधानी क्षेत्र के उ.प्र. उप प्रभाग में water bodies के अन्तर्गत गंगा, यमुना, हिण्डन, काली नदियाँ, नहर तथा तालाब इत्यादि आते हैं। उपरोक्तानुसार Natural Conservation Zone के Shrinkage का उ०प्र० प्रभाग में होना प्रतीत नहीं होता है।

15- अतः उपर्युक्त वर्णित तथ्यों के आलोक में मुझे यह अनुरोध कइते का निदेश हुआ है कि प्राकृतिक संरक्षण क्षेत्र (NCZ) से सम्बन्धित वर्णित तथ्यों, 6 सैटेलाइट इमेज शीट्स में किये गये तुलनात्मक विवरण एवं ग्राउण्ड ट्रूथिंग के आलोक में राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा इस सम्बन्ध में पुनः परीक्षण किया जाना श्रेयस्कर होगा।

कृपया उपरोक्त से अवगत होना चाहें।

संलग्नक-यथोक्त।

भवदीया,
24/5/19
(भाला श्रीवास्तव)
विशेष सचिव।