

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI**  
Original Application No. 392/2025

**IN THE MATTER OF:**

Dev Bhoomi Manav Sansadhan  
Vikas Samiti

...Applicant

Versus

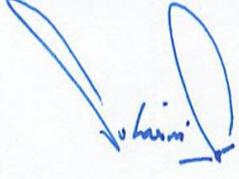
Union of India &amp; Ors.

...Respondent(s)

N.D.O.H. – 16.03.2026

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**THROUGH**


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New Delhi  
Date: 14.03.2026

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
IN  
ORIGINAL APPLICATION NO. 392 OF 2025 (PB)**

**IN THE MATTER OF:**

**DEV BHOOMI MANAV SANSADHAN VIKAS  
SAMITI ..... APPLICANT**

**VERSUS**

**UNION OF INDIA AND ORS ..... RESPONDENTS**

**REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1  
UNION OF INDIA, THROUGH THE SECRETARY, MINISTRY  
OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, NEW  
DELHI.**

**MOST RESPECTFULLY SHOWETH:**

1. I, Dr. Ritesh Joshi, s/o Shri J.D. Joshi, aged about 48 years, working as Scientist 'F', in the Ministry of Environment, Forest and Climate Change, (hereinafter 'MoEFCC') do hereby solemnly affirm and state as under:
2. In the above-stated official capacity, I state that I am duly authorized to swear this affidavit and based on knowledge derived from the official records of the present case am conversant with the facts of the present case and thus competent to swear the present affidavit.

**STATEMENT OF FACTS:**

3. It is respectfully submitted that in the present original application, the Applicant has prayed for issuing directions for the revision of the Notification dated 13.05.2025 amending the earlier Notification dated 01.02.1989. The applicant has also stated that the amendment Notification dated 13.05.2025 takes away the protection which was extended to the Doon Valley vide original,



*[Signature]*  
Secretary  
Ministry of Environment, Forest and Climate Change  
New Delhi

Notification dated 01.02.1989 and submitted that by virtue of the above amendment, the entire powers relating to Tourism Plan, Grazing Plan, Master Plan of Development and Land Use Plan, etc. have been given to the State Government without any control by the Central Government. The Applicant has further submitted that existing industries which were initially orange and are now red have been permitted to expand, whereas earlier there was a prohibition on expansion. Further, the Applicant has submitted that earlier new orange category industries required to be appraised by the concerned SEIAA, now the same would be appraised by the concerned State Pollution Control Board.

**REPLY ON MERIT:**

4. It is respectfully submitted that the MoEFCC had issued the Doon Valley Notification *vide* S.O. 102(E), dated 01.02.1989 (Principal Notification), under the provisions of the Environment (Protection) Act, 1986. This notification, *inter alia*, restricts location of industries, mining operations and other developmental activities in the Doon Valley area.
5. It is submitted that, as per this principal Notification, restrictions have also been imposed on the following activities in the Doon Valley area except those activities which are permitted by the Central Government after examining the Environmental impacts as follows:
  - a. *Location/ siting of industrial units – as per guidelines issued from time to time by the MoEFCC.*
  - b. *Mining – approval by MoEFCC prior to start mining activity.*
  - c. *Tourism – as per Tourism Master Plan prepared by State Dept. of Tourism and duly approved by MoEFCC.*
  - d. *Grazing – as per plan prepared by State Govt. and duly approved*



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- e. Land use – as per Master Plan of development and Land Use Plan of entire area, to be prepared by the State Government and duly approved by MoEFCC.
6. It is submitted that as per the principal notification, red category industries are not permitted. Further, orange category industries are permitted with proper environmental control arrangement with the condition, *inter alia*, that the industries falling within the list of the notification shall be assessed by the State Pollution Control Board and referred to the Union Department of Environment (now 'MoEFCC') for consideration, before according No Objection Certificate.

A true copy of the Doon Valley Notification bearing S.O. 102(E), dated 01.02.1989 (i.e. the 'Principal Notification') is annexed hereto as **ANNEXURE – A.**

7. It is submitted that, the Central Government thereafter, issued an order in respect of the principal notification *vide* S.O. 943(E) dated 04.07.2005 to the effect that the orange category industries as defined in the principal notification shall follow the same procedure as is being followed for Environmental Clearance (EC) of industry sector projects under EIA Notification, 1994. A true copy of the order bearing S.O. 943(E) dated 04.07.2005 is annexed hereto as **ANNEXURE – B.**
8. It is further submitted that, the Central Government issued EIA Notification 2006 dated 14.09.2006 which is in supersession of EIA Notification 1994. In view of this notification, the Central MoEFCC further issued an order *vide* S.O. 2125(E) dated 13.12.2007, directing that all proposals relating to development in Doon Valley will be examined as per the following procedure:

- i. All those projects which are covered in the schedule under the Environment Impact Assessment Notification, 2006 will follow the procedure laid down in that notification.



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- ii. All those projects which are not covered under the EIA Notification, 2006 but which fall under the orange category shall be considered by the State Level Environment Impact Assessment Authority (SEIAA).

A true copy of the order bearing S.O. 2125(E) dated 13.12.2007 is annexed hereto as **ANNEXURE – C.**

9. It is further submitted that, due to the categorization of industries by Central Pollution Control Board (CPCB) *vide* its letter no. B-29012/ESS (CPA)/2015-16 dated 07.03.2016, an amendment was made in the principal notification *vide* S.O. 94 (E) dated 06.01.2020 to align with CPCB's Categorization of industries for implementation purposes. Further, in this amendment, besides allowing the activities in para 5 above, existing orange categories industries, which are now in the red categories of industries shall be continued, however, no expansion shall be allowed. A true copy of the amendment notification bearing S.O. 94(E) dated 06.01.2020 is annexed hereto as **ANNEXURE – D.**
10. It is further submitted that, on the request of the State Government to amend the principal notification and after detailed examination in the Ministry, a draft amendment notification was published *vide* S.O 5409 (E) dated 21.12.2023 for inviting public comments/ suggestions from all persons within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public.
11. It is submitted that, a total number of five comments were received on the Draft Notification from the stakeholders/ general public, which were mainly on control of pollution and protection of Doon Valley area. The comments were duly addressed by the State Government.

Further, it is submitted that, for the finalisation of the draft amendment notification, the proposal was placed before the 54<sup>th</sup> meeting of the Expert Committee of ESZ for consideration. The



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committee deliberated the proposal and recommended for its finalization, subject to receipt of confirmation from the State Government that they have replied to all the public comments. A copy of the minutes of the meeting dated 22.05.2024 is annexed herewith and marked as **ANNEXURE- E**. Thereafter, vide letter dated 29.10.2024, the Government of Uttarakhand informed the MoEFCC that all comments received on the draft notification were examined and duly addressed. A true copy of the letter dated 29.10.2024 received from the Government of Uttarakhand is annexed herein and marked as **ANNEXURE- F**

13. It is submitted that, after receiving the consent letter dated 29.10.2024 from the Government of Uttarakhand addressing the comments on the draft notification, the Ministry published final Amendment Notification *vide* S.O. 2125(E) dated 13.05.2025 and also published the notification rescinding the Order No. S.O. 2125(E) dated 13.12.2007 *vide* Notification No. S.O. 2126(E) dated 13.05.2025. Copies of the Notifications dated 13.05.2025 is annexed herein and marked as **ANNEXURE- G (Colly)**

14. It is further submitted that, according to the said Amendment 2025, the State Government shall prepare the Tourism Plan, Grazing Plan, Development and Land Use Plan and any other such plan including Zonal Master Plan with due involvement of all concerned state departments for integrating environmental concerns into it and these plans shall be approved by the competent authority in the State Government of Uttarakhand. Further, this amendment notification is in line with other ESA/ESZ notifications in the Country, wherein, the power to approve the Zonal Master Plan has been delegated to the concerned State Governments.



15. It is submitted that, for development in the Doon Valley area, the State Pollution Control Board is exercising the powers of the

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Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and other various Rules under Environment (Protection) Act, 1986. Therefore, the projects which are not covered under the EIA Notification, 2006, however, fall under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board by following due process.

16. Further, it is submitted that, *vide* EIA Notification, 2006, any matters falling under Category 'A' in the schedule require prior EC from MoEFCC and matters falling under Category 'B' require prior EC from SEIAA. Therefore, additional provision for the requirement of EC to orange category of industries from SEIAA shall now be considered as per para 15 above.
17. It is further submitted that, as per EIA Notification, 2006, there are four stages in the prior EC process for new projects. These four stages in sequential order are:

- (i) Stage I- Screening
- (ii) Stage II- Scoping
- (iii) Stage III- Pubic Consultations
- (iv) Stage IV- Appraisal

The Expert Appraisal Committee at the Centre or States/ UTs shall appraise the projects or activities for recommending the proposals and thereafter, approval of the competent authority in the Centre or States/ UTs is obtained for issuance of the prior EC.

18. It is submitted that the projects which are falling in the schedule of the EIA Notification 2006 in Doon Valley area, prior EC is required by following the same procedure as laid down in para 17 above. Similarly, the orange category of industries which are now in the red category of industries as per the CPCB's classification, have been allowed to operate in the Doon Valley, however, they shall follow the same procedure as laid down in the notification for prior EC.



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- 19. It is submitted that, vide Amendment notification 2025, dated 13.05.2025 expansion has been allowed in respect of orange category of industries which are now in the red categories of industries as per the CPCB's classification, and shall also follow the same procedure as laid down in para 17.
- 20. It is most respectfully submitted that, present the amendment of the Doon Valley Notification dated 13.05.2025, brings the Doon Valley in alignment with other Eco-Sensitive Areas/ ESZs notifications for approval of Zonal Master Plan by the competent authority in the concerned States. Further, the existing restrictions on siting, mining activities as well as the complete prohibition on red category industries in the Doon Valley continue to exist till date.
- 21. In light of the foregoing submissions, it is respectfully prayed that this Hon'ble Tribunal be pleased to issue any such orders, directives, or relief as it may deem appropriate and just under the circumstances of the present case.

*[Signature]*  
**DEPONENT**

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**VERIFICATION**

14 MAR 2026

Verified at ..... on this ... day of ..., 2026 that the contents of the above affidavit are true and correct to the best of my knowledge based on records and no part of it is false and nothing material has been concealed therefrom.

*[Signature]*  
 I identified the Dependent Recipient who has signed in my presence.

CERTIFIED THAT THE DEPONENT  
 has solemnly affirmed before me that he  
 has read over and approved the contents of the  
 affidavit and that the contents are true and  
 correct to his knowledge.

14 MAR 2026

*[Signature]*  
 Notary Public, Delhi (India)  
 Notary Public, Delhi (India)

14 MAR 2026

*[Signature]*  
**DEPONENT**

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**MINISTRY OF ENVIRONMENT & FORESTS**  
(Department of Environment, Forests & Wildlife)

New Delhi, the 1<sup>st</sup> February 1989

**NOTIFICATION**

Notification under 3(2)(v) of Environment (Protection) Act, 1986, and Rule 5(3)(d) of Environment (Protection) Rules, 1986, restricting location of industries, mining operations and other development activities in the Doon Valley in Uttar Pradesh.

S.O. 102(E)--Whereas notification under sub-rule (3) of rule 5 of the Environment (protection) Rules, 1986, inviting objections against the imposition of restriction on location of industries, mining operations and other developmental activities in the Doon Valley, in Uttar Pradesh was published vide No. S.O. 923(E), dated the 6<sup>th</sup> October, 1988;

And whereas all objections received have been duly considered by the Central Government:

Now, therefore, in exercise of the Powers conferred by Clause (d) of sub-rule (3) of Rule (5) of the said rules, the Central Government hereby imposes restrictions on the following activities in the Doon Valley, bounded on the North by Mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West, except those activities which are permitted by the Central Government after examining the environmental impacts:

- (i) Location/siting of industrial units--It has to be as per guidelines given in the annexure or guidelines as may be issued from time to time by the Ministry of Environment & Forests, Government of India.
- (ii) Mining--Approval of the Union Ministry of Environment & Forests must be obtained before starting any mining activity.

- (iii) Tourism--It should be as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment & Forest
- (iv) Grazing--As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment & Forests.
- (v) Land Use--As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment & Forests.

(No. J-20012/38/86-IA)  
K. P. GEETHAKRISHNAN  
Secretary.

## **ANNEXURE**

Guidelines for permitting/restricting industrial units in the Doon Valley area

Industries will be classified under Green, Orange and Red Categories, as shown below for purposes of permitting/restricting such industrial units in the Doon Valley from the environmental and ecological considerations:

### **CATEGORY GREEN**

- A. LIST OF INDUSTRIES IN APPROVED INDUSTRIAL AREAS, WHICH MAY BE DIRECTLY CONSIDERED FOR ISSUE OF NO OBJECTION CERTIFICATE WITHOUT REFERRING TO (MINISTRY OF ENVIRONMENT & FORESTS) (IN CASE OF DOUBTS REFERENCE WILL BE MADE TO MINISTRY OF ENVIRONMENT & FORESTS).
  - 1. All such non-obnoxious and non-hazardous industries employing upto 100 persons. The obnoxious and hazardous industries are those using inflammable, explosive, corrosive or toxic substances.

2. All such industries which do not discharge industrial effluents of a polluting nature and which do not undertake any of the following processes:

Electroplating  
 Galvanising  
 Bleaching  
 Degreasing  
 Phosphating  
 Dyeing  
 Pickling, tanning  
 Polishing  
 Cooking of fibres and Digesting  
 Desizing of Fabric  
 Unhairing, Soaking, delimiting and bating of hides  
 Washing of fabric  
 Trimming, Pulling, juicing and blanching of fruits and vegetables  
 Washing of equipment and regular floor washing, using of considerable cooling water  
 Separated milk, buttermilk and whey  
 Stopping and processing of grain  
 Distillation of alcohol, stillage and evaporation  
 Slaughtering of animals, rendering of bones, washing of meat  
 Juicing of sugar cane, extraction of sugar Filtration, centrifugation, distillation  
 Pulping and fermenting of coffee beans  
 Processing of fish  
 Filter back wash in D.M. Plants exceeding 20 K.l. per day capacity  
 Pulp making, pulp processing and papermaking  
 Coking of coal washing of blast furnace flue gases,  
 Stripping of oxides;  
 Washing of used sand by hydraulic discharge;  
 Washing of latex etc.  
 Solvent extraction.

3. All such industries which do not use fuel in their manufacturing process or in any subsidiary process and which do not emit fugitive emissions of a diffused nature.

Industries not satisfying any one of the three criteria are recommended to be referred to Ministry of Environment & Forests.

The following industries appear to fall in non-hazardous, non-obnoxious and non-polluting category, subject to fulfilment of above three conditions :

1. Atta-chakkies
2. Rice Mullors
3. Iceboxes
4. Dal mills
5. Groundnut decortinating (dry)
6. Chilling
7. Tailoring and garment making
8. Apparel making
9. Cotton and woollen Hosiery
10. Hand loom weaving
11. Shoe lace manufacturing
12. Gold and silver thread and sari work
13. Gold and silver smithy
14. Leather foot wear and leather products excluding tanning & hide processing
15. Manufacture of mirror from sheet glass and photo-frame
16. Musical instruments, manufacturing
17. Sports goods
18. Bamboo and cane products (only dry operations)
19. Card Board and paper products (Paper & pulp manufacture excluding)
20. Insulation and other coated papers (Paper & pulp manufacture excluded)
21. Scientific and Mathematical instruments
22. Furniture (Wooden and Steel)
23. Assembly of Domestic electrical appliances
24. Radio assembling
25. Fountain pens
26. Polythene, plastic and P.V.C. goods through extrusion/moulding
27. Surgical gauges and bandages

28. Railway sleepers (only concrete)
29. Cotton spinning and weaving
30. Rope (cotton and plastic)
31. Carpet weaving
32. Assembly of Air coolers
33. Wires, pipes-extruded shapes from metals
34. Automobile servicing & repair stations
35. Assembly of Bicycles, baby carriages and other small non-motorized vehicles.
36. Electronics equipment (assembly)
37. Toys
38. Candles
39. Carpentry-excluding saw mill
40. Cold storages (small scale)
41. Restaurants
42. Oil-ginning/expelling (non-hydrogenation and no refining)
43. Ice cream
44. Mineralized water
45. Jobbing & Machining
46. Manufacture of Steel trunks & suit cases
47. Paper pins & U-clips
48. Block making for printing
49. Optical frames

### **CATEGORY ORANGE**

#### **B. LIST OF INDUSTRIES THAT CAN BE PERMITTED IN THE DOON VALLEY WITH PROPER ENVIRONMENTAL CONTROL ARRANGEMENT.**

1. All such industries which discharge some liquid effluents (below 500 kl/day) that can be controlled with suitable proven technology.
2. All such industries in which the daily consumption of coal/fuel is less than 24mt/day and the particulars emissions from which can be controlled with suitable proven technology.
3. All such industries employing not more than 500 persons.

The following industries with adoption of proven pollution control technology subject to fulfilling the above three condition fall under this category :

1. Lime manufacture-pending decision on proven pollution control device and Supreme Court's decision on quarrying.
2. Ceramics
3. Sanitaryware;
4. Tyres and tubes.
5. Refuse incineration (controlled)
6. Flour mills;
7. Vegetable oils including solvent extracted oils;
8. Soap without steam boiling process and synthetic detergents formulation.
9. Steam generating plants.
10. Manufacture of office and house-hold equipment and appliances involving use of fossil fuel combustion
11. Manufacture of machineries and machine tools and equipment
12. Industrial gases (only Nitrogen, Oxygen and  $\text{CO}_2$ )
13. Miscellaneous glassware without involving use of fossil-fuel combustion.
14. Optical glass
15. Laboratory ware
16. Petroleum storage & transfer facilities.
17. Surgical and medical products including & prophylactics and latex products
18. Foot-wear (Rubber)
19. Bakery products, Biscuits & Confectioners
20. Instant tea/coffee; coffee processing
21. Malted food
22. Manufacture of power driven pumps, compressors refrigeration units, fire fighting equipment etc.
23. Wire drawing (cold process) & bailing straps.
24. Steel furniture, fasteners etc.
25. Plastic processed goods
26. Medical & Surgical instruments
27. Acetylene (synthetic)
28. Glue & gelatine
29. Potassium permanganate
30. Metallic sodium

31. Photographic films, papers & photographic chemicals
32. Surface coating industries
33. Fragrances, flavours & food additives
  
34. Plant nutrients (only manure)
35. Aerated water/soft drink.

**NOTE :-**

- (a) Industries falling within the above identified list shall be assessed by the state pollution control Board and referred to the Union Department of Environment for consideration, before according No Objection Certificate.
  
- (b) The total number of fuel burning industries that shall be permitted in the Valley will be limited by 8 tonnes per day of Sulphur Dioxide from all sources. (This corresponds to 400 tonnes per day Coal with 1% sulphur).
  
- (c) Siting of Industrial areas should be based on sound criteria.

**CATEGORY RED**

**C. LIST OF INDUSTRIES THAT CANNOT BE PERMITTED IN THE DOON VALLEY**

1. All those industries which discharge effluents of a polluting nature at the rate of more than 500 kl/day and for which the natural course for sufficient dilution is not available, and effluents from which cannot be controlled with suitable technology.
  
2. All such industries employing more than 500 perons/day.
  
3. All such industries in which the daily consumption of coal/fuel is more than 24 mt/day.

The following industries appear to fall under this category covered by all the points as above:

1. Ferrous and non-ferrous metal extraction, refining, casting, forging, alloy making processing etc.
2. Dry Coal Processing/Mineral processing industries like Ore sintering beneficiation, pelletization etc.
3. Phosphate rock processing plants.
4. Cement plants with horizontal rotary kilns.
5. Glass and glass products involving use of coal.
6. Petroleum refinery
7. Petro-chemical Industries
8. Manufacture of lubricating oils and greases
9. Synthetic rubber manufacture;
10. Coal, oil, wood or nuclear based thermal power plants
11. Vanaspati, hydrogenated vegetable oils for industrial purposes
12. Sugar mills (White and Khandasari)
13. Craft paper mills
14. Coke oven by products and coal tar distillation products
15. Alkalies
16. Caustic soda
17. Potash
18. Electro-thermal products (artificial abrasives, Calcium carbide etc.)
19. Phosphorous and its compounds
20. Acids and their salts (organic & inorganic)
21. Nitrogen compounds (Cyanides, cyanamides and other nitrogen compounds)
22. Explosive (including industrial explosives, detonators & fuses)
23. Phthalic anhydride
24. Processes involving chlorinated hydrocarbon
25. Chlorine, fluorine, bromine, iodine & their compounds
26. Fertilizer industry
27. Paper board and straw boards
28. Synthetics fibres
29. Insecticides, fungicides, herbicides & pesticides (basic manufacture & formulation).

30. Basic drugs
31. Alcohol (Industrial or potable)
32. Leather industry including tanning and processing
33. Coke making, coal liquification and fuel gas making industries
34. Fibre glass production and processing
35. Manufacture of pulp-wood, pulp, mechanical or chemical (including dissolving pulp)
  
36. Pigment dyes and their intermediates
37. Industrial carbons (including graphite electrodes, anodes, midget electrodes, graphite blocks, graphite crucibles, gas carbons activated carbon, synthetic diamonds, carbon black, channel black, lamp black etc.)
38. Electro-chemicals (other than those covered under Alkali group)
39. Paints, enamels & varnishes
40. Polypropylene
41. Poly Vinyl chloride
42. Cement with vertical shaft kiln technology pending certification of proven technology on pollution control
43. Chlorates, perchlorates & peroxides
44. Polishes
45. Synthetic resin & plastic products.

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—Sec.3(ii)]

And whereas industries falling in the orange category are required to be assessed by State Pollution Control Board and referred to the Central Government in the Ministry of Environment and Forests before granting 'No Objection Certificate';

And whereas it has now been decided that proposals covered under the orange category, as specified in the said notification shall be dealt with as industries requiring environmental clearance as per the Environment Impact Assessment Notification, 1994, issued *vide* No. S.O. 60(E) dated the 27th January, 1994.

Now, therefore, in exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986, it is hereby directed that all proposals, relating to development in Doon Valley, Uttaranchal falling in the category of orange industry categorized *vide* notification No. S.O. 102(E) dated the 1st February, 1989, shall follow the same procedure as is being followed for the environment clearance of Industry Sector Projects under Environment Impact Assessment Notification, 1994 issued *vide* No. S.O. 60(E) dated the 27th January, 1994 as amended from time to time with effect from the date of publication of this notification in the Official Gazette.

[F. No. J-11013/25/2005-IA. II(D)]

R. CHANDRAMOHAN, Jt. Secy.

KIND ATTN. MR. VIJAY KUMAR, MEMBER SECRETARY, U.P. DEHRADUN

RECD. NO. D.L. 33004/99

मुद्रित सं. 1460 जी. ए. ए. 33004/99

भारत का राजपत्र  
The Gazette of India



असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—सब-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

नई दिल्ली, बुधवार, दिसम्बर 13, 2007/असाधारण 22, 1929  
NEW DELHI, THURSDAY, DECEMBER 13, 2007/AGRAJAYANA 22, 1929

सं. 1539  
No. 1539

पर्यावरण एवं वन मंत्रालय  
आदेश  
नई दिल्ली, 13 दिसम्बर, 2007

सं. 2125(अ) —अधिका, पर्यावरण (सुरक्षा) नियमवली, 1986 के नियम 5 के उप-नियम (3) के खण्ड (घ) के तहत दूध घाटी, दक्षिणखण्ड में उन गतिविधियों जिन्हें केन्द्रीय सरकार ने पर्यावरणीय प्रभाव के परीक्षण के लिए अनुमति दे दी हैं, श्री छोटकर त्रिभुवन शोधालय पर प्रतिबंध लगाने के लिए दिनांक 1 फरवरी, 1989 को सं. ता.अ. 102(अ) के तहत एका अधिसूचना जारी की गई थी।

और, अधिका, उक्त अधिसूचना में उद्योगों को तीन श्रेणियों अर्थात् श्रेणी, श्रेणी और श्रेणी में वर्गीकृत किया गया है और दूध घाटी क्षेत्र में औद्योगिक इकाइयों को अनुमति देने और उभ पर प्रतिबंध लगाने के लिए दिनांक 13 दिसम्बर, 2007 को निर्धारित किए गए हैं।

और, अधिका, श्रेणी श्रेणी के अंतर्गत आने वाले उद्योगों का प्रस्तावक राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा किया जाना तथा उन्हें अनुमति प्रमाण-पत्र देने से पहले संबंधित प्रस्ताव को केन्द्र सरकार, पर्यावरण एवं वन मंत्रालय के पास भेजा जाना अपेक्षित है।

और, अधिका, यह धरिचलना की गई थी कि श्रेणी श्रेणी के अंतर्गत शामिल प्रस्तावों को मांगने में जारी प्रक्रिया अपनाई जाएगी जो कि दिनांक 4 जुलाई, 2005 के का.आ. 943(अ) के तहत जारी पर्यावरण प्रभाव मूल्यांकन अधिसूचना, 1994 के अंतर्गत उद्योग क्षेत्र को पर्यावरणियों को पर्यावरणीय मंत्रों के समक्ष अपनाई जाती है।

और, अधिका, दिनांक 27 जनवरी, 1994 के का.अ. 60(अ) के तहत जारी उक्त पर्यावरण प्रभाव मूल्यांकन अधिसूचना को दिनांक

4970 G22097

14 सितम्बर, 2006 को का.आ. 1535(अ) के तहत जारी अधिसूचना द्वारा अभिकल्पित हुआ जाना जाएगा।

अतः, अब, पर्यावरण (सुरक्षा) अधिनियम, 1986 की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एतद्वारा, यह निर्देश दिया जाता है कि दूध घाटी, उत्तराखण्ड में विकास कार्य से संबंधित सभी प्रस्तावों को निम्नलिखित प्रक्रिया अपनाते हुए धांच की जाएगी :-

- (i) ऐसी सभी पर्यावरणियों को 14 सितम्बर, 2006 के का.आ. 1535(अ) के तहत जारी पर्यावरण प्रभाव मूल्यांकन अधिसूचना के अंतर्गत अधिसूची में शामिल की गई हैं, को लिए उक्त अधिसूचना में निर्धारित प्रक्रिया ही अपनाई जाएगी।
- (ii) ऐसी सभी पर्यावरणियों को उक्त पर्यावरण प्रभाव मूल्यांकन अधिसूचना के अंतर्गत शामिल नहीं हैं, और श्रेणी श्रेणी के अंतर्गत आती हैं उभ पर उक्त का के पर्यावरण प्रभाव मूल्यांकन प्रक्रिया द्वारा विचार किया जाएगा।
- (iii) उक्त अधिसूचना के लिए राज्य स्तरीय प्रभाव मूल्यांकन प्राधिकरण का गठन होने तक, प्रस्तावों को उभ, राज्य प्रदूषण नियंत्रण बोर्ड की टिप्पणियां प्राप्त होने तक पर्यावरण मंत्रों के पर्यावरण मंत्रों के पास भेजे बिना, केन्द्र सरकार द्वारा जारी की जाएगी।

[सं. सं-11013/25/2005-आ.ए. II (1)  
श. आनन्दसुन्दर, वैज्ञानिक, ज.

MINISTRY OF ENVIRONMENT AND FORESTS  
ORDER

New Delhi, the, 13th December, 2007

S.O. 2125 (E).—Whereas, a notification under clause (d) of sub-rule (3) of rule 5 of the Environment (Protection)

(1)

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## THE GAZETTE OF INDIA: EXTRAORDINARY

(PART II—SEC. 3(II))

2  
 Rules, 1980, imposing restrictions on various activities in Doon Valley Uttarakhand, except those activities which are permitted by the Central Government for examining the environmental impacts, was issued *vide* No. S.O. 102(E) dated the 1st February, 1989;

And, whereas, the said notification classified industries into three categories; namely, green, orange and red and also prescribed guidelines for permitting and restricting industrial units in Doon Valley Area;

And, whereas, industries falling in the orange category are required to be assessed by State Pollution Control Board and referred to the Central Government in the Ministry of Environment and Forests before granting 'No Objection Certificate'.

And, whereas, it was envisaged that the proposals covered under orange category shall follow the same procedure as is being followed for the environment clearance of industry sector projects under Environment Impact Assessment Notification, 1994, issued *vide* S.O. 943(E) dated the 4th July, 2005;

And, whereas, the said Environment Impact Assessment notification issued *vide* S.O. 60(E) dated the 27th January, 1994 has been superseded by the notification *vide* number S.O. 1533(E) dated 14th September, 2006;

Now, therefore, in exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986, it is hereby directed that all proposals, relating to development in Doon Valley will be examined as per the following procedure:—

- (i) All those projects which are covered in the schedule under the Environment Impact Assessment notification issued *vide* number S.O. 1533(E) dated the 14th September, 2006, will follow the procedure laid down in that notification.
- (ii) All those projects, which are not covered under the EIA notification but which fall under the orange category shall be considered by the State level Environment Impact Assessment Authority.
- (iii) Till such time as the State level Impact Assessment Authority is constituted for the State of Uttarakhand, the proposals will be examined by the Central Government, without referring them to the Appraisal Committee, after obtaining the comments of the State Pollution Control Board.

(No. J-1101324/2005-IA-II(I))

R. ANANDAKUMAR, Scientist 'G'



# भारत का राजपत्र

## The Gazette of India

सी.जी.-डी.एल.-अ.-10012020-215285  
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असाधारण  
EXTRAORDINARY  
भाग II—खण्ड 3 उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)  
प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 86]  
No. 86]

नई दिल्ली, सोमवार, जनवरी 6, 2020/पौष 16, 1941  
NEW DELHI, MONDAY, JANUARY 6, 2020/PAUSHA 16, 1941

### पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

#### अधिसूचना

नई दिल्ली, 6 जनवरी, 2020

**का.आ. 94(अ).**— अधिसूचना संख्या का.आ. 102 (अ), तारीख 1 फरवरी, 1989 (इसमें इसके पश्चात उक्त अधिसूचना कहा गया है) को, तत्कालीन पर्यावरण और वन मंत्रालय ने तत्कालीन उत्तर प्रदेश (अब उत्तराखंड) में दून घाटी में, उत्तर में मसूरी रिज़ से घिरा, उत्तर-पूर्व में हिमालयी पर्वतश्रेणी, दक्षिण-पश्चिम में शिवालिक श्रेणियों द्वारा, दक्षिण-पूर्व में गंगा नदी और उत्तर-पश्चिम में यमुना नदी में उद्योगों, खनन कार्यों और अन्य विकासात्मक क्रियाकलापों पर, क्षेत्र में पर्यावरणीय प्रभाव को ध्यान में रखते हुए प्रतिबंध लगा दिया था;

**और**, उक्त अधिसूचना के संबंध में कतिपय दिशा-निर्देश अधिसूचना संख्या का.आ. 943 (अ), तारीख 4 जुलाई, 2005 और का.आ. 2125 (अ), तारीख 13 दिसंबर, 2007 द्वारा जारी किए गए हैं;

**और**, इस बीच, केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) ने पत्र सं. बी-29012/ईएसएस(सीपीए)/2015-16, तारीख 7 मार्च, 2016 को उद्योगों के वर्गीकरण पर भी दिशा-निर्देश जारी किए हैं;

**और**, उत्तराखंड सरकार ने पत्र सं. 122/डी-3-19-13(04)/2018, तारीख 10 अप्रैल, 2019 को उक्त अधिसूचना में संशोधन के लिए पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय से अनुरोध किया;

**और**, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने उत्तराखंड सरकार के अनुरोध की जांच की है;

**और**, उपर्युक्त संशोधनों और दिशा-निर्देशों को समेकित करने और उक्त निर्देशों और संशोधनों के आधार पर शर्तों का सामंजस्य करने की भी आवश्यकता है;

अतः, अब, केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की उपधारा (1), के साथ धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती हैं और उपरोक्त मानदंड में मिल कर बनने वाली दून घाटी में आने वाले क्रियाकलापों के संबंध में निम्नलिखित शर्तें अधिरोपित करें, अर्थात्:-

उक्त अधिसूचना में, खंड (i), (ii), (iii), (iv), (v) और उपाबंध, के लिए निम्नलिखित को प्रतिस्थापित किया जाएगा, अर्थात्:-

“ (i) **औद्योगिक इकाइयों के अवस्थान/स्थल** - केंद्रीय प्रदूषण नियंत्रण बोर्ड (सीपीसीबी) द्वारा पत्र सं. बी-29012/ईएसएस(सीपीए)/2015-16, तारीख 7 मार्च, 2016 को धारा 18 (1) (बी) के तहत जल (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम, 1974 और वायु (प्रदूषण की रोकथाम और नियंत्रण) अधिनियम, 1981 लाल/नारंगी/हरा/सफ़ेद श्रेणियों के अंतर्गत औद्योगिक क्षेत्रों के वर्गीकरण के सामंजस्य के संबंध में जारी किए गए संशोधित दिशा-निर्देशों के अनुसार होना चाहिए और सीपीसीबी और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा समय-समय पर संशोधित किया जा सकता है।

(ii) **खनन**- किसी भी खनन क्रियाकलाप को शुरू करने से पहले संघ पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की मंजूरी अभिप्राप्त करनी होगी।

(iii) **पर्यटन**- पर्यटन विकास योजना (टीडीपी) के अनुसार, राज्य पर्यटन विभाग द्वारा तैयार किया जाना चाहिए और संघ पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा यथानियम अनुमोदित किया जाना चाहिए।

(iv) **चराई**- राज्य सरकार द्वारा तैयार की जाने वाली योजना के अनुसार और संघ पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा यथानियम अनुमोदित किया जाना चाहिए।

(v) **भूमि उपयोग**- संपूर्ण क्षेत्र के विकास और भूमि उपयोग योजना के महायोजना के अनुसार, राज्य सरकार द्वारा तैयार किया जाना है और संघ पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा अनुमोदित किया जाएगा।

#### **टिप्पण:**

- (क) दून घाटी में उद्योगों की लाल प्रवर्गों की अनुमति नहीं होगी;
- (ख) दून घाटी में ईंधन जलाने वाले उद्योगों की कुल संख्या को सभी स्रोतों से सल्फर डाइऑक्साइड के 8 टन प्रति दिन तक सीमित किया जाएगा। (यह 1% सल्फर के साथ प्रति दिन 400 टन कोयले के समान है);
- (ग) औद्योगिक क्षेत्रों के स्थल निर्धारित मानदंड पर और सक्षम प्राधिकारी की पूर्व स्वीकृति के साथ होगी;
- (घ) विद्यमान नारंगी प्रवर्ग के उद्योग, जो अब उद्योगों की लाल प्रवर्गों में हैं, को जारी रखा जाएगा, तथापि, किसी विस्तार की अनुमति नहीं प्रदान की जाएगी।”

[फा. सं. 25/6/2012-ईएसजेड]

डॉ. सतीश चन्द्र गढकोटी, वैज्ञानिक 'जी'

**टिप्पण:** मूल अधिसूचना भारत के राजपत्र में, असाधारण, भाग II, धारा 3, उप-धारा (ii), संख्या का.आ. 102 (अ), तारीख 1 फरवरी, 1989 को प्रकाशित की गई थी।

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 6th January, 2020

**S.O. 94(E).—WHEREAS,** *vide* notification number S.O. 102(E), dated the 1st February, 1989 (hereinafter referred as the said notification) the erstwhile Ministry of Environment and Forests imposed restriction on location of industries, mining operations and other developmental activities in the Doon Valley, bounded on the North by Mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West in erstwhile Uttar Pradesh (now Uttarakhand), keeping in view the environmental impact in the region;

**AND WHEREAS,** in respect of the said notification certain directions have been issued *vide* notification number S.O. 943 (E), dated the 4<sup>th</sup> July, 2005 and S.O. 2125 (E), dated the 13<sup>th</sup> December, 2007;

**AND WHEREAS,** in the meantime the Central Pollution Control Board (CPCB) has also issued directions on the categorisation of industries *vide* letter No. B-29012/ESS(CPA)/2015-16, dated the 7<sup>th</sup> March, 2016;

**AND WHEREAS,** the Government of Uttarakhand *vide* letter No. 122/D-3-19-13(04)/2018, dated the 10<sup>th</sup> April, 2019 requested the Ministry of Environment, Forest and Climate Change for amendment in the said notification;

**AND WHEREAS,** the Ministry of Environment, Forest and Climate Change has examined the request of the Government of Uttarakhand;

**AND WHEREAS,** there is a need to consolidate the amendments and the directions as above and also to harmonise the conditions based on the said directions and amendments;

**NOW THEREFORE,** in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with sub-rule (4) of Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification and impose following conditions in respect of the activities falling the Doon Valley comprising of the above criteria, namely: -

In the said notification, for clauses (i), (ii), (iii), (iv), (v) and ANNEXURE, the following shall be substituted, namely:-

“(i) **Location/siting of industrial units** – It has to be as per modified directions issued by the Central Pollution Control Board (CPCB) *vide* letter No. B-29012/ESS(CPA)/2015-16, dated the 7<sup>th</sup> March, 2016 under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under red/orange/green/white categories and as may be amended from time to time by the CPCB and the Ministry of Environment, Forest and Climate Change.

(ii) **Mining** – Approval of the Union Ministry of Environment, Forest and Climate Change must be obtained before starting any mining activity.

(iii) **Tourism** – It should as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment, Forest and Climate Change.

(iv) **Grazing** – As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment, Forest and Climate Change.

(v) **Land Use** – As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment, Forest and Climate Change.

**Note:**

- (a) Red categories of industries shall not be permitted in Doon Valley;
- (b) The total number of fuel burning industries that shall be permitted in the Doon Valley shall be limited by 8 tonnes per day of Sulphur Dioxide from all sources. (This corresponds to 400 tonnes per day Coal with 1 % Sulphur);
- (c) Siting of Industrial areas shall be based on the prescribed criterion and with prior approval of Competent Authority;
- (d) Existing orange categories industries, which are now in the red categories of industries shall be continued, however, no expansion shall be allowed.”.

[F. No. 25/6/2012-ESZ]

DR. SATISH C. GARKOTI, Scientist ‘G’

**Note:** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 102 (E), dated the 1<sup>st</sup> February, 1989.

**MINUTES OF 54<sup>th</sup> MEETING OF THE EXPERT COMMITTEE FOR DECLARATION OF ECO-SENSITIVE ZONE AROUND PROTECTED AREAS HELD ON 22<sup>nd</sup> MAY, 2024 IN THE MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE.**

The 54<sup>th</sup> Meeting of the Expert Committee on Eco-Sensitive Zone (ESZ) was held under the Chairmanship of Additional Secretary, Ministry of Environment, and Forest & Climate Change on 22<sup>nd</sup> May, 2024 in hybrid mode at Mahanadi Hall, Indira Paryavaran Bhawan, New Delhi. The list of the participants is annexed.

Participants from State of Maharashtra, Uttarakhand and Chhattisgarh attended the meeting physically while participants from Rajasthan joined through Video Conference link.

**Opening remarks by Chairman:** At the outset, the Chairman welcomed the Expert members of committee, representatives from the State Governments of Chhattisgarh, Rajasthan, Uttarakhand, Maharashtra and other participants of the meeting. The Chairman then requested the State Government representatives to present their proposals based on the items listed in the agenda of the meeting.

**Agenda-wise deliberations:** The deliberations held and the decisions taken are as follows:

**Item No. 3.1: *Bhoramdev Wildlife Sanctuary, Chhattisgarh***

The draft ESZ notification around Bhoramdev Wildlife Sanctuary of Chhattisgarh was published on 08.04.2016 and was deferred in the 24<sup>th</sup> Expert Committee Meeting (ECM) held on 27.02.2017 as State Govt. sought time to process public comments received on the draft notification. However, the draft notification lapsed its validity on 05.10.2017 due to non-submission of additional information by the State Government.

Subsequently, based on the revised proposal of the State Government, the draft ESZ notification was re-published *vide* S.O. 4381(E) dated 09.10.2023 with an increased ESZ area from 109.882 sq.km to 179.317 sq.km having an ESZ extent of zero to 8.3 km. Following are the features of the draft notification:

**Area of Protected Area:** 351.24 sq km

**ESZ Area:** 179.317 sq.km

**ESZ Extent:** zero to 8.30 km

*(Extent of ESZ is zero on West & North West as it borders the Kanha Tiger Reserve of Madhya Pradesh)*

Earlier, the proposal was considered in 52<sup>nd</sup> ECM held on 27.12.2023 wherein it was deferred for consideration at a later stage on receipt of clarification from the State Government regarding ESZ extent and proposed mining activities in consonance with order of Hon'ble Supreme Court.

During the present meeting, APCCF, Chhattisgarh informed that they have undergone public consultation with 24 villages. During the public consultation, 4 Gram Panchyats have raised objections on the ESZ extent and asked for relaxation in certain activities. The representative of the State Govt. also informed that the views of the State Govt have not yet been finalized on this matter due to ongoing general elections. In view of the above, the State Govt. sought deferment of the proposal.

*Based on the deliberations held the Committee decided that the proposal to be deferred as the view of the State Govt. are not available on record.*

### **Item No. 3.2: Sariska Tiger Reserve, Rajasthan**

The initial draft notification was published on 04.03.2021, followed by the deferment of proposal due to non submission of state Government's response to public/stakeholders comments in 46<sup>th</sup> and 47<sup>th</sup> ECM and subsequently the draft notification lapsed its validity on 27.02.2023. Thereafter, the fresh draft notification was re-published vide S.O. 4766 (E) dated 2<sup>nd</sup> November, 2023.

Following are the key features of the draft notification:

**Area of Protected Area:** 1213.34 sq km

**ESZ Area:** 87.73 sq.km

**ESZ Extent:** Zero to 1.0 km from Sariska TR and zero to 24 km from Sariska WLS & Jamwa Ramgarh WLS

Earlier, the proposal was considered in 53<sup>rd</sup> ECM held on 07.03.24 and was deferred on the request of the State Government of Rajasthan as the public comments received on the draft notification were under process and were being examined by the State Government.

During the meeting, the proposal was discussed in light of Hon'ble Supreme court's order dated 15.05.2024 which stated that the Critical Tiger Habitat (CTH) will be treated at par with the Protected Area and as such the mining activities will be prohibited within a radius of one kilometer from the boundaries of the Critical Tiger Habitat (CTH) of Sariska Tiger Reserve. The Committee sought views of State Govt. on above order. The PCCF, Rajasthan mentioned that they require time to examine the order and therefore sought deferment of the proposal.

*Based on the deliberations and in light of recent Supreme Court order dated 15.05.2024 the Committee deferred the proposal on the request of the State Govt.*

### **Item 3.3: Amendment in Doon Valley Notification, Uttarakhand**

Initially, Doon Valley Notification was issued vide S.O. 923(E) dated 01.02.1989. With advent of EIA Notification, 1994 followed by EIA Notification, 2006; the Doon Valley Notification underwent suitable amendment vide Notification dated 04.07.2005.

Thereafter, with CPCB's categorization of industries, the Doon Notification was again amended to refer to CPCB Categorization for

implementation purpose *vide* notification dated 06.01.2020. A notification was also issued *vide* number S.O. 2125 (E), dated the 13<sup>th</sup> December, 2007, whereby, procedure to be followed for all developmental proposals in the Doon Valley has been prescribed

The State Govt *vide* letter dated 4<sup>th</sup> July 2023 submitted the proposal for amendment. Further, as per the policy decision taken in the Ministry, the approval of Zonal Master Plan (ZMP) for the ESZs/ESAs are being delegated to the State Governments.

Therefore, in order to bring parity of the Doon Valley notification with other regulations on Eco-sensitive areas, the draft amendment has been proposed for dispensing with the requirement of approval of the Central Government in respect of the Tourism Plan, Grazing Plan, Master Plan of Development, Land Use Plan, Zonal Master Plan etc,

The said draft amendment was published on 21.12.2023 inviting public comments for sixty days.

During the meeting, the representative of State Govt presented the proposal on Doon Valley amendment to the committee. They apprised the committee that as per the amendment *“Tourism Plan, Grazing Plan, Master Plan of Development and Land Use Plan, and any other such Plan including Zonal Master Plan, Integrated Master Plan shall be prepared by the State Government with due involvement of all concerned State Departments such as Environment, Forest, Urban Development, Tourism, Municipality, Revenue, Public Works, Water Resources, Horticulture, Panchayati Raj, Rural Development, Pollution Control Board, etc., for integrating environmental concern into it and shall be approved by the competent authority in the State Government of Uttarakhand.”*

The representatives of the State Govt informed the Committee that they have responded to the objections raised by the concerned applicants.

*Based on the deliberations held the Committee agreed and decided that the proposal can be recommended for finalization subject to receipt of confirmation from the State Government that they have replied to all the public comments received on the draft notification.*

### **Item 3.4 : Bhitarkanika National Park, Bhitarkanika Wildlife Sanctuary & Gahirmatha (Marine) Wildlife Sanctuary , Odisha**

The final notification for ESZ around Bhitarkanika National Park, Bhitarkanika and Gahirmatha (Marine) Wildlife Sanctuary was published *vide* S.O 1601 (E), dated 16<sup>th</sup> June, 2015 with ESZ extent of 0.56 to 2.0km and ESZ area of 466.40 km.

However, after rationalization of boundary of Bhitarkanika Wildlife Sanctuary issued by Govt. of Odisha *vide* No. 2289 dated 01.02.2020 by deletion of 52 villages from the old sanctuary, area with an extent of 54.45 sq km and addition of 55.45 sq km of forest area to the sanctuary, a revised proposal was received from the State Government for declaring fresh ESZ. Based on the said proposal a draft notification was published on 23<sup>rd</sup> February, 2022. However, the State Govt. requested the Ministry to issue a corrigendum to the draft issued on 23.02.2022,

modifying the list of villages as per a revised list submitted vide its letter dated 07<sup>th</sup> July, 2023. Based on the said request the draft notification was again published on 06<sup>th</sup> September 2023, in super-session of the earlier draft published on 23<sup>rd</sup> February, 2022. Following are the important features of the draft notification

**Area of Protected Area:** Bhitarkanika National Park : 145 sq km,  
Bhitarkanika Wildlife Sanctuary: 673 sq km,  
Gahirmatha (Marine) Wildlife Sanctuary: 1435 sq km

**ESZ Area:** 497.67 sq km

**ESZ Extent:** 0.10 km to 8.7 km

The proposal was considered in in 52<sup>nd</sup> ECM held on 27<sup>th</sup> December 2023 and the Committee decided to defer the proposal as the representative of the State Govt. who joined the meeting virtually, was not having a presentation and required maps to present before the committee. The State Govt. was asked to be prepared and present their proposal in next meeting physically.

The proposal was again deferred during 53<sup>rd</sup> ECM wherein the committee asked the State Govt. to translate the notification in Odia language and publish it in local newspapers in order to seek public comments from locals within a time period of 30 days, as the same was sought in one of the public comments.

*In the present meeting also the committee decided to defer the proposal as Government of Odisha ,vide letter dated 20.05.2024 ,sought for the deferment of proposal till next ECM, as the circulation of Odia version of notification was under process.*

### **Item 3.5: Great Indian Bustard Sanctuary, Maharashtra**

The Final notification for declaration of ESZ around Great Indian Bustard Sanctuary was published on 11.02.2020 with ESZ extent of zero to 400 meters and the area of the Eco-Sensitive Zone was 591.52 square kilometers.

Subsequently, the State Govt. submitted a proposal for Rationalization of ESZ area in Patch no. 28 by excluding an area of 68.08 ha.

**Area of Protected Area:** 366.72 sq. km

**ESZ Area:** 591.52 sq. km

**ESZ Extent:** 0 - 400 m

The CWLW and Additional PCCF, Maharashtra presented the proposal for rationalization of ESZ boundary. During the discussion, the Committee asked the representative of the State Govt to share the detailed maps of proposal with all the Committee members for further facilitating the discussions and decision making.

The Committee also referred to the Hon'ble Supreme Court's order dated 21.03.2024 in Writ Petition (Civil) No. 838 of 2019 regarding Great Indian Bustard Sanctuary wherein a seven member committee has been

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formed to find a balance between GIB conservation and renewable energy efforts. The ESZ Expert Committee asked the State Govt to provide a reasonable justification for rationalization of area of GIB Sanctuary keeping in view the above order of Hon'ble Supreme Court for conservation of GIB.

*Based on the deliberations held the Committee decided to defer the proposal and asked the State Govt. to provide detailed map and shape file of the ESZ area to the Committee members . Also, the Committee directed the Govt of Maharashtra to provide justification for rationalization of ESZ area keeping in view the above mentioned Hon'ble Supreme Court order dated 21.03.2024.*

**LIST OF THE PARTICIPANTS****Members of Expert Committee**

1. Shri Tanmay Kumar, Additional Secretary, Chairperson, MoEF&CC.
2. Dr. S. Kerketta, Scientist 'G', MoEF&CC.
3. Dr. S.C Garkoti, Former Advisor MoEF&CC, Non-Official Member of Expert Committee.
4. Shri R. Raghu Prasad , IGF, MoEF&CC
5. Shri P.K. Gupta, Director, CPCB
6. Shri Amit Thakkar, Additional Director, CPCB
7. Dr. C.R Raghunathan ,Zoological Survey of India
8. Dr. K.S Kanwal, Scientist, GBPNHE, Almora.
9. Dr. Hitendra Padalia, Head FED, IIRS, Dehradun.
10. Dr. Gautam Talukdar, Scientist F, Wildlife Institute of India.
11. Dr. Sanjay Singh, Scientist E, ICFRE, Dehradun.
12. Ms. Abha Agarwal, Member, Town and Country Planning Organisation
13. Shri Rekhraj Meena , Deputy Director, Central Water Commission
14. Ms. Neha Sinha, Head Policy, WWF
15. Forest Survey of India.
16. National Tiger Conservation Authority

**Officials of MoEF&CC**

17. W. Bharat Singh, Scientist 'F' MoEF&CC
18. Dr. Ritesh Joshi, Scientist 'E' MoEF&CC
19. Dr. Veenu Joon, Scientist 'E', MoEF&CC.
20. Shri Anil Thakar, Consultant, MoEF&CC
21. Ms. Ritu Narwaria, Consultant, MoEF&CC
22. Shri Manish Chaturvedi, Legal Associate, MoEF&CC

**Official of Government of Chattisgarh**

23. Shri Prem Kumar, APCCF(Wildlife) , Chhattisgarh

**Officials of Government of Maharashtra**

24. Shri Maheep Gupta, PCCF and CWLW Maharashtra
25. The Additional PCCF, Wildlife, Mumbai
26. Shri Shrinivas K. Pachgane, DFO, DCF (Wildlife), Maharashtra.

**Officials of Government of Uttarakhand**

27. Dr. Parag Dhakete, Member Secretary, Uttarakhand Pollution Control Board, Uttarakhand
28. Dr. Ankur Kansal, Environment Engineer, Uttarakhand Pollution Control Board

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**Officials of Government of Rajasthan**

29. ACS, Rajasthan

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प्रेषक,

कहकशां नसीम,  
अपर सचिव,  
उत्तराखण्ड शासन।

सेवा में,

अपर सचिव,  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,  
भारत सरकार।

पर्यावरण संरक्षण एवं जलवायु परिवर्तन देहरादून दिनांक: अक्टूबर, 2024  
विषय:—Draft Amendment of Doon Valley Notification, 2023 विषयक।

महोदय,

कृपया उपर्युक्त विषयक दून वैली नोटिफिकेशन, 1989 (यथासंशोधित, 2020) को संशोधित किये जाने संबंधी पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार की प्रारूप अधिसूचना संख्या-5179, दिनांक 21.12.2023 के का संदर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से उक्त प्रारूप अधिसूचना पर जन आपत्ति/सुझाव प्राप्त किये जाने हेतु Public Domain में प्रसारित किया गया। तदक्रम में भारत सरकार द्वारा उत्तराखण्ड राज्य को उक्त आपत्तियां संदर्भित करते हुए राज्य सरकार का अभिमत भारत सरकार को प्रेषित करने की अपेक्षा की गयी।

2— “Amendment in Doon Valley Notification, 2023” के संबंध में प्राप्त संबंधित public comment पर उत्तराखण्ड शासन के पत्र संख्या-235323/2024 दिनांक 27.08.2024 द्वारा उत्तराखण्ड राज्य की ओर से वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार को आख्या/अभिमत प्रेषित की गया है।

3— भारत सरकार द्वारा प्रकरण में की अपेक्षा के क्रम में “Amendment in Doon Valley Notification, 2023” पर प्राप्त जन आपत्ति/सुझाव के संबंध में आख्या/अभिमत के आधार पर उत्तराखण्ड शासन के पत्र संख्या-245207/2024, दिनांक 09.10.2024 के द्वारा प्रस्तावित दून वैली नोटिफिकेशन, 1989 (यथासंशोधित, 2020) के प्रारूप पर उत्तराखण्ड राज्य की सहमति से पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार को अवगत कराया गया है।

4— इस संबंध में पुनः दून वैली नोटिफिकेशन, 1989 (यथासंशोधित, 2020) को संशोधित किये जाने संबंधी पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार की प्रारूप अधिसूचना संख्या-5179, दिनांक 21.12.2023 पर प्राप्त जन आपत्तियों/सुझाव पर आख्या/अभिमत सहित उत्तराखण्ड राज्य की सहमति

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प्रदान की जाती है।

अतः आपसे अनुरोध है कि कृपया उपरोक्त से अवगत होते हुए प्रकरण में अग्रेत्तर आवश्यक कार्यवाही करने का कष्ट करें।

भवदीया,

Signed by

Kahkashan Naseem

(कहकशा नसीम)  
Date: 29-10-2024 16:23:10  
अपर सचिव।

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# भारत का राजपत्र

## The Gazette of India

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 13 मई, 2025

का.आ. 2125 (अ).— प्रारूप अधिसूचना भारत के राजपत्र, असाधारण में संख्यांक का.आ. 5409(अ), तारीख 21 दिसंबर, 2023, द्वारा प्रकाशित की गई थी, जिसमें ऐसे सभी व्यक्तियों से, जिनकी उससे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना को अन्तर्विष्ट करने वाली राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और, उक्त प्रारूप अधिसूचना की राजपत्र की प्रतियां जनता को तारीख 21 दिसंबर, 2023 को उपलब्ध करा दी गई थी;

और, उक्त प्रारूप अधिसूचना की बाबत व्यक्तियों और पणधारियों से प्राप्त आक्षेपों और सुझावों पर केंद्रीय सरकार द्वारा विचार किया गया था;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इस अधिसूचना में इसके पश्चात् पर्यावरण अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) और खंड (xiv) तथा उप-धारा (3) द्वारा प्रदत्त शक्तियों का

प्रयोग करते हुए, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 102 (अ), तारीख 1 फरवरी, 1989 में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में, -

(क) पैरा (iii), (iv) और (v) के स्थान पर निम्नलिखित पैरा रखे जाएंगे, अर्थात्: -

(iii) पर्यटन योजना, चरागाह योजना, विकास का आंचलिक महायोजना और भूमि उपयोग योजना, तथा क्षेत्रीय महा योजना, एकीकृत महायोजना सहित कोई अन्य ऐसी योजना राज्य सरकार द्वारा सभी संबंधित राज्य विभागों जैसे पर्यावरण, वन, शहरी विकास, पर्यटन, नगर पालिका, राजस्व, लोक निर्माण, जल संसाधन, बागवानी, पंचायती राज, ग्रामीण विकास, प्रदूषण नियंत्रण बोर्ड आदि की सम्यक भागीदारी के साथ पर्यावरणीय चिंताओं को इसमें एकीकृत करने के लिए तैयार की जाएगी और उत्तराखंड राज्य सरकार में सक्षम प्राधिकारी द्वारा अनुमोदित की जाएगी।”

(IV) जो परियोजनाएं पर्यावरण समाघात निर्धारण अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 के अधीन सम्मिलित नहीं हैं, तथापि, जो उद्योगों की नारंगी श्रेणी में आती हैं, उन पर उत्तराखंड राज्य प्रदूषण नियंत्रण बोर्ड द्वारा उचित प्रक्रिया का अनुसरण करते हुए विचार किया जाएगा।

(V) पर्यावरण समाघात निर्धारण अधिसूचना, जो संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 द्वारा जारी की गई थी, के अधीन अनुसूची में सम्मिलित परियोजनाओं को उक्त अधिसूचना में निर्धारित प्रक्रिया का अनुसरण करना होगा।

(ख) टिप्पण में, खंड (घ) के स्थान पर निम्नलिखित खंड रखे जाएंगे, अर्थात्:-

“(घ) नारंगी श्रेणी के उद्योग, जो अब उद्योगों की लाल श्रेणी में हैं, जारी रहेंगे और भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 (जिसे इसमें इसके पश्चात् ईआईए अधिसूचना कहा गया है) की अनुसूची में आने वाले ऐसे नारंगी श्रेणी के उद्योगों का विस्तार केवल उक्त अधिसूचना के पैरा 7 के उप-पैरा (ii) में दिए गए ऐसे विस्तार से संबंधित विद्यमान उपाबंध के अधीन ही अनुमति दी जाएगी, जिसे समय-समय पर संशोधित मार्गदर्शक सिद्धांत तथा पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, केन्द्रीय सरकार द्वारा इस संबंध में संबंधित विद्यमान निर्देश समय-समय पर जारी किया गया।

(ड.) उत्तराखंड राज्य प्रदूषण नियंत्रण बोर्ड खंड (घ) में विनिर्दिष्ट उन उद्योगों के विस्तार के लिए तंत्र अधिकथित करेगा जो उक्त अधिसूचना की अनुसूची में नहीं आते हैं।”

[फ.सं. 25/6/2012--ईएसजेड-आरई]

डॉ. सु. केरकेट्टा, वैज्ञानिक “जी”

टिप्पण.- मूल अधिसूचना भारत के राजपत्र, असाधारण भाग II, खंड-3, उपखंड (ii) में का.आ. 102(अ), तारीख 1 फरवरी, 1989 द्वारा प्रकाशित की गई और का.आ. 94(अ), तारीख 6 जनवरी, 2020 द्वारा संशोधित की गई थी।

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 13<sup>th</sup> May, 2025

**S.O. 2125(E).**— WHEREAS a draft notification was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 5409(E), dated the 21<sup>st</sup>, December 2023, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

**AND WHEREAS** copies of the Gazette containing the said draft notification were made available to the public on the 21<sup>st</sup> December, 2023;

**AND WHEREAS** objections and suggestions received from persons in response to the said draft notification have been considered by the Central Government;

**NOW, THEREFORE**, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 102 (E), dated the 1<sup>st</sup> February, 1989, namely:-

In the said notification, -

(a) for paragraphs (iii), (iv) and (v) the following paragraphs shall be substituted, namely: -

“(iii) Tourism Plan, Grazing Plan, Master Plan of Development and Land Use Plan, and any other such Plan including Zonal Master Plan, Integrated Master Plan shall be prepared by the State Government with due involvement of all concerned State Departments such as Environment, Forest, Urban Development, Tourism, Municipality, Revenue, Public Works, Water Resources, Horticulture, Panchayati Raj, Rural Development, Pollution Control Board, etc., for integrating environmental concern into it and shall be approved by the competent authority in the State Government of Uttarakhand.”;

(iv) The projects which are not covered under the Environment Impact Assessment Notification issued vide number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, however, falls under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board following the due process.

(v) The projects which are covered in the Schedule under the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, shall follow the procedure laid down in that notification”.

(b) in the note, for clause (d), the following clauses shall be substituted, namely:-

“(d) the orange categories industries, which are now in the red categories of industries shall be continued and expansion of such orange category industries falling in the Schedule of the

notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 (hereinafter referred to as the EIA notification) to be allowed only subject to the extant provision pertaining to such expansion as laid down in sub-para (ii) of para 7 of said notification, as amended from time to time, and related extant directions issued in this regard by the Central Government in the Ministry of Environment, Forest and Climate Change, from time to time.

- (e) The Uttarakhand State Pollution Control Board shall lay down a mechanism for expansion of the industries referred to in clause (d) which are not falling in the Schedule of the said notification.”.

[F. No. 25/6/2012-ESZ-RE]

DR. S. KERKETTA, Scientist ‘G’

**Note.-** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (ii) vide S.O. 102(E), dated the 1<sup>st</sup> February, 1989 and amended S.O. 94(E), dated the 6<sup>th</sup> January, 2020.

**अधिसूचना  
नई दिल्ली, 13 मई, 2025**

**का.आ. 2126 (अ).—** केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) और खंड (xiv) और धारा 5 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस बात से संतुष्ट है कि ऐसा करना लोकहित में आवश्यक है, अतः वह भारत सरकार के पर्यावरण और वन मंत्रालय के उस आदेश को जो भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में संख्यांक का.आ. 2125 (अ) तारीख 13 दिसम्बर, 2007 के अधीन प्रकाशित हुआ था, उन बातों के सिवाय, जो ऐसे विखण्डन से पूर्व की गई हैं या करने का लोप किया गया है, विखंडित करती है।

[फ.सं. 25/6/2012-ईएसजेड-आरई]

डॉ. सु. केरकेट्टा, वैज्ञानिक “जी”

**टिप्पण.-** मूल अधिसूचना भारत के राजपत्र, असाधारण भाग II, खंड-3, उपखंड (ii) में का.आ. 2125(अ), तारीख 13 दिसंबर, 2007 द्वारा प्रकाशित की गई थी।

**NOTIFICATION**

New Delhi, the 13<sup>th</sup> May, 2025

**S.O. 2126 (E)** .— In exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government being satisfied that it is necessary in the public interest so to do, hereby rescinds the order of the Government of India in the erstwhile Ministry of Environment and Forests published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 2125 (E), dated the 13<sup>th</sup> December, 2007, except as respects things done or omitted to be done before such rescission.

[F. No. 25/6/2012-ESZ-RE]

DR. S. KERKETTA, Scientist 'G'

**Note.-** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (ii) vide number S.O. 2125(E), dated the 13<sup>th</sup> December, 2007.