

प्रेषक,

निदेशक, पंचायतीराज,
उत्तर प्रदेश।

सेवा में,

समस्त जिला पंचायत राज अधिकारी
उत्तर प्रदेश।

संख्या: 5/2102/2015-5/60/2015 लखनऊ दिनांक: 8 सितम्बर, 2015,
विषय: प्रदेश के ग्रामीण क्षेत्रों में अन्त्येष्टि स्थलों का विकास किये जाने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक शासनादेश संख्या-3580(1)/33-3-2014-100(21)/2014 दिनांक 31 दिसम्बर, 2014 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके अन्तर्गत बिन्दु संख्या-2 में निम्नलिखित प्रस्तर में उल्लेख किया गया है।

“नियमानुसार समस्त आवश्यक वैधानिक अनापत्तियों एवं पर्यावरणीय क्लियरेन्स सक्षम स्तर से प्राप्त करके ही निर्माण कार्य प्रारम्भ किया जायेगा।”

उक्त बिन्दु के सम्बन्ध में निदेशालय के पत्र संख्या-5/शा0/460/2015-5/60/2015 दिनांक 01 सितम्बर, 2015 द्वारा मार्गनिर्देश प्राप्त करने हेतु निदेशक पर्यावरण को पत्र भेजा गया था, उनके द्वारा यह अवगत कराया गया कि भारत सरकार के वेबसाइट- www.seiaaup.in पर Notification New Delhi 14th September, 2006 के नोटीफिकेशन में जिन प्रकरणों/निर्माण कार्यों के क्रियान्वयन से पूर्व पर्यावरण विभाग की अनापत्ति लिया जाना वांछित है वह निम्नप्रकार है:-

(1)	(2)	(3)	(4)	(5)
		Buliding/Construction Project /Area Developent Project and Townships		
8(a)	Buliding and Construction Projects		≥20000 sq.mtrs and ≤1,50,000 sq.mtrs. of built-up area#	# (built up area for covered construction. in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Developent Project		Covering an area ≥ 50 ha and for built up area ≥ 50,000 sq. mtrs++	++ All projects under Item 8(b) shall be apprased as CategoryBI

उक्त से स्पष्ट है कि ग्रामीण अन्त्येष्टि स्थल विकास का निर्माण कार्य का अच्छादित क्षेत्रफल- 158.79 वर्गमीटर है, जिसके लिए पर्यावरण विभाग की अनापत्ति की आवश्यकता नहीं है।

अतः पर्यावरण विभाग के नोटीफिकेशन दिनांक 14 सितम्बर, 2006 के संगत अंश की छायाप्रति संलग्न कर इस आशय से प्रेषित है कि तदनुसार ग्रामीण अन्त्येष्टि स्थलों के विकास से सम्बन्धित योजनान्तर्गत अवमुक्त धनराशि से तत्काल निर्माण कार्य प्रारम्भ कराकर कार्य को पूर्ण कराना सुनिश्चित करें।

संलग्नक: उपरोक्तानुसार।

भवदीय,

(उदयवीर सिंह यादव)
निदेशक,
पंचायतीराज, उ0प्र0।

संख्या: 5/2102/2015तददिनांक

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- 1- प्रमुख सचिव, पंचायतीराज विभाग, उत्तर प्रदेश शासन।
- 2- निदेशक, पर्यावरण, विनीत खण्ड-1, गोमतीनगर लखनऊ
- 3- समस्त जिलाधिकारी, उ0प्र0।
- 4- समस्त मुख्य विकास अधिकारी, उ0प्र0।
- 5- समस्त मण्डलीय उप निदेशक(पं0) उ0प्र0।

(उदयवीर सिंह यादव)
निदेशक,
पंचायतीराज, उ0प्र0।

Subject: Letter No-2102 Dt-08.09.0215

Date: 08/09/15 12:50 PM

To: prsecup@gmail.com

From: Panchayatiraj Dept.U.P. <panchraj@nic.in>

Letter No-2102 Dt-08-09-2015.pdf (870kB)

PFA

With Regard

DIRECTORATE OF PANCHAYATI RAJ, U.P.
6TH FLOOR JAWAHAR BHAWAN, LUCKNOW
PH-0522-2286646

(AS AMENDED ON 1.12.2009)

(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi 14th September, 2006

Notification

S.O. 1533 Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18th May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

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

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

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

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

Note:-

General Condition (GC):

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

Specific Condition (SC):

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