

## Ministry of Environment and Forests

### Notification

**New Delhi, the 29th November 1999**

S.O. 1189 (E):-In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), (hereinafter referred to as the said Act), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby delegates the powers conferred on it to take measures for protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution, to be exercised also by the State Governments as notified in the Notification of the Government of India in the Ministry of Environment and Forests S.O. NO. 319 (E) dated 7<sup>th</sup> May 1992 subject to certain conditions which are as follows:-

- (i) the State Governments concerned, namely, Haryana and Rajasthan shall constitute an Expert Committee for each state as per the composition given in the Schedule-I annexed to this Notification;
  - (ii) each State Government shall also constitute a Monitoring Committee, under the chairmanship of the District Collector concerned (Gurgaon in Haryana and Alwar in Rajasthan) as given in the Schedule-II annexed to this Notification which shall inter alia monitor the compliance of the conditions stipulated while according environmental clearance by such State Governments and report to such State Government about the violations, if any, and the action taken thereon;
  - (iii) the District Collectors of Gurgaon in Haryana and Alwar in Rajasthan shall be authorised by the respective State Governments to take necessary action under section 5 of the said Act in respect of cases where the project proponents fail to implement the conditions.
2. the State Government concerned shall initiate steps to prepare a Master Plan for the development of the area covered by the Notification S.O. 319 (E) dated 7th May, 1992 integrating environmental concerns and keeping in view the future land use of the area. This Master Plan shall be prepared by the concerned state agency, approved by the competent authority and finally published,

within two years from the date of issue of this Notification, in accordance with the procedure laid down in the Town and Country Planning Act or any other similar Act of the respective State Government. The State Government concerned shall implement the Master Plan forthwith after its final publication.

3. Any person desirous of undertaking any of the activities mentioned in the Notification No. 319 (E) dated 7<sup>th</sup> May 1992 shall submit an application to the Secretary, Department of Environment of the Government of Haryana/Rajasthan, as the case may be. The applicant shall also furnish environment impact statement and an environment management plan and such other information as may be prescribed by such State Governments. The application after due scrutiny shall be placed before the Expert Committee for its recommendations. Based on the recommendations of the Expert Committee, the Department of Environment in the State Government concerned shall take a final decision and convey the same to the applicant within three months from the date of receipt of application or when further information has been asked for from the applicant within three months from the date of receipt of such information.
4. The Ministry of Environment and Forests retains appellate power against rejection of any proposal and the National Environmental Appellate Authority constituted under the National Environment Appellate Authority Act, 1997 (22 of 1997) shall continue as an Appellate Authority against approval.

17/1/91-PL/IA

**V. RAJAGOPALAN**

**JOINT SECRETARY TO THE GOVERNMENT OF INDIA**

## **SCHEDULE-I**

### **COMPOSITION OF THE EXPERT COMMITTEE**

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|----|---|------------------|
| 1. | Secretary, Department of Environment of the concerned State Government  | Chairman         |
| 2. | Head of the Regional Office, Indian Bureau of Mines   | Member           |
| 3. | Representative of Town and Country Planning Department of the concerned State Government  | Member           |
| 4. | Representative of Sariska Tiger Reserve (for Rajasthan)/District Forest Officer concerned (for Haryana)                                   | Member           |
| 5. | One expert on mining who is a qualified Mining Engineer   | Member           |
| 6. | One expert on industry  | Member           |
| 7. | One Representative each from two non-governmental organisations nominated by the Ministry of Environment and Forests, Government of India | Members          |
| 8. | Member Secretary of the State Pollution Control Board of the State  | Member           |
| 9. | Representative of the Department of Environment of the concerned State Government   | Member Secretary |

## **SCHEDULE-II**

### **COMPOSITION OF THE MONITORING COMMITTEE**

1. District Collector of Gurgaon/Alwar Chairman
2. Representative of the Pollution Control Board Member  
of the concerned State
3. Representative of the Sariska Tiger Reserve Member  
(for Rajasthan) /District Forest Officer (for  
Haryana)
4. Representative of the Regional Office of Member  
Indian Bureau of Mines
5. Representative of a non-governmental Member  
organisation to be nominated by the respective  
State Governments.
6. Representative of Town and Country Planning Member  
Department of the concerned State  
Government

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