

સાઈટીંગ ઝાઈટેરીયા



ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

આઈ.એસ./આઈ.એસ.ઓ. ૯૦૦૧:૨૦૧૫ અને
આઈ.એસ./આઈ.એસ.ઓ. ૧૪૦૦૧:૨૦૧૫ સંસ્થા



WORLD
ENVIRONMENT
DAY 2022

સાઈટીંગ ઝાઈટેરીયા



GPCB

૦૫ જૂન ૨૦૨૨

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

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પ્રસ્તાવના

ઔદ્યોગિક એકમની સ્થાપના કે વિસ્તરણ બાબતે સુચિત એકમનું રહેણાંક વિસ્તાર/સ્કુલ/કોલેજ વગેરેથી અંતર ખુબ અગત્યની બાબત છે. ઔદ્યોગિક એકમના સ્થળની પસંદગી સંતુલીત વિકાસ માટે જરૂરી છે. આવા સંજોગોમાં પ્રવર્તમાન સાઈટીંગ કાઈટેરીયા સમયાનુસાર પુનઃવિચારણા કરી સમીક્ષા કરવી અનિવાર્ય હતી.

ઔદ્યોગિક એકમોની પ્રદૂષણની ક્ષમતાને ધ્યાને રાખી, અન્ય રાજ્યોના આ બાબતે ધારાધોરણોનો અભ્યાસ કરવામાં આવેલ જે પરથી સાઈટીંગ કાઈટેરીયા સુધારો કરવા જરૂરી જણાયેલ.

આશા રાખુ છું કે, આ સાથે રજુ કરેલ સાઈટીંગ કાઈટેરીયાને પરિણામે ઔદ્યોગિક એકમોને બોર્ડની પરવાનગી માટે જમીન પસંદગી કરવામાં પારદર્શકતા આવશે અને સાથે-સાથે ઔદ્યોગિક પ્રવૃત્તિની પર્યાવરણમાં નકારાત્મક અસરો લઘુત્તમ રહેશે.



આર.બી. બારડ(આઇ.એ.એસ)

અધ્યક્ષ

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ, ગાંધીનગર

અનુક્રમણિકા

ક્રમ	વિગત	પાના નં.
૧	ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડનો સાઈટીંગ ક્રાઈટેરીયા અંગેનો પરિપત્ર	૧
૨	ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડની સ્ટોન ક્ષીંગ યુનિટ અંગેની ગાઈડલાઈન	૪
૩	ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડની હોટ મિક્સ પ્લાન્ટ અંગેની ગાઈડલાઈન	૭
૪	કેન્દ્રીય પ્રદૂષણ નિયંત્રણ બોર્ડની પોલ્ટ્રી ફાર્મ્સ અંગેની પર્યાવરણીય ગાઈડલાઈન	૯
૫	પર્યાવરણ, વન અને જળવાયુ પરિવર્તન મંત્રાલયની બ્રિક્સ કિલન અંગેનું તા.૨૨/૦૨/૨૦૨૨ નું જાહેરનામું	૨૨
૬	નામદાર નેશનલ ગ્રીન ટ્રીબ્યુનલ દ્વારા ઓ.એ. નં. ૩૦૪/૨૦૧૯ અન્વયે માઇન્સ બાબતનો તા. ૨૧/૦૭/૨૦૨૦નો હુકમ	૨૬
૭	નર્મદા જળસંપત્તિ, પાણી પુરવઠા અને કલ્પસર વિભાગનો ઠરાવ ક્રમાંક: એમઆઈએસ૧૦૨૦૧૦:૧૭૧-ક, તા. ૨૧/૦૮/૨૦૧૮	૨૯
૮	વન અને પર્યાવરણ વિભાગનો ઠરાવ ક્રમાંક: વપસ-૧૦૧૨-૧૩૩-ડબલ્યુ, તા. ૩૧/૦૫/૨૦૧૨ અને સુધારા ઠરાવ તા. ૨૬/૦૩/૨૦૧૩	૩૧
૯	રોડ સ્ટાન્ડર્ડ્સ અંગેનો પરિપત્ર નં. રોડસ/એસ.ટી.ડી/૧૯૬૨-સી, તા. ૧૪/૧૨/૧૯૬૨	૩૯
૧૦	પ્રાચીન સ્મારકો અને પુરાતત્વીય સ્થળો અને અવશેષો (સુધારો અને માન્યતા) અધિનિયમ, ૨૦૧૦	૫૪

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડનો
સાઈટીંગ ક્રાઈટેરીયા
અંગેનો પરિપત્ર

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

ગાંધીનગર

પરિપત્ર

ગુજરાત સરકારના મહેસુલ વિભાગના ઠરાવ: બખપ/૧૦૯૮/યુ.ઓ.૧૨/ક, તા. ૩૦/૧૦/૧૯૯૮ ના પરિપત્રથી જમીનને ઔદ્યોગિક હેતુ માટે બિનખેતી પરવાનગી મેળવવા ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડના પરામર્શની જરૂર રહેતી ન હોય, ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ દ્વારા મહેસુલ સત્તાધીશોને બિનખેતી હુકમ કરતી વખતે બોર્ડના પરિપત્ર નં.ગુ.પ્ર.નિ.બોર્ડ/પરિપત્ર/એન.એ./આર.જે/૧/૦૬/૧૦૨૫૩,તા.૧૨/૦૪/૨૦૦૬ થી તેમાં દર્શાવેલ શરતોનો સમાવેશ કરવા જણાવવામાં આવેલ.

ઔદ્યોગિક એકમની સ્થાપના માટે સાઈટીંગ કાઈટેરીયા બાબતે સમયાંતરે અત્રેની કચેરીને મળેલ રજુઆતો, સરકારના જુદા-જુદા વિભાગના પરિપત્રો અને નામદાર અદાલતોના હુકમો વગેરે બાબતે પુખ્ત વિચારણાના અંતે બોર્ડ દ્વારા અગાઉ કરવામાં આવેલ પરિપત્ર નં.ગુ.પ્ર.નિ.બોર્ડ/પરિપત્ર/એન.એ./આર.જે/૧/૦૬/૧૦૨૫૩,તા.૧૨/૦૪/૨૦૦૬ રદ કરવામાં આવે છે.

હવે પછીથી નવા ઔદ્યોગિક એકમ સ્થાપવા/ એકમના વિસ્તરણના કિસ્સામાં નીચે મુજબના સાઈટીંગ કાઈટેરીયા લાગુ પડશે.

ક્રમ	સ્થળ	અંતર (મીટરમાં)		
		ઔદ્યોગિક એકમની કેટેગરી (સી.પી.સી.બી.ની કેટેગરી મુજબ)		
		રોડ	ઓરેંજ	ગ્રીન
૧	રહેણાંક વિસ્તાર/ સ્કુલ/ કોલેજ	૫૦૦	૨૫૦	૨૦૦
૨	નદી/ તળાવ/ કુદરતી નાળા/ સરોવર	૫૦૦	૨૫૦	૧૫૦
૩	રોડ/ રેલ્વે/ નહેર (કેનાલ)/ ઐતિહાસિક ઇમારતોથી ઔદ્યોગિક એકમના અંતર બાબતે સરકારનાં સંલગ્ન વિભાગ (જેવા કે, માર્ગ અને મકાન/ પંચાયત/ નેશનલ હાઈવે ઓથોરિટી ઓફ ઇન્ડિયા (એન.એચ.એ.આઇ.)/ રેલ્વે/ ઈરીગેશન/ પુરાતત્વ વિભાગ) દ્વારા નિર્ધારિત નિયંત્રણ રેખા અનુસાર ઓછામાં ઓછું અંતર રાખવાનું રહેશે.			
૪	વન વિસ્તાર કે દરીયા કિનારાથી ઔદ્યોગિક એકમના અંતર બાબતે સંલગ્ન વિસ્તારની કેટેગરી (જેવી કે, અભયારણ્ય, રાષ્ટ્રીય ઉદ્યાન, આરક્ષિત વન, ઇકો સેન્સિટિવ ઝોન, સી.આર.ઝેડ. વગેરે) પ્રમાણે સરકારશ્રી દ્વારા વખતો-વખત પ્રસિદ્ધ કરવામાં આવેલ જાહેરનામાં અનુસાર ઓછામાં ઓછું અંતર રાખવાનું રહેશે.			

- સાઈટીંગ કાઈટેરીયા લાગુ પાડતી વખતે નીચે મુજબની વિગતો ધ્યાને લેવાની રહેશે:
 ૧. રહેણાંક વિસ્તાર એટલે કે જ્યાં એક સમુહમાં (ક્લસ્ટર) પંદર (૧૫) કે તેથી વધારે પાકા ઘરો આવેલ હોય તેવો વિસ્તાર.
 ૨. ઔદ્યોગિક એકમનાં વિસ્તરણ/વેચાણ લીધેલ હોય એવા કિસ્સામાં; કેટેગરીમાં બદલાવ થતો હોયતો નવી કેટેગરી મુજબ સાઈટીંગ કાઈટેરીયા લાગુ પડશે.
 ૩. નામદાર સર્વોચ્ચ અદાલત, નામદાર એનજીટી કે નામદાર વડી અદાલતના હુકમો કે તેના આધારે બનાવેલી વિસ્તાર વિશિષ્ટ નીતિ (એરીયા સ્પેસિફિક પોલીસી), ઉદ્યોગ વિશિષ્ટ નીતિ (ઇન્ડસ્ટ્રીઝ સ્પેસિફિક પોલીસી) અને સરકારના જાહેરનામાં લાગુ પડતા હોય તેવા કિસ્સામાં સાઈટીંગ કાઈટેરીયા માટે સંલગ્ન હુકમોની જોગવાઈનું પાલન કરવાનું રહેશે.
 ૪. જી.આઈ.ડી.સી. વિસ્તારમાં આવનાર ઔદ્યોગિક એકમને સદર સાઈટીંગ કાઈટેરીયા લાગુ પડશે નહીં પરંતુ જીઆઈડીસી દ્વારા જે નિતી અમલમાં મુકેલ હશે, તેનું પાલન કરવાનું રહેશે.
 ૫. પર્યાવરણીય મંજૂરી મેળવેલ ન હોય તેવા ખાનગી એસ્ટેટમાં આવતાં તમામ ઔદ્યોગિક એકમોને સાઈટીંગ કાઈટેરીયા લાગુ પડશે.
 ૬. સ્થાનિક સ્વરાજ્ય સંસ્થાના કાર્યક્ષેત્રમાં આવનાર સર્વિસ સેક્ટરના એકમો જેવા કે, હોટેલ, ઓટો મોબાઈલ સર્વિસ સ્ટેશન, હેલ્થ-કેર યુનિટ, રેલવે વર્કશોપ/સ્ટેશન, તમામ પ્રકારની લેબોરેટરી, ગોલ્ડ હોલમાર્ક યુનિટ વગેરેને સાઈટીંગ કાઈટેરીયા માટે સ્થાનિક સ્વરાજ્ય સંસ્થાના નિયમો લાગુ પડશે.
 ૭. સાઈટીંગ કાઈટેરીયા બાબતે આ પરિપત્રમાં સમાવેશ ન થતા હોય એવા કિસ્સાઓને બોર્ડની સાઈટીંગ કાઈટેરીયા માટેની સમિતિમાં મુકવાના રહેશે.

આ પરિપત્ર ફાઇલ નં. ગુ.પ્ર.નિ.બોર્ડ/વી.એસ.ડી.-સી-૬-૨૦૨૧(૨)/જનરલ ઉપર અધ્યક્ષશ્રીની મંજૂરી લીધા બાદ બહાર પાડવામાં આવે છે.

D. M. Thakur.

(ડી. એમ. ઠાકર)

સભ્ય સચિવ

નં. ગુ.પ્ર.નિ.બોર્ડ/વી.એસ.ડી.-સી-૬-૨૦૨૧(૨)/જનરલ/એમ. એસ.-૬

તા. ૦૫-૦૬-૨૦૨૨

નકલ રવાના:

૧) તમામ કલેક્ટર કચેરી, ગુજરાત રાજ્ય

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Environmental Guidelines for Stone Crushing Units:

Stone Crushing Industry engaged in producing crushed stones which is the basic raw material for various construction activities such as construction of Roads Highways Bridges, Buildings and Canals etc., is an important industrial sector especially for infrastructure projects. This sector, gives rise to substantial quantity of fine fugitive dust emissions which create health hazards to the workers as well as surrounding population by way of causing respiratory diseases. The dust also adversely affects visibility, reduces growth of vegetation and hampers aesthetics of the area.

Stone crushing units are not stand alone crushing units, but stone mining is also associated with this activity; in fact stone mining is the primary and basic activity for the stone crushing units. Therefore this kind of industrial units need scrutiny while granting permission for environmental and mining operations, especially at the time of NOC (i.e. Consent to Establishment) stage. It should be analyzed in totality. i.e. for both activities.

Due to boom in infrastructure sector especially roads, highways and buildings; several stone crushing units are coming up which poses many challenges to maintain the National Ambient Air Quality Standards and achieve the sustainability. This has necessitated for the development of environment guidelines by the GPCB which are as under:

1) Sitting criteria:-

Sitting criteria of new stone crushing units shall be as follow:

Sr.no	Distance from	Distance
1	Class A and above cities; Other cities & towns; villages and approved continuous habitations.	1 km
2	Wild Life Sanctuary	5 km or buffer zone declared for the same
3	National Highway (from boundary line)	200 meters
4	State highway (from boundary line)	200 meters
5	Sensitive areas such as educational institute/ religious places	500 meters
6	Railway (from boundary line)	200 meters
7	River: Identified as per Survey of India by name. Canal : main and branch canal Lake : Notified	200 meters
8	Place of historical importance	1 Kilo meter

2) Installation and operations of stone crushing units:-

- Each stone crusher unit shall install adequate pollution control measures including erection of G.I. Sheets cover and the sprinklers before commencement of operations.
- Dust dome shall be provided in the unit.
- Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress the dust generated due to material handling/loading/unloading activity.
- Screen classifier shall be adequately covered by G.I. Sheets to prevent the emission into the atmosphere due to screening/grading activity.
- All conveyor belts shall be adequately covered by G.I. Sheet / M.S. sheet only.
- Regular wetting of roads shall be carried out to suppress the ground level dust within the premises to control the air borne dust emission due to wind velocity.
- All approach roads and ramps shall be metalled.
- Curtain or wall shall be provided surrounding the stone crusher unit.
- Display board shall be provided at the entrance of stone crusher indicating survey no, name and address of owner and the unit.
- Fine dust generated due to screening / crushing / grading shall be disposed off into abandoned mines.

3) Environmental standards:-

The standards consist of two parts.

I) Implementation of the following pollution control measures.

- 1) Dust containment cum suppression system for the equipment.
- 2) Construction of wind breaking walls especially at charging hopper & crushing place.
- 3) Construction of the metalled roads within the premises.
- 4) Regular wetting of the ground within the premises.
- 5) Green belt shall be developed along the periphery.

II) Quantitative standard for the SPM.

The suspended particulate matter measured between 3 to 10 meter from any process equipment of a stone crushing unit shall not exceed 600 microgram per m³.

Conditions :-

- Stone crushing unit shall have to comply with the Noise pollution (Regulation and control) Rules, 2000 and their amendment.
- Stone crushing units shall not be allowed/permited in sanctuary, National Parks & their eco-sensitive area.
- Stone crushing units shall have to obtain necessary permission of land use from competent Authority.
- Stone crushing Units shall have to comply with the provision of the Wildlife Act 1972 & their amendments.
- Stone crushing Unit shall not be allowed/ permitted within 1 Km from the periphery of ancient/Historical monuments & archaeological sites.
- Time to time, Unit shall comply with all prevailing Environmental Acts/Rules.

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડની
હોટ મિક્સ પ્લાન્ટ અંગેની
ગાઈડલાઈન

Guideline for Hot mix plant

Constructions of roads play a vital role in Socio –economic development of the community. Eversince the Government declared infrastructure development as the thrust area, there has been predominant boom in the road construction sector. The construction and maintenance of major portion of the road network is undertaken using conventional hot bitumen mixes. The hot bitumen mixes are prepared in Hot Mix plants. These plants are not in operation continuously .But they are operating as and when demand is generated. In past this Board has received complaints regarding air pollution from such plants. To avoid problems of pollution and complaints there of, following guidelines are to be considered for setting up hot mix plant:

- 1) The Hot Mix plant should follow the siting criteria as under:

Sr. No	Distance from	Distance
1	Class A and above town and cities limit	2 Km
2	Other towns	1 Km
3	Village	500 meters
4	Wild Life Sanctuary	5 Km or buffer zone declared for the same
5	National Highway (From centre line)	200 meters *
6	State highway (From centre line)	200 meters *
7	Educational institute/ religious places	500 meters

- In case of existing Hot Mix plants, operating with CTE /CCA of the Board, which are located at lesser distance then 200 meter from highways, the unit shall provide minimum 6 meter high compound wall of GI sheets along plot periphery towards highway side.

2) Air pollution Control Measures:

- a) A suitable and adequate dust control system such as **dry and wet scrubber** for the Dryer and mixer shall be provided.

- b) The plant shall have centralized control panel/cabin capable of pre setting controlling / synchronization all operations, starting from feeding of aggregates to the discharge of hot mix to ensure proper mixing. It shall have adequate water scrubbing mechanism to control the dust coming out of the dryer.
- c) Hot Mix plant must have adequate stack height (atleast 6 meter) for the discharge of its scrubbed flue gases
- d) Conveyor belts shall be fully covered from top and sides.
- e) Considering predominant wind direction, wind breaking wall shall be constructed.
- f) All roads/ vehicle movement areas at the site of Hot Mix Plant shall have be pucca/ stabilized with stone aggregated.
- g) Regular sprinkling of water shall be ensured on such roads so that no dust is generated due to vehicular movement.
- h) Water sprinkling system shall be provided for suppression of dust in the premises. .
- i) Regular cleaning and wetting of ground within premises shall be carried out. .
- j) Adequate plantation shall be carried out in the periphery of premises.
- k) Only approved fuel such as diesel, LDO shall be used. In no case unauthorized fuel such as solvents, industrial waste shall be used.

3) Safety measures :

- a) Adequate measures of safety for workers working in Hot Mix plant Shall be taken. Personal Protective Devices such as Goggles, mask, Helmet and safety shoes shall be provided to workers.

Environmental Guidelines for Poultry Farms



Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change, Govt. of India)
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1.0 Background

Guidelines for Poultry farms were developed in the year 2015, which was applicable to poultry farms handling above 1.0 lac birds. As per CPCB classification of industrial sectors, 'Poultry, Hatchery and Piggery' are categorized into 'Green'.

In the matter of O.A. No. 681 of 2017, Hon'ble NGT, passed the following order on 16th September, 2020:

'...Accordingly we allow this application and direct CPCB to revisit the guidelines for categorizing the poultry farms as Green category and exempting their regulation under Air, Water & EP Act. CPCB may issue fresh appropriate orders within three months and in if no further order is issued, all the State PCBs/PCCs will require enforcement of consent mechanism under the above acts after 01.01.2021 for all Poultry Farms above 5000 birds in the same manner as is being done for farms having more than one lac birds. Till then, even without such consent mechanism, the state PCBs/PCCs may strictly enforce the environmental norms and take appropriate remedial action against the any violation of water, air and soil standards statutorily laid down.'

To comply with the Hon'ble NGT, CPCB has constituted an Expert Committee comprising members from Department of Animal Husbandry, ICAR-Directorate of Poultry Research, Shri N.K. Verma, Ex. AD, CPCB, Haryana State Pollution Control Board, Tamil Nadu State Pollution Control Board & Central Pollution Control Board.

2.0 Poultry farming

Poultry farms refers to breeding, hatcheries, layer and broiler farms. Poultry farming is the rearing of domesticated birds such as chickens, turkeys, ducks, goose etc. for the purpose of farming meat or eggs for food. Chickens raised for eggs are usually called laying hens or layers while chickens raised for meat are often called broilers. Chicken are most numerous and popular domesticated poultry species, while other species, e.g. duck, goose form a very small proportion of activities in comparison. Poultry farming in India has witnessed a spectacular growth and transformed itself into a vibrant agri- industry. The leading states having poultry farms are Tamil Nadu, Andhra Pradesh, Telangana, West Bengal followed by Maharashtra, Karnataka, Assam, Haryana, Kerala and Odisha.

As per the 20th livestock census carried out by Department of Animal Husbandry & Dairying, Ministry of Fisheries, Animal Husbandry & Dairying, the state-wise number of poultries (birds) are given below:

Sl.No.	States/UTs	Nos of Poultries (birds) in millions
1	Andhra Pradesh	107.863
2	Arunachal Pradesh	1.599

6302/2021/IPC-V-HO

3	Assam	46.712
4	Bihar State	16.525
5	Chhattisgarh	18.711
6	Goa State	0.349
7	Gujarat	21.773
8	Haryana State	46.24
9	Himachal Pradesh	1.341
10	Jammu & Kashmir	7.366
11	Jharkhand	24.832
12	Karnataka State	59.494
13	Kerala State	29.771
14	Madhya Pradesh	16.659
15	Maharashtra	74.297
16	Manipur	5.897
17	Meghalaya	5.379
18	Mizoram	2.047
19	Nagaland	2.838
20	Odisha	27.439
21	Punjab	17.649
22	Rajasthan	14.622
23	Sikkim State	0.580
24	Tamil Nadu	120.781
25	Telangana State	79.999
26	Tripura	4.168
27	Uttar Pradesh	12.515
28	Uttarakhand	5.018
29	West Bengal	77.322
30	Andaman & Nicobar Islands	1.289
31	Chandigarh	0.048
32	Dadra Nagar Haveli	0.089
33	Daman & Diu	0.018
34	Delhi	0.043
35	Lakshadweep	0.226
36	Pondicherry	0.236
Total		851.809

3.0 Poultry Farming Process

The poultry farming consist of the following unit operations.

- Breeder Farms (Breeding)
- Hatchery Farm (Hatching)
- Layer farm &
- Broilers

3.1 Breeder Farms(Breeding)

Breeder farms specialize in the production of fertilized eggs for either broiler or egg production. Specific ratios of male/female breeders are used to ensure the fertility of hatching eggs. In India both layer and broiler breeders are predominantly housed in cages and the fertile eggs are obtained by artificial insemination. The eggs are collected daily, assessed for quality and stored in plastic / pulp trays in a controlled environment before being transferred to the hatchery for the production of commercial chicks. At the end of their productive phase, breeders are removed and sold for meat processing or byproducts.

3.2 Hatchery farms (Hatching)

The eggs collected from Breeder farms are hatched at special hatcheries. These are centralized facilities and receive fertilized eggs from its own or several other breeder farms. The eggs are stored for a period of 4 to 10 days before being placed in incubators that control temperature and humidity to stimulate embryonic development. Hatching typically takes 21 days. The chicks are vaccinated, graded for uniform quality and dispatched to destinations for further rearing. The day-old broiler chicks are delivered to broiler farms straight run (un-sexed). Chicks from egg laying stock are gender sorted and the female chicks alone are delivered for egg production while male chicks are killed and disposed-off.

3.3 Layer (Egg production)

In the layer farms, egg laying hens are reared for egg production. Typical egg laying cycle starts around 18 weeks age of the bird and continues upto 72–75 weeks of age and thereafter diminished gradually to become uneconomical. Birds less than six months of age are termed as pullets and are raised either on floor or on the cages little away from adult farms located in the same or at different premises. The birds are kept and raised in three different houses based on its age i.e. a) Chick house: 0 to 45 days, b) Grower House: 45 days to 18 weeks and c) Layer House: 18 weeks to 72 to 75 weeks. The birds start laying eggs from 18 weeks onwards.

There are two phases of growing period i.e. brooding and growing phase. The brooding phase extends from day one to three to four weeks depending upon the season of rearing. During this period, the birds are provided extra warmth in an enclosed quarter by means of gas brooders, electric hovers, infra-red bulbs or coal brooders. After this initial period, the birds are moved to growing establishments which are typically open houses. The brooding and growing houses may be deep litter type or cage type. After the completion of the growing phase, the birds are moved to laying cages where they remain there till the end of their laying cycle (72 to 75 weeks of age).

3.4 Broiler (Meat Production)

Broiler birds are raised especially for meat production for 40 to 45 days or up to weight gain of 2.5 to 3.0 Kg. Most of broiler birds gain slaughter weight (2.5 kg to 3.0 kg) within 40 to 45 days. Broilers are most commonly reared in deep litter shed, where feed and water is given by hanging feeder and watering. After cleaning of the deep litter shed, rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves bed of 3" thickness is prepared by scratching. Chicks are moved in the shed freely. Depending on the weight of the bird, the birds are sold for slaughtering from 40th to 45th days.

The rearing of birds is of two types:

3.4.1 Deep Litter System

Birds are kept on litter floor which is covered with different kinds of agro materials like rice husk, saw dust, groundnut hulls, wood shavings and dried leaves etc. depending on their availability. Initially, the depth of the agro material is approx 5 to 6 cm and then topped up by another 5 to 6 cm as the birds grow in size. The birds may remain on this system upto six weeks in case of broilers from where they go for slaughtering. In case of layer, they remain upto 18 weeks of age or may be shifted to cages. The majority of broilers are housed in deep litter sheds. Feed and water are provided manually in small farms and with automatic equipment in large farms.

3.4.2 Cage System

This is widely practiced system for housing commercial layers, breeder layers and of late even broiler breeders. The birds are generally housed in cages erected on raised platforms in open sheds. These cages are arranged in rows. Three or four birds are accommodated in each cage with provision of drinking water and feeding. The water is provided through a nipple fitted to a closed pipe running at head height of the bird. Feed is placed in a trough attached to the front of the cage and distributed often manually or by automation. The droppings of birds slip through perforations instantaneously and are collected on the floor.

4.0 Classification of Poultry Farms

Backyard poultry is typically owned by small and marginal farmer and comprises of few birds, largely for self-consumption and very small quantities get commercially sold. The poultry farming practiced by the rural and tribal farmers under free range or backyard or semi-intensive systems is usually referred to as rural poultry farming.

Based on the number of handling of birds, Poultry farms may be classified into three categories.

- Small (5,000-25,000 bird)
- Medium (above 25,000-1,00,000 birds).
- Large (above 1,00,000 birds)

The poultry farms under small category are in un-organized sector run by economically weaker farmers and are of rural background.

5.0 Environmental issues & Current practices to address the environmental issues in Poultry Farms

Environmental nuisance arising from poultry farms is due to the generation of NH_3 & H_2S gases causing odor, dust from feed mill, storage & management of Solid Waste (Manure, Dead Birds and Hatchery Waste) also causing odour & water from cleaning operations. Breeding of flies and rodents etc. are the other issues in poultry farms.

(i) Gaseous emission (NH_3 & H_2S) and Feed Mill Dust

- The gaseous emission viz Ammonia (NH_3) and Hydrogen Sulphide (H_2S) are emanated from the excreta generated from the birds causes odour. The odour is produced due to anaerobic conditions in the litter occurs due to its storage at one place for longer period. The general practice followed by poultry farms to control odour is by maintaining good ventilation and free flow of air.
- Dust is generated from the feed mill operation during mixing and grinding of various ingredients of feed. The feed mill operations are typically located inside the mill buildings. Dust extraction systems are generally used to collect the dust and to improve the shop floor environment.

(ii) Solid Waste

Sources of solid waste are (i) Poultry droppings/Manure/Litter (ii) Dead Birds & (iii) Hatchery Waste.

- In case of cage system, excreta are collected just below the bird cages directly on ground, made of stone slabs or concrete or impermeable compacted clay. Litter is collected and kept dry by maintaining good ventilation and free air flow to undergo aerobic composting. The manure is removed once in four to six months & sold to the farmers. In deep litter system, excreta are collected in bed made up of agro residue (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) itself. Once in a day or two days the bed is scratched for mixing of litter. Once the chicken is sold for meat, the bed (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) is removed once the cycle of 42 to 45 days gets over along with the excreta and sold as

manure. The shed is washed and lime is applied as disinfectant and allows the area for quarantine period.

- Death of the birds in poultry farms is a common phenomenon and their disposal is an issue. Dead birds cause nuisance, odour and aesthetic problems like disease, insect, rodent and predator problems if the birds are not disposed immediately. Dead birds are either burned at relatively high temperatures using different fuels which causing atmospheric pollution and also odour nuisance or buried in the burial pit in the premises.
- During hatching operation, large quantity of solid waste comprising of egg shells, unhatched eggs, dead embryos and chickens and a viscous liquid from eggs etc is generated. This waste is disposed through open burning or through rendering plant.

(iii) Waste water generation from cleaning operation

- Water in poultry farms is used for drinking of birds, sprinkling during the summer and for cleaning sheds and equipment in between batch replacement.
- As such there is no process waste water generation from the poultry farming. However, wastewater is generated during cleaning operations. The waste water is collected in holding tank and utilized in gardening in the premises.

(iv) Other issues:

- Breeding of flies and rodents, etc. are the other issues in poultry farms

6.0 Environmental Guidelines for Poultry Farms farms:

Following are the revised guidelines addressing environmental issues of Poultry Farms.

6.1 Gaseous emission (NH₃ & H₂S) and Feed Mill Dust

(i) Minimization of odour/gaseous pollution

- Proper ventilation and free flow of air over manure collection points to keep it dry shall be ensured.
- Manure should be protected from Run-off water and from unwanted pests/insects.
- Well-designed storage facilities should be provided to contain manure /litter.
- Carcasses of dead birds shall be promptly collected on regular basis and disposed appropriately without damaging the environment as per the prescribed methods under section 7.2.3 of the guidelines.

(ii) Dust from Feed Mills

- Feed mill and Go-down should be located on a well elevated ground preferably near the entrance of the farm and isolated from other poultry sheds.
- Dust collector system should be installed to control emissions from mixing and grinding section of the feed mill.
- Workers in the feed mill shall be provided with dust masks to protect them from dust.
- Provision for vehicle tyre dip shall be made at the entrance to remove impurities/dust carried by vehicle tyres;
- Floor of the feed mill and Go-down shall be concrete and raised above the ground level by a minimum of 2 feet.

6.2 Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)

(i) Manure handling and disposal

- Proper ventilation and free flow of air over manure collection points to keep it dry (by blowing dry air over it or by conveying ventilation air through the manure pit) shall be ensured to prevent obnoxious odour in the area.
- Poultry housing shall be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases such as methane, carbon dioxide, ammonia, etc.
- Excreta shall be scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses the waste material. This waste shall be utilised for composting after completion of the cycle.
- Manure collected under cages on high raised platforms shall be stored for further processing and utilized by using following options:

Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure
1.	Small Poultry Farms	<ul style="list-style-type: none"> • Composting
2.	Medium & Large Poultry Farms	<ul style="list-style-type: none"> • Composting or Biogas production for disposal/utilization of manure/litter • Combination of any of the methods for disposal/utilization of manure/litter
3.	Poultry Farms in Cluster	<ul style="list-style-type: none"> • Common facilities for Biogas production or Composting or their combination

- Land application of manure to the nutritional requirements of soil and crop shall be balanced.
- The litter / manure storage facilities shall be minimum 2 m above the water table and of adequate size based on type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.

- Manure shall be protected from run off water and cover it to avoid dust and odours in storage pits. The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.
- Mortalities on farm by proper animal care and disease prevention program shall be reduced.
- Proper facilities (Burial Pit/Composting/Incineration) shall be provided for Collection, storage, transport and disposal of dead birds
- Domestic hazardous wastes (vaccines, vials, medicines, syringes, etc.) shall be disposed as per provisions of "Solid Waste Management Rules, 2016".

Composting of Manure:

- Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) should be done in the pits. Carbon to nitrogen ratios of 20-25:1 is usually recommended. Pure manure can also be composted following the procedure and monitoring all parameters. The composting facilities may be designed through expert institutions in the field as per the size of poultry farms.
- Periodic stirring of compost material should be done for its proper mixing.
- Moisture levels should be maintained between 35 to 50%.
- Temperature monitoring should be done to determine composting conditions.

(ii) Hatchery Waste

- Efforts shall be made in converting the shells to animal feed to supply as a source of calcium, especially for poultry feeds.
- Extrusion with soya bean meal can be used to make a shell/hatchery meal.
- Un-hatched eggs shall be disposed of by composting or rendering.

(iii) Dead Birds Disposal

The dead birds arising from day to day farm activity shall be separated from other live birds promptly and stored in closed containers and disposed off within 24 hours by following any of the disposal methods.

A) Burial Method:

- The dead birds arising from day to day farm activity should be separated from other live birds promptly and should be stored in closed containers \ disposed off within 24 hours
- The dead bird burial pit shall be of minimum 3 to 4 m in depth and 0.8 to 1.2 m diameter and this size may vary as per the capacity of poultry farm and shall be located above minimum 3 m from the ground water table.

- The dead bird burial pit shall be provided with a vermin/fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.
- Carcasses shall be covered by a thin layer of soil (at least 40 cm deep).along with calcium hydroxide.
- When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.
- The distance between any two burial pits should not be less than 1 m.

B) Composting

- The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.
- The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.
- The roof of the composting facility shall be permanent with concrete bottom.
- The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.
- A proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.
- Moisture content of the composting pile shall be approximately 60%. More than this may result in odour problems and less than this will reduce the efficiency of the composting process.
- Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi. The carbon-to-nitrogen ratio shall be in the range of 20:1 and 25:1 for proper composting. This is obtained by carefully balancing the dead bird and carbon sources.
- The optimum temperature for composting is 54 to 66°C which pasteurizes the compost. If temperature falls below 49°C after a week or so, the material should be moved to the secondary stage unit. To facilitate the easy transfer of the first stage material to the secondary stage, the proper designing of the primary stage (first stage) facility is desirable as illustrated in figure 5.5. Failure to do so will result into poor compost. The temperature in the secondary stage unit will begin to raise as beneficial bacterial activity begins and will peak in 5 to 10 days.

6.2 Waste water Management

- The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt. Efforts may be made for dry cleaning of the sheds with use of disinfectant so as to avoid use of water.

- Water use and spills from drinking devices shall be reduced by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;
- Improve drainage, reduce standing water and water ditches to control mosquitoes and flies
- Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs may be encouraged to improve sanitation and reduce the quantities of wash water.

6.3 Other issues

- *Control of Flies:* Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.
- *Control of Rodents:* Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.
- As per Bureau of Indian Standards 1374: 2007, on poultry feed specifies that the use of antibiotic growth promoters is not recommended in poultry feed, hence use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds. ***Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of Animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.***

7 Siting Criteria

New Poultry Farms (Set up after issuance of Guidelines) should preferably be established

- 500 m from residential zone in order to avoid nuisance caused due to odour& flies.
- 100 m from major water course like River, Lakes, canals and drinking water source like wells, summer storage tanks, in order to avoid contamination due to leakages/spillages, if any.
- 100 m from national Highway (NH) and 50 m from State Highway (SH) in order to avoid nuisance caused due to odour& flies.
- 10-15 m from rural roads/internal roads/village pagdandis.
- The Poultry sheds should not be located within 10 m from farm boundary for cross ventilation and odour dispersion.

8.0 Regulatory/ Monitoring Mechanism for Poultry Farms

- SPCBs/PCCs shall upload Environmental Guidelines on their website.
- Guidelines shall be applicable to all the category of Poultry Farms.
- Poultry Farms handling birds above 25,000 at single location will have to obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from State Pollution Control Board/Pollution Control Committee.
- The Poultry Farms are categorized under "Green" Category, therefore validity of consent will be 15 yrs.
- Animal Husbandry Department of the State/Districts to assist the poultry farms for implementation of Guidelines.



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-22022022-233662
CG-DL-E-22022022-233662

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 140]

नई दिल्ली, मंगलवार, फरवरी 22, 2022/फाल्गुन 3, 1943

No. 140]

NEW DELHI, TUESDAY, FEBRUARY 22, 2022/PHALGUNA 3, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 फरवरी, 2022

सा.का.नि. 143(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) अधिनियम, 1986 का और संशोधन करते हुए निम्नलिखित नियम बनाती है: अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ :

- (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) संशोधन नियम, 2022 है।
- (2) वे राजपत्र में उनके अंतिम प्रकाशन की तारीख से लागू होंगे।

2. पर्यावरण (संरक्षण) नियम, 1986 में, अनुसूची-I में, क्रम सं. 74 पर प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि को रखा जाएगा, अर्थात्: -

74"	ईट भट्टे	चिमनी से उत्सर्जन में विविक्त पदार्थ	250 मिलीग्राम/एनएम3
		चिमनी की न्यूनतम ऊंचाई (भट्टों की वर्टिकल साफ्ट)	14 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 7.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	16 मीटर (लोडिंग प्लेटफॉर्म से कम से कम 8.5 मीटर)
		- भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	

	चिमनी की न्यूनतम ऊँचाई (भट्टों की वर्टिकल शाफ्ट के अलावा)	
-	भट्टा क्षमता 30,000 ईट प्रतिदिन से कम	24 मीटर
-	भट्टा क्षमता 30,000 ईट प्रति दिन के बराबर या अधिक	27 मीटर

टिप्पणियां :

- सभी नए ईट भट्टों को केवल ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट के साथ होने की या ईट बनाने में ईंधन के रूप में पाइप्ड प्राकृतिक गैस के उपयोग की अनुमति दी जाएगी और इस अधिसूचना में निर्धारित मानकों का पालन करना होगा।
- विद्यमान ईट भट्टे जो ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट या ईट बनाने में ईंधन के रूप में पाइप्ड प्राकृतिक गैस (पीएनजी) के उपयोग का पालन नहीं कर रहे हैं, उन्हें (क) गैर-प्राप्ति शहरों के 10 किमी के दायरे में स्थित भट्टों के मामले में एक वर्ष (जैसा कि केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथापरिभाषित) (ख) अन्य क्षेत्रों के लिए दो वर्ष की अवधि के भीतर ज़िग-ज़ैग तकनीक या वर्टिकल शाफ्ट में परिवर्तित किया जाएगा या पीएनजी का उपयोग ईट बनाने में ईंधन के रूप में किया जाएगा। इसके अतिरिक्त, ऐसे मामलों में जहां केन्द्रीय प्रदूषण नियंत्रण बोर्ड/राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां ने रूपांतरण के लिए अलग से समय-सीमाएं निर्धारित की हैं, वहां ऐसे आदेश प्रभावी होंगे।
- सभी ईट भट्टे केवल अनुमोदित ईंधन जैसे कि पाइप्ड प्राकृतिक गैस, कोयला, ईंधन लकड़ी और/या कृषि अपशिष्टों का उपयोग करेंगे। पेट कोक, टायरों/प्लास्टिक/खतरनाक अपशिष्टों के उपयोग की अनुमति ईट भट्टों को नहीं दी जाएगी।
- उत्सर्जन की निगरानी के लिए केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारित मापदंडों/रूपरेखा के अनुसार ईट-भट्टे स्थायी सुविधा (पोर्ट होल और प्लेटफार्म) का निर्माण करेंगे।
- विविक्त सामग्रियों (पीएम) के निष्कर्ष 4% CO₂ पर प्रसामान्य किए जाएंगे जो निम्नलिखित हैं:
पीएम (सामान्य) = (पीएम(मापित) X 4%)/(चिमनी में मापित CO₂ का %, मापित CO₂ के मामले में $\geq 4\%$ कोई प्रसामान्यीकरण नहीं। चिमनी की ऊँचाई (मीटर में) भी $H = 14 Q^{0.3}$ सूत्र (जहां Q kg/hr में SO₂ उत्सर्जन दर है) द्वारा परिकलित की जाएगी, और अधिकतम दो को काम में ले सकेंगे।
- ईट भट्टों को आवासों और फलों के बागों से 0.8 कि.मी. की न्यूनतम दूरी पर स्थापित किया जाना चाहिए। राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां आवास, जनसंख्या घनत्व, जल निकायों, संवेदनशील रिसेप्टर्स इत्यादि की निकटता का ध्यान रखते हुए स्थापित मापदंडों को सख्त बना सकते हैं।
- किसी क्षेत्र में भट्टों की अधिक संख्या से बचने के लिए मौजूदा ईट भट्टों से कम से कम एक किलोमीटर की दूरी पर ईट भट्टों को स्थापित किया जाना चाहिए।
- ईट भट्टों को संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समितियां द्वारा निर्धारित उत्सर्जन प्रक्रिया/पलायक धूल उत्सर्जन नियंत्रण दिशा-निर्देशों का पालन करना होगा।
- ईट भट्टों से निकलने वाली राख को ईट बनाने में उसी परिसर के अंदर ही इस्तेमाल किया जाएगा।
- ईट भट्टे में ईट बनाने के लिए उपयोग की जाने वाली मिट्टी को निकालने के लिए संबंधित राज्य/संघ राज्य क्षेत्र के खनन विभाग सहित संबंधित प्राधिकरणों से सभी आवश्यक अनुमोदन प्राप्त किए जाएंगे।
- ईट भट्टा मालिक यह सुनिश्चित करेंगे कि कच्चे माल/ईटों के परिवहन के लिए उपयोग की जाने वाली सड़के पक्की सड़कें हैं।
- कच्चे माल/ईटों के परिवहन के दौरान वाहनों को ढका जाएगा।

[फा. सं. क्यू-15017/35/2007-सीपीडब्ल्यू]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (i) में तारीख 19 नवंबर, 1986 के का.आ. 844 (अ) द्वारा प्रकाशित किए गए थे और 04 अक्टूबर, 2021 की अधिसूचना सा.का.नि. 724 (अ) द्वारा अंतिम बार संशोधित किए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd February, 2022

G.S.R. 143(E).—In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—

1. Short Title and commencement: -

- (1) These rules may be called the Environment (Protection) Amendment Rules, 2022.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in the SCHEDULE-I, for entry at Sl. No. 74, the following entry shall be substituted, namely: -

74	Brick Kilns	Particulate matter in stack emission	250 mg/Nm ³
		Minimum stack height (Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	14 m (at least 7.5m from loading platform)
		- Kiln capacity equal or more than 30,000 bricks per day	16 m (at least 8.5m from loading platform)
		Minimum stack height (Other than Vertical Shaft Brick Kilns)	
		- Kiln capacity less than 30,000 bricks per day	24 m
		- Kiln capacity equal or more than 30,000 bricks per day	27 m

Notes :

1. All new brick kilns shall be allowed only with zig-zag technology or vertical shaft or use of Piped Natural Gas as fuel in brick making and shall comply to these standards as stipulated in this notification.
2. The existing brick kilns which are not following zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making shall be converted to zig-zag technology or vertical shaft or use Piped Natural Gas as fuel in brick making within a period of (a) one year in case of kilns located within ten kilometre radius of non-attainment cities as defined by Central Pollution Control Board (b) two years for other areas. Further, in cases where Central Pollution Control Board/State Pollution Control Boards/Pollution Control Committees has separately laid down timelines for conversion, such orders shall prevail.
3. All brick kilns shall use only approved fuel such as Piped Natural Gas, coal, fire wood and/or agricultural residues. Use of pet coke, tyres, plastic, hazardous waste shall not be allowed in brick kilns.
4. Brick kilns shall construct permanent facility (port hole and platform) as per the norms or design laid down by the Central Pollution Control Board for monitoring of emissions.
5. Particulate Matter (PM) results shall be normalized at 4% CO₂ as below:

$$PM(\text{normalized}) = (PM(\text{measured}) \times 4\%) / (\% \text{ of } CO_2 \text{ measured in stack}), \text{ no normalization in case } CO_2 \text{ measured} \geq 4\%.$$
 Stack height (in metre) shall also be calculated by formula $H = 14Q^{0.3}$ (where Q is SO₂ emission rate in kg/hr), and the maximum of two shall apply.

6. Brick kilns should be established at a minimum distance of 0.8 kilometre from habitation and fruit orchards. State Pollution Control Boards/Pollution Control Committees may make siting criteria stringent considering proximity to habitation, population density, water bodies, sensitive receptors, etc.
7. Brick kilns should be established at a minimum distance of one kilometre from an existing brick kiln to avoid clustering of kilns in an area.
8. Brick kilns shall follow process emission/fugitive dust emission control guidelines as prescribed by concerned State Pollution Control Boards/Pollution Control Committees.
9. The ash generated in the brick kilns shall be fully utilized in-house in brick making.
10. All necessary approvals from the concerned authorities including mining department of the concerned State or Union Territory shall be obtained for extracting the soil to be used for brick making in the brick kiln.
11. The brick kiln owners shall ensure that the road utilized for transporting raw materials or bricks are paved roads.
12. Vehicles shall be covered during transportation of raw material/bricks”.

[F. No. Q-15017/35/2007-CPW]

NARESH PAL GANGAWAR, Addl. Secy.

Note : The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number S.O. 844(E), dated the 19th November, 1986 and lastly amended *vide* number G.S.R. 724(E), dated the 04th October, 2021.

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 304/2019

(With report dated 09.07.2020)

M. Haridasan & Ors.

Applicant(s)

Versus

State of Kerala

Respondent(s)

Date of hearing: 21.07.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Ms. Soni Singh, Advocate for CPCB
Mr. Jogy Scaria, Advocate for KSPCB

ORDER

1. The Issue for consideration is the safeguards in operation of stone quarries close to residences and public roads. At present, the Kerala State PCB has permitted the stone quarry beyond 50 mtrs. from residences and public roads.

2. The Tribunal considered the matter on 28.02.2020. Finding the distance to be inadequate, CPCB was required to consider the matter and report. It was observed:

"2. Accordingly, a report has been filed by the Kerala State PCB on 17.12.2019 retreating the distance criteria of 50 mtrs. and mentioning that no study is available with the CPCB.

3. We are of the view, as earlier observed that the **distance of 50 mtrs. for stone quarry, particularly when blasts are involved, is highly inadequate and can have deleterious effect on noise and air pollution, environment and public health.**
4. In view of above, we direct the **CPCB to examine and lay down more stringent conditions and appropriately longer distance within one month and convey the same to the State Boards.** The State Board may take further action accordingly. Compliance reports be filed before the next date by email at judicial-ngt@gov.in.”

3. Accordingly, the CPCB has filed its report on 09.07.2020 concluding as follows:

“6.0 Conclusion:

In view of available information, following minimum distance criteria may be considered for permitting stone quarrying by SPCBs:

Mining Type		Minimum Distance	Locations
A.	When Blasting is not involved	100 m	<i>Residential/ Public buildings, Inhabited sites, locations to be considered by States.</i>
B.	When Blasting is involved	200 m **	

****Note: The regulations for danger zone (500 m) prescribed by Directorate General of Mines Safety also have to be complied compulsorily and necessary measures should be taken to minimise the impact on environment.**

However, if any states is already having stringent criteria than the above for minor mineral mining (i.e. more prescribed distances than the above), the same shall be applicable.”

4. In view of the above, the said criteria be followed throughout India.
The CPCB may monitor compliance.

A copy of this order be sent to the CPCB and all the State PCBs/PCCs by email for compliance.

The application is disposed of.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

July 21, 2020
Original Application No. 304/2019
AK

વિભાગ હસ્તકની કચેરીઓએ બિન ખેતી વિષયક હેતુ માટે
આપવાની થતી મંજૂરી સંદર્ભે નહેર/નદી/નાળા/સ્ટ્રોમ વોટર
ડ્રેઇન/તળાવ વિગેરે વોટર બોડીઝથી માર્જીન છોડવા બાબત

ગુજરાત સરકાર
નર્મદા જળસંપત્તિ, પાણી પુરવઠા અને કલ્પસર વિભાગ
સચિવાલય, ગાંધીનગર
ક્રમાંક/એમઆઈએસ/૦૨૦૧૦ :૧૭૧-ક/
તા. ૨૧/૦૮/૨૦૧૮

વંચાણે લીધો : (૧) National Disaster Management Guideline- September-2010

(૨) Comprehensive General Development Control Regulations
(GDCR) -2017 (NOTIFICATION NO.GH/V/269 OF 2017/EDP-
102016-3629-L DATED:12TH OCTOBER-2017)

પ્રસ્તાવના :

વિભાગ હસ્તકની જુદી જુદી વિભાગીય કચેરીઓને નહેર/નદી/નાળા/સ્ટ્રોમ વોટર ડ્રેઇન/તળાવ
વિગેરે બોડીઝની હદ પછી માર્જીન છોડી બિન ખેતી વિષયક હેતુ માટે મંજૂરી/અભિપ્રાય આપવા
માટે દરખાસ્ત કરવામાં આવે છે. જે બાબતે નહેર/નદી/નાળા/સ્ટ્રોમ વોટર/ ડ્રેઇન/ તળાવ વિગેરે
વોટર બોડીઝની હદથી માર્જીન છોડવા બાબતે એક્સપ્લિકિટ જાણવાય તે હેતુસર જોગવાઈ નક્કી કરવાનું
વિચારણા હેઠળ હતું. જે હવે વોટર બોડીઝથી માર્જીન છોડવા બાબતે નીચે મુજબ કરાવવામાં આવે
છે.

કરાવ:

વિભાગ હસ્તકની જુદી જુદી વિભાગીય કચેરીઓએ નહેર/નદી/નાળા/સ્ટ્રોમ વોટર ડ્રેઇન/તળાવ
વિગેરે બોડીઝની પહોળાઈ પછી માર્જીન છોડી બિન ખેતી વિષયક હેતુ માટે મંજૂરી/અભિપ્રાય આપવા
માટે નીચે મુજબની વિગતે વોટર બોડીઝથી માર્જીન રાખવાનું રહેશે.


૧. જે વિસ્તારમાં જી.ડી.સી.આર.ની જોગવાઈ લાગુ ના પડતી હોય તેવા વિસ્તારમાં કેનાલ/ડ્રેઇનમાં
સરકારી સંપાદિત જમીન હોય તેવા સ્થળોએ સંપાદિત જમીન ની હદ થી ૧૨ મીટર માર્જીન
છોડવાનું રહેશે. કુદરતી ડ્રેઇન હોય તેવા કિસ્સામાં ડ્રેઇનની હદથી ૧૨ મીટર માર્જીન રાખવાનું
રહેશે.

૨ જે વિસ્તારમાં GDCR ની જોગવાઈ લાગુ ના પડતી હોય તે વિસ્તારમાં નદીની હદ થી ૫૦ મીટર
સુધી કોઈ પણ બાંધકામની મંજૂરી આપી શકાશે નહીં અને ૫૦ મીટરથી ૧૦૦ મીટરની વચ્ચે ફક્ત
રીક્રીએશનલ(RECREATIONAL) પ્રવૃત્તિ માટે જ મંજૂરી આપી શકાશે. આવા વિસ્તારમાં તળાવની
હદ થી ૩૦ મીટર માર્જીન છોડવાનું રહેશે.

૩. જે વિસ્તારમાં GDCR લાગુ પડે છે તેવા વિસ્તારમાં GDCR ની જોગવાઈ મુજબ વોટર બોડીઝથી માર્જીન છોડવાનું રહેશે. તેમજ GDCR ની જોગવાઈમાં નિયત સમયોત્તરે વોટર બોડીઝથી માર્જીન માટે થયેલ સુધારા આપોઆપ લાગુ પડશે.

૪ દરિયા કિનારાના વિસ્તાર માટે તેમજ નદીઓના જે ભાગમાં Coastal Regulation Zone (CRZ) ની જોગવાઈઓ લાગુ પડતી હોય તે વિસ્તારો માટે CRZ ની પ્રવર્તમાન જોગવાઈ મુજબ કાર્યવાહી કરવાની રહેશે.

ગુજરાત રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે.


(એસ.બી. પ્રજાપતિ)

ખાસ ફરજ પરના અધિકારી(સિ.યો.)
નર્મદા જળસંપત્તિ પાણી પુરવઠા અને કલ્પસર વિભાગ
સચિવાલય, ગાંધીનગર

નકલ સાદર રવાના પ્રતિ,

(૧) માનનીય રાજ્યકક્ષાનામંત્રીશ્રી(જ.સં)(સ્વતંત્ર હવાલો)અંગત મદદનીશ શ્રી. , સચિવાલય, ગાંધીનગર

(૨) સચિવશ્રી(જ.સ) ના અંગત મદદનીશશ્રી, ન.જ.સં.પા.પુ અને ક.વિભાગ, , સચિવાલય, ગાંધીનગર

(૩) ખાસ સચિવશ્રી(જ.સં) ના અંગત મદદનીશશ્રી, ન.જ.સં.પા.પુ અને કલ્પસર વિભાગ, , સચિવાલય, ગાંધીનગર

(૪) સર્વે મુ.ઈ અને અ.સ.શ્રીઓ, ન.જ.સં.પા.પુ અને ક.વિભાગ, સચિવાલય, ગાંધીનગર

(૫) તકેદારી આયુક્તશ્રી, ગુજરાત તકેદારી આયોગ, સેક્ટર ૧૦ બી-, ગાંધીનગર

(૬) નાણાકીય સલાહકાર(જ.સં), સચિવાલય, ગાંધીનગર

(૭) નાયબ સચિવશ્રી(તપાસ), સચિવાલય, ગાંધીનગર

(૮) સર્વે ઉપસચિવશ્રીઓ (તાંત્રિક), , સચિવાલય, ગાંધીનગર

(૯) સર્વે અધિક્ષક ઈજનેરશ્રીઓ ન.જ.સં.પા.પુ અને ક.વિભાગ

(૧૦) સર્વે પ્રોજેક્ટ શાખા(ક-૧, ક-૨, ક-૩, જ), સચિવાલય, ગાંધીનગર

(૧૧) સીલેક્ટ ફાઈલ

અભયારણ્ય /રાષ્ટ્રીય ઉદ્યાન તરીકે જાહેર થયેલ વિસ્તાર ફરતે
અધિકૃત ઇકો સેન્સીસીટીવ ઝોનમાં અથવા તેની બાહ્ય સરહદથી
૧૦ કિ. મી. વિસ્તારમાં તથા વન્યજીવનની અવર-જવરના
અગત્યના માર્ગોમાં વન્યજીવન સંરક્ષણના દ્રષ્ટિકોણથી લેવાની
મંજૂરી/ના-વાંધા પ્રમાણપત્ર બાબત

ગુજરાત સરકાર
વન અને પર્યાવરણ વિભાગ
ઠરાવ ક્રમાંક : વપસ-૧૦૧૨-૧૩૩-૬બલ્યુ
સચિવાલય, ગાંધીનગર
તા. ૧૦/૫/૨૦૧૨
31 MAY 2012

- સંદર્ભ:- (૧) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો પત્ર ક્રમાંક : વપસ-૧૧૯૯/૭/ગ-૧, તા. ૨૧-૦૮-૧૯૯૯.
- (૨) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો પત્ર ક્રમાંક : ૬બલ્યુએલપી-૧૧૯૯/૧૬૩૨/ગ.૧, તા. ૨૦-૧૧-૧૯૯૯.
- (૩) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો પરિપત્ર ક્રમાંક : વપસ-૧૦૨૦૦૨-૧૩૮૪-ગ.૧, તા. ૦૯-૦૮-૨૦૦૨.
- (૪) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો તા. ૦૨-૦૪-૨૦૦૮ નો ઠરાવ ક્રમાંક : વપસ-૧૦૨૦૦૮-૩૯૯-ગ.૧.
- (૫) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો ઠરાવ ક્રમાંક : વપસ-૧૦૧૧-૫૫૬-૬બલ્યુ, તા. ૧૫-૧૨-૨૦૧૧.
- (૬) પર્યાવરણ અને વન મંત્રાલય, ભારત સરકારનું ઓફિસ મેમોરેન્ડમ નં. જી-૧૧૦૧૩-૪૧-૨૦૦૬-IA II(I) તા. ૦૨/૧૨/૨૦૦૬.
- (૭) ભારત સરકાર, નવી દિલ્હીના પર્યાવરણ અને વન મંત્રાલયનો તા. ૧૫-૦૩-૨૦૧૧ નો પત્ર ક્રમાંક : એફ નં. ૬-૧૦-૨૦૧૧-WL
- (૮) પર્યાવરણ અને વન મંત્રાલય, ભારત સરકારનું તા. ૧૪/૦૯/૨૦૦૬ નું જાહેરનામું ક્રમાંક : એસ.ઓ. ૧૫૩૩.
- (૯) પર્યાવરણ અને વન મંત્રાલય, ભારત સરકારનો તા. ૧૭/૦૧/૨૦૧૨ નો પત્ર F. No. 6-10/2011 WL.

(૧૦) IA Nos. 1413, 1414, 1454, in IA No. 1413, 1426, 1428, 1440, 1439, 1441, 1444-1445, 1459 and 1460 in Writ Petition (C) No. 202/1995 માં સર્વોચ્ચ અદાલતનો તા.૪-૦૮-૨૦૦૬નો હુકમ.

(૧૧) IA No. 14-37, 41-42, 44, 46-56, 60-62, 63 to 64, 65-73 and 74 in SLP (C) No. 13658/1996 માં સર્વોચ્ચ અદાલતનો તા. ૦૭/૦૫/૨૦૧૦ નો હુકમ.

પ્રસ્તાવના :-

અભયારણ્ય/રાષ્ટ્રીય ઉદ્યાન કરતે અધિકૃત છકો સેન્સીસીટીવ ઝોનમાં અને આવો ઝોન જાહેર ન થયો હોય ત્યાં તેવા વિસ્તારની સરહદથી ૧૦ કિ.મી. સુધીના વિસ્તારમાં તથા વન્ય જીવનની અવરજવરની દ્રષ્ટિએ મહત્વનો હોય તેવા વિસ્તારમાં આવેલ હોય તે પ્રોજેક્ટ માટે પર્યાવરણીય કલીયરન્સ લેતા પહેલા, નેશનલ બોર્ડ ફોર વાઇલ્ડ લાઇફની પૂર્વ-મંજૂરી મેળવવાની જોગવાઈ ભારત સરકારના આમુખના ક્રમાંક: (૬) અને (૭) માં દર્શાવેલ સંદર્ભોથી કરવામાં આવેલ. આ સંદર્ભે, આ વિભાગના આમુખના ક્રમાંક-(૫) માં દર્શાવેલ તા. ૧૫/૧૨/૨૦૧૧ ના ઠરાવથી જરૂરી સૂચનાઓ પ્રસિધ્ધ કરવામાં આવેલ, જેમાં ભારત સરકારના સંબંધિત બન્ને સંદર્ભોનો સ્પષ્ટ ઉલ્લેખ હોવા છતાં કેટલીક કચેરીઓ ધ્વારા તેનું સાચું અર્થઘટન ન થતા ગુંચવણો ઉપસ્થિત થયેલ. તદપરાંત આ બાબતમાં 'ના-વાંધા પ્રમાણપત્ર' અંગે આ વિભાગના સંદર્ભ (૧) થી (૪) પરની સૂચનાઓનું તા. ૧૫/૧૨/૨૦૧૧ ના ઠરાવની સૂચનાઓ સાથે કેટલીક કચેરીઓ સંકલન કરી શકતી ન હતી. આ પરિસ્થિતિનું પુનરાવર્તન ટાળવા માટે સરળ શબ્દોમાં આ તમામ સૂચનાઓનો પુનરોલ્લેખ કરવાની બાબત સરકારશ્રીની વિચારણા હેઠળ હતી. પુખ્ત વિચારણાને અંતે પ્રસ્તુત બાબતે નીચે મુજબ ઠરાવવામાં આવે છે.

// ઠ રા વ //

આમુખમાં દર્શાવેલા આ વિભાગના સંદર્ભ (૧) થી (૫) પરના પત્રો, પરિપત્રો અને ઠરાવો આથી રદ કરવામાં આવે છે અને તેના બદલે નીચે મુજબની જોગવાઈઓ કરવામાં આવે છે.

(અ) જેમાં પર્યાવરણીય મંજૂરી (Environmental Clearance) જરૂરી હોય તેવા પ્રોજેક્ટસ / પ્રવૃત્તિઓ માટેની જોગવાઈ.

- (૧) રાજ્યના કોઇ પણ અભયારણ્ય અને નેશનલ પાર્ક ફરતે જો ઇકો-સેન્સીટીવ ઝોનની રચના થયેલ હોય તો તેમાં અને રચના ન થઇ હોય તો નેશનલ પાર્ક/અભયારણ્યની સરહદથી ૧૦ કિ.મી. ના અંતરમાં તથા વન્યજીવનની અવરજવરના અગત્યના માર્ગોમાં જો કોઇ પ્રોજેક્ટ સાઇટ આવેલ હોય તો તેની પર્યાવરણીય મંજૂરી (Environmental Clearance) લેતાં પહેલાં સ્ટેટ બોર્ડ ફોર વાઇલ્ડ લાઇફ મારફતે નેશનલ બોર્ડ ફોર વાઇલ્ડ લાઇફની સ્ટેન્ડીંગ કમિટીની પૂર્વ મંજૂરી મેળવવાની રહેશે.
- (૨) પર્યાવરણીય મંજૂરી (Environment Clearance) ની આવશ્યકતા કયા પ્રોજેક્ટ / પ્રવૃત્તિઓ માટે રહે છે તે અંગે ભારત સરકારના પર્યાવરણ અને વન મંત્રાલયના આમુખના ક્રમાંક : (૮)માં દર્શાવેલ તા. ૧૪/૦૯/૨૦૦૬ ના જાહેરનામા, તે સાથેના શિડ્યુલ અને તેમાં વખતોવખત થયેલ સુધારાની જોગવાઇઓ આખરી રહેશે.
- (૩) નેશનલ બોર્ડ ફોર વાઇલ્ડ લાઇફની સ્ટેન્ડીંગ કમિટીની પૂર્વ મંજૂરી મેળવવા માટેની કાર્યપદ્ધતિ ભારત સરકારના પર્યાવરણ અને વન મંત્રાલયના સંદર્ભ (૭) માં દર્શાવેલ તા. ૧૫/૦૩/૨૦૧૧ ના પત્રના ફકરા ૨.૧ થી ૨.૮ મુજબની રહેશે.

(બ) જેમાં પર્યાવરણીય મંજૂરી જરૂરી ન હોય તેવી પ્રવૃત્તિ/પ્રોજેક્ટસ માટેની જોગવાઇ.

- (૧) ઉપર્યુક્ત વિસ્તારમાં ઔદ્યોગિક/અન્ય પ્રવૃત્તિઓ કે જેના વ્યાપ, વિસ્તાર, કદ, પ્રમાણ વગેરે જોતાં ટેકનિકલ રીતે પર્યાવરણીય મંજૂરી (Environment Clearances) મેળવવાની આવશ્યકતા ન હોય પરંતુ ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડના “ ના વાંધા પ્રમાણપત્ર ” ની જરૂર હોય તેવી ઔદ્યોગિક/અન્ય પ્રવૃત્તિ માટે વન્યજીવન સંરક્ષણના દ્રષ્ટિકોણથી અગ્ર મુખ્ય વન સંરક્ષક (વન્ય જીવન), ગુજરાત રાજ્યનું “ ના વાંધા પ્રમાણપત્ર ” મેળવવાનું રહેશે.

કોઇ અભયારણ્ય/નેશનલ પાર્કના ખાસ સંજોગો ધ્યાને રાખતાં તે માટે અલગ રીતે વિશિષ્ટ જોગવાઇ કરવામાં ન આવી હોય તો આ પ્રકારની પ્રવૃત્તિ

સિવાયની અન્ય કોઈ પ્રવૃત્તિ માટે અગ્ર મુખ્ય વન સંરક્ષક (વન્ય જીવન), ગુજરાત રાજ્યનું 'ના વાંધા પ્રમાણપત્ર' મેળવવાનું રહેશે નહિ.

- (ર) “ ના વાંધા પ્રમાણપત્ર ” મેળવવા માટે સંબંધકર્તા અરજદારોએ નીચેની સંપૂર્ણ વિગતો સાથે જે તે રક્ષિત વિસ્તારની યોગ્ય જાળવણી માટે જવાબદાર હોય તે નાચબ વન સંરક્ષકને અરજી કરવાની રહેશે.

1. કુદરતી સરહદ

પ્રોજેક્ટ/પ્રવૃત્તિના સ્થળનું જે તે રક્ષિત વિસ્તારથી અંતર, ઉંચાઈ તથા બંને વચ્ચે આવેલ કુદરતી સરહદ (જેમ કે નદી, નાળા, વૃક્ષોની ઝાડી) તથા સદર કામગીરીથી આ કુદરતી સરહદ ઉપર થનારી સંભવિત અસરો.

2. પદ્ધતિ અને મશીનરી

સૂચિત પ્રોજેક્ટ/પ્રવૃત્તિ માટે ઉપયોગમાં લેવાનાર પદ્ધતિ અને મશીનરીના કારણે જે તે વિસ્તાર ઉપર થનાર સંભવિત અસરો. દા.ત. ધ્વનિ પ્રદૂષણ, વાયુ પ્રદૂષણ, જળ પ્રદૂષણ, વાઇબ્રેશન, ધૂળની રજકણોનો ફેલાવો, બિન ઉપયોગી મટીરીયલ/કચરાનો ભરાવો, બ્લાસ્ટીંગને કારણે વાતાવરણમાં ફેંકાતા પદાર્થોનું વજન અને વેગ, કન્વેયર બેલ્ટ હોય તો તે ખુલ્લો છે કે આવરણવાળો વગેરે બાબતો.

3. મટીરીયલ ફ્લો

બિન ઉપયોગી મટીરીયલ/કચરાનો સંગ્રહ કરવાની જગ્યાએ વર્ષ દરમિયાન પવનની દિશા, પ્રોજેક્ટ/પ્રવૃત્તિના વિસ્તારમાંથી પ્રદૂષિત પાણીનું રક્ષિત વિસ્તાર તરફ વહેણ, સ્થળનો ઢોળાવ તથા પસાર થતી ડ્રેનેજ લાઇનની રક્ષિત વિસ્તાર ઉપર અસર, ઓપન માઇનીંગના કિસ્સામાં ખાડાની લંબાઈ, પહોળાઈ તથા ઉંડાઈ, રક્ષિત વિસ્તારની સરહદથી પ્રોજેક્ટ/પ્રવૃત્તિના સ્થળ વચ્ચેના ગાળામાં પ્રોજેક્ટ/પ્રવૃત્તિની આડ અસરો ઘટાડી શકાય તે માટે વિવિધ ઉપાયો, જેમ કે અમુક પહોળાઈના પટ્ટામાં વૃક્ષોની રોપણી, કાચા રસ્તા તથા અન્ય બિનઉપયોગી મટીરીયલના સંગ્રહ સ્થળ ઉપર પાણીનો છંટકાવ, પ્રોડક્ટ કે રો મટીરીયલ વાહનુક કરવાનો રસ્તો રક્ષિત વિસ્તાર બહારથી પસાર કરવાનો વિકલ્પ.

4. પ્રોજેક્ટ/પ્રવૃત્તિની કામગીરી પૂર્ણ થઈ ગયા પછી જમીન સમથળ કરવાનું આયોજન અને વ્યવસ્થા.

5. માઇનીંગના સંદર્ભમાં જે ખનીજ પ્રાપ્ત કરવાની હોય તે કેટલે અંશે દુર્લભ કે સુલભ છે તેનું વિવરણ અને આ ખનીજ રાષ્ટ્રીય સુરક્ષા વગેરે કોઇ શ્રેષ્ઠ ઉદ્દેશ સાથે સંબંધિત છે કે નહિ તેનું વિવરણ, અભ્યારણ/ ઇત્યાદી નજીક સ્થાપવાના કયા અનિવાર્ય કારણો છે તેનું સ્પષ્ટીકરણ અને વિકલ્પની કોઇ અન્ય જમીન ઉપલબ્ધ છે કે નહિ તેનો અભ્યાસ અને તારણ.

(૩) અરજી મળ્યેથી વન વિભાગના ક્ષેત્રિય અધિકારીએ તે અંગે વિચારણા કરી, પોતાના સ્પષ્ટ અભિપ્રાય સહિત તે અરજી વર્તુળ કચેરી મારફતે અગ્ર મુખ્ય વન સંરક્ષકશ્રી (વન્યજીવન) ને મોકલી આપવાની રહેશે. જેઓ “ ના વાંધા પ્રમાણપત્ર ” આપવા કે ન આપવા તે અંગે આખરી નિર્ણય લેશે.

(૪) અગ્ર મુખ્ય વન સંરક્ષકશ્રી (વન્યજીવન) ના નિર્ણય સામે રાજ્ય સરકારમાં અપીલ થઇ શકશે.

(ક) માઇનીંગ પ્રવૃત્તિ માટેની વધારાની વિશિષ્ટ જોગવાઈઓ.

(૧) તમામ અભ્યારણો / નેશનલ પાર્ક આસપાસ ખાણકામની પ્રવૃત્તિઓ આમુખના ક્રમાંક (૧૦) માં દર્શાવેલા સર્વોચ્ચ અદાલતના તા. ૪/૮/૨૦૦૬ ના હુકમ મુજબ રહેશે.

(૨) નારાયણ સરોવર ચિંકારા અભ્યારણ આસપાસની માઇનીંગ પ્રવૃત્તિ આમુખના ક્રમાંક (૧૧) માં દર્શાવેલા સર્વોચ્ચ અદાલતના તા. ૭/૫/૨૦૧૦ ના હુકમ મુજબ રહેશે.

૨. જ્યાં જરૂરી હોય ત્યાં નેશનલ બોર્ડ ફોર વાઇલ્ડ લાઇફની સ્થાયી સમિતિની સંમતિ અથવા અગ્ર મુખ્ય વન સંરક્ષકશ્રી (વન્યજીવન), ગુજરાત રાજ્યનું ‘ના વાંધા પ્રમાણપત્ર’ મળે તે પહેલાં પ્રોજેક્ટ/પ્રવૃત્તિ, કોઇપણ સંજોગોમાં શરૂ ન થાય તે જોવાની સંપૂર્ણ જવાબદારી પ્રોજેક્ટ/પ્રવૃત્તિ સાથે સંકળાયેલ જે તે વિભાગના સંબંધિત ક્ષેત્રિય અધિકારીની રહેશે.

૩. કોઇ અભ્યારણ / નેશનલ પાર્કના ખાસ સંજોગો ધ્યાને રાખતાં તે માટે અલગ ઠરાવોથી કરેલ હોય કે હવે પછી કરવામાં આવે તેવી વિશિષ્ટ જોગવાઈઓ આ ઠરાવથી રદ થશે નહિં.

૪. આ ઠરાવની સુચનાઓના અર્થઘટનમાં કોઈ દ્વિધા ઉભી થાય તો આમુખમાં દર્શાવેલ સંબંધિત સંદર્ભના લખાણની ભાષા અને અર્થઘટન આખરી રહેશે.

૫. આ હુકમો ઉધોગ અને ખાણ વિભાગની તા.૧૫/૦૨/૨૦૧૨ ની તથા શહેરી વિકાસ અને શહેરી ગૃહ નિર્માણ વિભાગની તા.૧૫/૦૨/૨૦૧૨ ની સંમતિથી બહાર પાડવામાં આવે છે.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે



પરિતોષ કિશિયન

સંયુક્ત સચિવ

વન અને પર્યાવરણ વિભાગ

પ્રતિ,

- (૧) અગ્ર સચિવશ્રી, ઉધોગ અને ખાણ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૨) અગ્ર સચિવશ્રી, મહેસૂલ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૩) અગ્ર મુખ્ય વન સંરક્ષકશ્રી, ગુજરાત રાજ્ય, ગાંધીનગર.
- (૪) અગ્ર મુખ્ય વન સંરક્ષકશ્રી (વન્યપ્રાણી), ગુજરાત રાજ્ય, ગાંધીનગર.
- (૫) કમિશ્નરશ્રી, ભુસ્તર વિજ્ઞાન અને ખનિજ, ડો.જીવરાજ મહેતા ભવન, ગાંધીનગર.
- (૬) તમામ જીલ્લા કલેક્ટરશ્રી
- (૭) તમામ અધિક અગ્ર મુખ્ય વન સંરક્ષકશ્રી/મુખ્ય વન સંરક્ષકશ્રી/વન સંરક્ષકશ્રી અને નાયબ વન સંરક્ષકશ્રી. (અગ્ર મુખ્ય વન સંરક્ષકશ્રી-વન્ય જીવન મારફત).
- (૮) નિયામકશ્રી (પર્યાવરણ), વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૯) સહ્ય સચિવશ્રી, ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ, ગાંધીનગર.
- (૧૦) નાયબ સચિવશ્રી (પર્યાવરણ), વન અને પર્યાવરણ વિભાગ, સચિ. ગાંધીનગર.
- (૧૧) સેક્શન અધિકારીશ્રી/એફ-શાખા, વન અને પર્યાવરણ વિભાગ, સચિ. ગાંધીનગર.
- (૧૨) સીસ્ટમ મેનેજરશ્રી, વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર. IWDMs પર મૂકવાની વિનંતી સહ.
- (૧૩) શાખા સીલેક્ટ ફાઇલ.
- (૧૪) નાયબ સેક્શન અધિકારી-સીલેક્ટ ફાઇલ.

અભયારણ્ય/રાષ્ટ્રીય ઉદ્યાન તરીકે જાહેર થયેલ વિસ્તાર ફરતે
અધિકૃત ઈકો સેન્સીટીવ ઝોનમાં અથવા તેની બાહ્ય સરહદથી ૧૦
કિ.મી. વિસ્તારમાં તથા વન્યજીવનની અવર-જવરના અગત્યના
માર્ગોમાં વન્યજીવન સંરક્ષણના દ્રષ્ટિકોણથી લેવાની મંજૂરી/ના-
વાંધા પ્રમાણપત્ર બાબત

ગુજરાત સરકાર

ઠરાવ નંબર: વપસ-૧૦૧૨-૧૩૩-૬બલ્યુ

વન અને પર્યાવરણ વિભાગ,

સચિવાલય, ગાંધીનગર

તા. ૨૬ /૩/૨૦૧૩

વંચાણે લીધા:-

(૧) વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગરનો તા.૩૧-૫-૨૦૧૨ નો ઠરાવ

ક્રમાંક: વપસ-૧૦૧૨-૧૩૩/૬બલ્યુ.

સુધારા ઠરાવ

અભયારણ્ય/રાષ્ટ્રીય ઉદ્યાન તરીકે જાહેર થયેલ વિસ્તાર ફરતે અધિકૃત ઈકો સેન્સીટીવ ઝોનમાં
અથવા તેની બાહ્ય સરહદથી ૧૦ કિ.મી. વિસ્તારમાં તથા વન્યજીવનની અવર-જવરના અગત્યના માર્ગોમાં
વન્યજીવન સંરક્ષણના દ્રષ્ટિકોણથી લેવાની મંજૂરી/ના-વાંધા પ્રમાણપત્ર અંગે જરૂરી સૂચનાઓ સંદર્ભ-૧
હેઠળના આ વિભાગના તા.૩૧-૫-૨૦૧૨ ના ઠરાવથી પ્રસિધ્ધ કરવામાં આવેલ છે. આ ઠરાવના ફકરા-બ(૧)
માં આથી નીચે મુજબ સુધારો કરવામાં આવે છે.

“ફકરા-બ(૧) ની પ્રથમ અને ચોથી લાઈનમાં દર્શાવેલ શબ્દો “ઔદ્યોગિક/અન્ય પ્રવૃત્તિઓ” ના બદલે
“ઔદ્યોગિક/માઈનીંગ પ્રવૃત્તિઓ” વાંચવાના રહેશે.”

ગુજરાત રાજ્યના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,

(જ. પી. શાહ)

ઉપસચિવ

વન અને પર્યાવરણ વિભાગ

પ્રતિ,

(૧) અંગત સચિવશ્રી, માનનીય મંત્રીશ્રી, વન અને પર્યાવરણનું કાર્યાલય, સચિવાલય, ગાંધીનગર.

(૨) અંગત સચિવશ્રી, માનનીય રાજ્ય કક્ષાના મંત્રીશ્રી, વન અને પર્યાવરણનું કાર્યાલય, સચિવાલય,
ગાંધીનગર.

(૩) અંગત સચિવશ્રી, માનનીય અધ્યક્ષશ્રી, ગુજરાત વિધાનસભા સચિવાલય, ગાંધીનગર.

- (૪) અગ્ર સચિવશ્રી, ઉદ્યોગ અને ખાણ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૫) અગ્ર સચિવશ્રી, મહેસૂલ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૬) અગ્ર મુખ્ય વન સંરક્ષકશ્રી, ગુજરાત રાજ્ય, ગાંધીનગર.
- (૭) અગ્ર મુખ્ય વન સંરક્ષકશ્રી (વન્યપ્રાણી), ગુજરાત રાજ્ય, ગાંધીનગર.
- (૮) કમિશ્નરશ્રી, ભુસ્તર વિજ્ઞાન અને ખનિજ, ડો.જીવરાજ મહેતા ભવન, ગાંધીનગર.
- (૯) તમામ જીલ્લા કલેક્ટરશ્રી
- (૧૦) તમામ નાયબ વન સંરક્ષકશ્રી. (અગ્ર મુખ્ય વન સંરક્ષકશ્રી-વન્યપ્રાણી મારફત).
- (૧૧) નિયામકશ્રી (પર્યાવરણ), વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૧૨) સભ્ય સચિવશ્રી, ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ, ગાંધીનગર.
- (૧૩) નાયબ સચિવશ્રી (પર્યાવરણ), વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર.
- (૧૪) સેક્શન અધિકારીશ્રી, એફ શાખા, વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર.
- ✓ (૧૫) સીસ્ટમ મેનેજરશ્રી, વન અને પર્યાવરણ વિભાગ, સચિવાલય, ગાંધીનગર તરફ IWDMS પર મૂકવાની વિનંતી સહ.
- (૧૬) શાખા સીલેક્ટ ફાઈલ.
- (૧૭) નાયબ સેક્શન અધિકારી-સિલેક્ટ ફાઈલ.

SECTION-1

10 ROAD STANDARDS

11 Introduction :

C.E.s Circular No. Roads/STD/1962-C dated, 14th December 1962.

1.1.1 The number of vehicles using roads is rapidly increasing. Not only that but their average and maximum speeds are also increasing and there is a trend for larger and heavier trucks. The increase in traffic has resulted, among other things, in an increase in the number of accidents, and in urban areas, in congestion to a certain extent. It is therefore necessary to provide maximum service with minimum hazard at a reasonable cost and to achieve this aim, full use must be made of the technique of modern road design and construction. The knowledge of this technique has been gained through experience and research work carried out in this field and has been developed gradually to meet the needs of traffic and suitable standards have been evolved. These standards constitute a set of various controls, the use of which is intended to produce road facilities that represent the best practice in the light of present day knowledge.

1.1.2 - Before prescribing such standards, it is necessary to classify the roads (mostly outside municipal areas) according to the purpose they serve and their importance. More important roads will require higher standards in most cases.

1.1.3 Again there are different aspects of the design of roads. The standards given here is mostly pertain to geometric design (including prevention of ribbon development) which deals with the dimensions of the visible features of a road, road junction, C.D. works etc.

1.1.4 The relation of location and design to costs, physical conditions and availability of funds will always be important, but increasing attention must be given to location and design to fit future traffic needs also. If as usual, the available finances do not permit construction of the ideal road in design, the necessary economy may be practised on some feature of road design viz., section to be adopted for road, wearing surface of lower type etc. other than the geometric features. The roadway section can always be improved and widened at reasonable cost. The wearing surface can be strengthened, improved or widened at any future date when finances permit. On the other hand, the geometric features of alignment, gradient and sight distance when once incorporated in a completed road and linked up with the wearing surface, cross drainage works and road land, are most difficult and expensive to correct at later date. Therefore in deciding geometric features, a generous factor of safety should be added and normally unquestioned adequacy rather than strict economy of first cost should be the criterion.

1.1.5 Orders and instructions already issued in the past under different circulars regarding Standard have been now re-arranged with a few modifications and additions & alterations in a tabular form in the accompanying statement with a view to make them readily available at one place and thus facilitate proper design and preparation of road project. The significance of many of the terms is briefly explained in the following paragraphs while the remaining are either already well known or shown in the accompanying plate 1.1.

1.2. Classification of Roads :

At the conference of Chief Engineers held at Nagpur in December 1943, the following classification was arrived at for roads other than purely urban roads.

1.2.1 National Highways :

They are classified as such, by competent authority and cover the main highways running through the length and breadth of India connecting Capitals of States, ports and foreign highways. They include the roads required for strategic movements for the defence of India.

1.2.2 State Highways :

They are classified as such by competent authority and cover all main and trunk roads (other than National Highways) of a state. They connect up with National Highways, highways of adjacent States, district head-quarters and important Cities within the State and serve as the main arteries of traffic to-and-from district roads.

1.2.3 District Roads :

They are classified as such by competent authority, and cover roads traversing each district. They serve areas of production and markets and connect these areas with each other as well as with highways and railways. According to the expected traffic and specifications, they are further sub-classified into :—

(i) Major District Roads ; to be roughly of the same specification as the State highways and (ii) Other District Roads, to be of somewhat lower specification.

1.2.4 Village Roads :

They are classified as such by competent authority, and connect villages and groups of villages with each other and to the nearest district roads, main highways, railway or river-ghat.

1.2.5 Expressways and classified village roads :

At the conference of Chief Engineers held at Shilong in May 1957, terms Expressways, classified village roads and unclassified village roads were incorporated in the general categorisation of roads as per Nagpur plan.

1.2.5.1. Expressways can be part of National Highway or State Highway system and are provided to cater for heavy concentration of traffic in particular section.

1.2.5.2 Classified village roads pertain to the category of village roads as defined under para 1.2.4.

1.2.5.3 Unclassified village roads :

This type of roads will have standards lower than those of classified village roads. These roads are not considered in the Road Development Plan of the State and hence do not come within the purview of this department.

1.3 Brief Specifications of various categories of roads :

1.3.1. **Expressways**—should be devided highways fit for all-weather use, and should have at least a four-lane modern type surface with controlled access and grade separation at all road and rail crossings. The bridges should be designed for the prescribed highest I.R.C. loading.

1.3.2. **National Highways and State Highways**—should be suitable for all-weather use, and have modern type surface. Access to these roads should be limited and, wherever necessary, parallel service roads should be provided for local traffic. As regards bridges and culverts, all existing structures which are found-incapable of carrying at least I.R.C. class 'B' loading should be strengthened or replaced. All new bridges and culverts should be now capable of carrying new class 70R loading (as decided during the I.R.C. session in the year 1966) and should be designed for the prescribed highest I.R.C. Loading. The width of the Pavment will depend upon the requirements of traffic.

1.3.3. **Major District Roads**—should be suitable for all whether use and have at least a metalled single-lane carraige way. The type of surface will depend upon the needs of the trafic. All new bridges should be designed for the prescribed highest I.R.C. loading.

1.3.4. **Other District Roads**—should be suitable for all weather use except at major river crossings where low-level structures or ferries may be provided. The carriageway should have single lane width and should be of low cost type such as stabilised soil, gravel or murrum. A higher type of pavement may be provided where necessitated by considerations of climate, soil or traffic. All bridges & culverts should be designed for I.R.C. class 'A' loading.

1.3.5. **Classified village Roads**—should have raised formation with adequate land width. They should be provided with culverts over all small streams and have causeways over minor river crossings. Major bridges will not normally be provided. These roads shall have single lane carriageway with low cost surface of stabilised soil, gravel or murrum.

1.4 Design standards :

Various terms which the Road Engineer will come across while preparing the road project are described in the following paragraphs in detail and they are also elucidated in a cross-section of the road in plate 1.1.

1.4.1 Building lines :—They are lines generally parallel to the centre line of a road and situated beyond the road boundary on either side at a specified distance from the road centre line depending upon the category of the road. In the strip of land between the road boundary and the corresponding building line, ordinarily no construction of new buildings or reconstruction, extension or materially altering of existing buildings should be permitted. Orchards, wells and enclosures, temporary or permanent which obstruct visibility are included in this category.

1.4.2 Control lines.—They are lines generally parallel to the centre line of a road and situated beyond the boundary lines on either side at a specified distance from the road centre line depending upon the category of road. In the strip of land between the building line and the corresponding control line, the use of land for non-agricultural purposes is controlled. Ordinarily, no construction of certain kind of buildings which attract large number of vehicles such as factories, other industrial establishments (existing or potential; godowns, cinemas, theatres, markets etc.) should be permitted.

1.4.3 Urban areas.—They are municipal towns having a population of 20,000 persons and above.

1.4.4 Industrial areas.—They are areas specified as such by a notification in the State Government Gazettee.

1.4.5 Actual limits.—They are the notified limits of Municipal towns and industrial areas.

1.4.5.1 બાંધકામ અને નિયંત્રણ સમયના ધોરણો

ઉપર દર્શાવેલ ધોરણો માટે વિસ્તૃત માહિતી નીચે પ્રમાણે છે :—

ઠરાવ

મહેસૂલ વિભાગ ઠરાવ નં. જપવ-૧૦૬૫-૨૭૩૩૮-અ, તા. ૧-૩-૬૭ :

સરકારી ઠરાવ નં. પી. આર. ડી-૧૦૬૫-૧૨૮૪૫-અ, તારીખ ૮મી જુલાઈ, ૧૯૬૫ રદ કરીને અને ઠરાવ નં. જપવ-૧૦૬૫-૧૨૮૪૫-અ, તા. ૨૭ માર્ચ, ૧૯૬૬ માં સુધારા કરીને જમીન પટ્ટી વિકાસ અટકાવવા માટેના બાંધકામ અને નિયંત્રણ રેખાના ધોરણો તા. ૨૭ માર્ચ, ૧૯૬૬ થી નીચે દર્શાવેલ પ્રમાણે ઠરાવવામાં આવે છે.

કોઠો

બાંધકામ અને નિયંત્રણ રેખાના ધારણો. (આંકડા. રસ્તાની મધ્ય રેખાથી મીટરમાં)

રસ્તાની કક્ષા	ખુલ્લી અને ખેતરાઉ જમીનવાળો વિસ્તાર		બાંધકામ અને ઔદ્યોગિક વિસ્તારના ત્રણ માઈલની અંદર		બાંધકામ અને ઔદ્યોગિક વિસ્તારની અંદર		
	બાંધકામ રેખા	નિયંત્રણ રેખા	બાંધકામ રેખા	નિયંત્રણ રેખા	બાંધકામ રેખા	નિયંત્રણ રેખા	
	મીટર ૧	મીટર ૨	મીટર ૩	મીટર ૪	મીટર ૫	મીટર ૬	
૧ રાષ્ટ્રીય ધોરીમાર્ગ અને સરહદી માર્ગો	૪૦	૭૫	૪૦	૬૦	અ. ૧૦ (*)	અ. ૩૬.૫ (*)	
(સિક્યુરિટી “અ” પ્રમાણે)	...				બ. ૨૪ (*)	બ. ૪૫ (*)	
૨ રાજ્ય ધોરી માર્ગો	...	૪૦	૭૫	૪૦	૬૦	અ. ૧૦ (X)	અ. ૩૬.૫ (X)
					બ. ૨૪ (*)	બ. ૪૫ (*)	
૩ મુખ્ય જિલ્લા કક્ષાના માર્ગો	...	૩૦	૫૫	૩૦	૫૦	અ. ૧૦ (*)	અ. ૩૬.૫ (*)
					બ. ૨૪ (*)	બ. ૪૦ (*)	
૪ અન્ય જિલ્લા કક્ષાના માર્ગો	...	૨૦	૩૫	૨૦	૩૦	અ. ૧૦ (*)	અ. ૨૦ (*)
					બ. ૧૨ (*)	બ. ૨૦ (*)	
૫ ગ્રામ માર્ગો	...	૧૨	૨૪	૧૨	૨૪	અ. ૮	અ. ૧૪
					બ. ૮	બ. ૧૪	

(*) અથવા સ્થાનિક સંસ્થાના ધારાધારણ પ્રમાણે જે વધારે હોય તે.

ઉપર દર્શાવેલા ધારણો ઉપરાંત નીચે જણાવ્યા મુજબ વધુ ધારણોનો અમલકરવો :-

(ક) ખુલ્લી અને ખેતરાઉ જમીનવાળા વિસ્તારમાંથી પસાર થતાં રાષ્ટ્રીય ધોરી માર્ગો અને સરહદીમાર્ગોને ભારત સરકારના સૂચન મુજબ નીચે જણાવેલી શરતો લાગુ પાડવાની રહેશે. આ શરતો “બાંધકામ અને ઔદ્યોગિક વિસ્તારની ત્રણ માઈલની અંદર” અથવા “ખરેખર બાંધકામ અને ઔદ્યોગિક વિસ્તારને” લાગુ પડશે નહીં. આ શરતો અન્ય માર્ગોને લાગુ પડશે નહીં, આ શરતો નીચે મુજબ છે :

(૧) રસ્તાની હદથી ૩ થી ૬ મીટર સુધીમાં અને રસ્તાની મધ્ય રેખાથી ૪૦ મીટર સુધી (જે વધારે હોય તે) કોઈપણ બાંધકામ કરવા દેવામાં આવશે નહીં.

(૨) રસ્તાની મધ્ય રેખાથી ૭૫ મીટરની હદ સુધીમાં થતાં બાંધકામ ઉપર નિયંત્રણ રાખવું પડશે. અને આવા બાંધકામો કલેક્ટરની પૂર્વ પરવાનગી લઈને કરવાની રહેશે. આ “૭૫ મીટરની હદ” થી બહારના બાંધકામ ઉપર નિયંત્રણ રહેશે નહીં.

(૩) રસ્તાની મધ્ય રેખાથી “૪૦ મીટર અને ૭૫” મીટરની” હદનો જે ઉપરના (૧) અને (૨) માં ઉલ્લેખ થયો છે એ વિભાગમાં બાંધકામોની ઊંચાઈ ૧૩ મીટરથી વધુ કરી શકાશે નહીં.

(ખ) ગમે તે કક્ષાના રસ્તા ઉપર બાય-પાસ અથવા ડાયવર્જન માટે રસ્તાની મધ્યરેખાથી બાંધકામ રેખા ઓછામાં ઓછી ૧૦૦ મીટર રાખવામાં આવશે.

(૨) પેટ્રોલ પંપો અને તેને લગતાં બાંધકામો અંગે વધુ.—(૧) પેટ્રોલ પંપો માટે દરેક કક્ષાના રસ્તા અને દરેક કક્ષાના બાયપાસ કે ડાયવર્જન માટે રસ્તાની હદથી ૬ મીટરથી બહાર અગર રસ્તાની મધ્ય રેખાથી ૩૦ મીટર (જે વધારે હોય તે) તે પ્રમાણેનું અંતર રાખીને બાંધકામની પરવાનગી આપવાની રહેશે. આ હદ ફક્ત પંપની જગ્યા માટે છે. પેટ્રોલ પંપથી પેટ્રોલ ડીઝલ માટેની અંદર ગ્રાઉન્ડ ટેન્ક તથા ક્રીઓસ્ક ૧૨ ફુટના અંતરે કે તેથી વધુ અંતરે કરવાં પડશે. પંપને લગતા બીજા બાંધકામો આનાથી વધારે બહાર રાખવા પડશે અને તેમાં ઈન્ડિયન રોડ કોંગ્રેસના લે-આઉટના નિયમો લાગુ પડશે.

(૨) રસ્તા ઉપર પેટ્રોલ પંપની કંપનીઓના બીજા બાંધકામ જેવાં કે કેન્ટીન, ગેરેજ, રેસ્ટોરાં, વર્કશોપ, વોર્શીંગ રેમ્પ, વોર્શીંગ પ્લેટફોર્મ, લુબ્રિકેટીંગ “બે” વગેરેનાં બાંધકામ માટે રસ્તાની હદથી ઓછામાં ઓછું ૧૫ મીટર અથવા રસ્તાની મધ્ય રેખાથી ૫૦ મીટર (જે વધારે હોય તે) અંતર રાખી પરવાનગી આપવાની રહેશે.

(૩) પેટ્રોલ પંપો માટે રસ્તાની હદનો ભાગ ફક્ત એપ્રોચીઝ માટે જ કામમાં લેવાયેલામાં આવશે અને એપ્રોચીઝના નીચે યોગ્ય નાળાઓનો પ્રબંધ પરવાનગી લેનારે કરવાનો રહેશે. રસ્તાની હદમાં કોઈપણ જાતનાં પાટિયા (બાર્ડ) અગર જાહેરખબર મૂકવા દેવામાં આવશે નહીં.

૩. ઉપરના ધોરણો માટે નીચેની વ્યાખ્યાઓનો અમલ કરવાનો રહેશે :—

(૧) ખુલ્લી અને ખેતરાઉ જમીન વાળો વિસ્તાર :—જે વિસ્તાર કોઈપણ ગામતળ નગર અથવા શહેરની હદ અથવા ઔદ્યોગિક વિસ્તારની હદમાં ન આવ્યો હોય એવી હદની બહારનો બધો વિસ્તાર, (બાંધકામ વિસ્તાર અને નજીકના ઔદ્યોગિક વિસ્તારની વચ્ચેનો ખુલ્લો વિસ્તાર પણ આ કક્ષામાં ગણાશે નહીં.)

(૨) બાંધકામવાળો વિસ્તાર.—(અ) જે વિસ્તાર કોઈ ગામતળ, નગર પંચાયત, મ્યુનિસિપાલિટી અથવા કોર્પોરેશનની હદમાં થઈને પસાર થતો હોય અને જ્યાં મકાનો બંધાયેલ હોય અને જ્યાં કોઈ સ્થાનિક સંસ્થાના બાંધકામ માટેના નિયમો અગર ધારાધારણ ચાલુ હોય તેવા વિસ્તાર. આ વિસ્તારના બે વિભાગ પાડવામાં આવ્યા છે. અને તે માટે રાખવાના અંતરો કોઠામાં “અ” અને “બ” થી દર્શાવ્યા છે. આ “અ” અને “બ” વિસ્તારો નીચે મુજબના છે :—

(૧) એક વિસ્તાર કે જે રસ્તાની લાઈનદોરી પર પચાસ ટકા કે તેથી વધારે બંધાયો હોય અથવા જે જુની હદ એટલે કે છેલ્લા પાંચ વર્ષ પહેલાંની હદની અંદર આવ્યો હોય તે “અ” વિસ્તાર.

(૨) બીજો વિસ્તાર કે જે રસ્તાની લાઈનદોરી પર પચાસ ટકાથી ઓછો બંધાયો હોય અને છેલ્લાં પાંચ વર્ષની અંદર વધારેલી હદની અંદર આવ્યો હોય, તે “બ” વિસ્તાર.

(૩) ઉપર જણાવ્યા મુજબના જે “અ” અને “બ” આગળ દર્શાવેલ અંતરો કોઠામાં આપ્યા છે તે બાંધકામવાળા વિસ્તારને લાગુ પડે છે. જે બાંધકામવાળા વિસ્તારમાં ઔદ્યોગિક વિસ્તાર આવી જતો હોય તો એવા વિસ્તારને પણ આ ધોરણો લાગુ પડશે. જ્યાં ઔદ્યોગિક વિસ્તાર બાંધકામ વિસ્તારની બહાર હોય તેવા વિસ્તારને ફક્ત “બ” ના જ ધોરણો લાગુ પડશે.

(૪) બાંધકામવાળો વિસ્તાર પચાસ ટકાથી વધારે બંધાયો છે કે ઓછો અને પરિણામે “અ” કે “બ” વર્ગનો છે તે જાણવા માટે રસ્તાની સમાંતરે આવેલા બન્ને બાજુના જમીનના ખુલ્લા તેમજ બાંધકામવાળા પ્લોટોની લંબાઈ માપીને ગણવાનો છે, દા. ત. રસ્તાની સમાંતરે જુ. ૧ જુદી લંબાઈના દશ પ્લોટો આવેલા છે અને તેમાં ચાર પ્લોટો બાંધકામવાળા છે અને બાકીના છ પ્લોટો ખુલ્લા છે. આ ચાર બાંધકામવાળા પ્લોટોની કુલ લંબાઈ રસ્તાની લંબાઈથી પચાસ ટકાથી ઓછી હોય તો તે વિસ્તાર પચાસ ટકાથી ઓછો બંધાયેલો છે. તેમ સમજવાનું છે આ પ્રમાણે ગણતરી કરવામાં રસ્તાની લંબાઈ બની શકે તો એક માઈલની લેવી.

(૩) ઔદ્યોગિક વિસ્તાર—જે વિસ્તાર સરકારે ઔદ્યોગિક જાહેર કર્યા હોય અથવા જે વિસ્તાર ગુજરાત ઈન્ડસ્ટ્રીયલ ડેવલપમેન્ટ કોર્પોરેશનના હસ્તક હોય અથવા જેની અંદર ઉદ્યોગ નિમાયકના ઔદ્યોગિક એસ્ટેટ આવતા હોય અથવા સહકારી અથવા અન્ય

કંપનીના ઔદ્યોગિક એસ્ટેટ કે બીજા એવા વિસ્તારો જે ગામતળ, નગર પંચાયત, મ્યુનિસિપાલિટી કે કોર્પોરેશનની હદની બહાર આવ્યા હોય અને જ્યાં ઉદ્યોગ સ્થાપવાની મંજૂરી મળતી હોય તેવા બધા વિસ્તાર.

(૪) ખરેખરી હદ.—જે હદ ગામતળની, નગર પંચાયતની, મ્યુનિસિપાલિટીની કે કોર્પોરેશનની હાલમાં હોય તે ખરેખરી હદ. ગ્રા. તા. ૨૭ માર્ચ, ૧૯૬૬ થી જે હદ વધે તેને હદના એપ્રોપ્રિયેટના નિયમો લાગુ પાડવામાં આવશે.

(૫) એપ્રોપ્રિયેટ (જોડતા રસ્તાઓ)—બાંધકામ અને ઔદ્યોગિક વિસ્તારની હદ પૂરી થયા પછી ત્રણ માઈલના વિસ્તારમાં દરેક કક્ષાના રસ્તાઓનો પહેલા ત્રણ માઈલનો વિભાગ જ્યાં ગામતળ, નગર તથા શહેરની હદ અને નજીકના ઔદ્યોગિક વિસ્તારની વચ્ચે કોઈજાતનું અંતર હોય તે તે બધું અંતર બાંધકામ અને ઔદ્યોગિક વિસ્તાર ગણવામાં આવશે અને ત્રણ માઈલ જોડતો રસ્તો સમગ્ર હદની બહારથી ગણવામાં આવશે.

(૬) બાયપાસ અથવા ડ્રાફ્ટન—દરેક ગામતળ, નગર તથા શહેરની બહારથી જે રસ્તો નવેસરથી કરવામાં આવે તેને બાય-પાસ અથવા ડાયવર્ઝન ગણવામાં આવશે. જ્યાં ડાયવર્ઝન બાંધવાની વાર હોય પણ ડાયવર્ઝનની પથરેખા નક્કી થઈ હોય તે તે પથ-રેખા ઉપર પણ ડાયવર્ઝનના પ્રતિબંધો લાગુ પાડવામાં આવશે.

(૭) બાંધકામ રેખા—જે રેખાની બહારના રહેઠાણનાં મકાનો, નાના કેન્ટ્રો, કોદારો, ખેતીને લગતા મકાનોના બાંધકામોને પરવાનગી આપવામાં આવે છે તે રેખાને બાંધકામ રેખા ગણવી.

જ્યાં જ્યાં વળાંક હોય ત્યાં વળાંકના અંદરના ભાગમાં બાંધકામ સામાન્ય બાંધકામ રેખાથી ૨૦ ટકા વધુ રાખવું આ અંતર રસ્તાના મધ્યબિંદુથી ગણવાનું હોય છે.

(૮) નિયંત્રણ રેખા.—સામાન્ય રીતે ફેક્ટરી, કારખાનાઓ, તેમજ મોટા ગોડાઉનો, રીનેમા, હોટેલ, હોસ્પિટલ કે જ્યાં મોટા પ્રમાણમાં લોકો અથવા વાહનોની અવર જવર થાય તેવા બધા જ બાંધકામો નિયંત્રણ રેખાની બહાર રાખવાના હોય છે. આ અંતર રસ્તાના મધ્યબિંદુથી ગણવાનું હોય છે.

(૯) રસ્તાની હદ.—રસ્તાની હદ એટલે જે જમીન રસ્તો બનાવવા માટે સંપાદન કરેલી હોય અને જેની માલિકી સરકારની અગર પંચાયતની હોય અને જે બાબતના હદના પથરોની વચ્ચે આવેલી સરગ્ર જમીન કોઈપણ રસ્તા ઉપર રસ્તાની હદમાં કોઈપણ સંજોગમાં કોઈપણ જાતનું બાંધકામ કરવા દેવામાં આવશે નહીં.

૪. ચરહદી માર્ગો, રાષ્ટ્રીય ધોરી માર્ગો અને રાજ્ય ધોરી માર્ગો ઉપર આવતા બાંધકામો માટે લાગતાવળગતા કલેક્ટર અથવા જિલ્લા વિકાસ અધિકારી, રસ્તા અને મકાન વિભાગના જે તે કાર્યાલયક ઈજનેરની સલાહ લઈ, રેખા નિયમના ધોરણોને આધીન રહીને બીન ખેતીની કે બાંધકામની પરવાનગી આપશે જિલ્લાના મુખ્ય કક્ષાના માર્ગો ઉપર આવતા બાંધકામો માટે જે તે કલેક્ટર જિલ્લા વિકાસ અધિકારી પંચાયત વિભાગના કાર્યાલયક ઈજનેરની અગાઉથી લેખિત સંમતિ મેળવીને બીન ખેતીની કે બાંધકામની પરવાનગી આપી શકશે. અન્ય જિલ્લા કક્ષાના માર્ગો તથા ગ્રામ માર્ગો ઉપર કોઈપણ બાંધકામ માટે લાગતા વળગતા કલેક્ટર અથવા જિલ્લા વિકાસ અધિકારી રેખા નિયમનાં ધોરણોને આધીન રહીને બિન ખેતીની કે બાંધકામની પરવાનગી આપી શકશે.

૫. કોઈપણ રસ્તા ઉપર અપવાદ કરીને બાંધકામ માટેની પરવાનગી આપવાની હોય તે સરકાર જ આપી શકશે, અને મહેસૂલ, વિભાગ જાહેર બાંધકામ વિભાગની અગાઉથી સંમતિ લઈને જ આવી પરવાનગી આપી શકશે.

૬. તારાજી માર્ચ, ૧૯૬૬ પહેલાં જ્યાં જ્યાં પરવાનગી મળી ગઈ હોય તેને આ નિયમો લાગુ પડશે નહીં. તા. ૨૭ માર્ચ, ૧૯૬૬થી આ નિયમો પ્રમાણે જ પરવાનગી આપવાનું રાખવું. અને તે પ્રમાણેના અમલગરાબર થાય તે જિલ્લા વિકાસ અધિકારી-ઓએ તથા જિલ્લા કલેક્ટરોએ જોવું.

૭. કલેક્ટરશ્રીઓએ ઉપરના હુકમો જે તે પંચાયતો, નગર પંચાયતો, સુધરાઈઓ વિગેરેના ધ્યાન ઉપર લાવે તેવી વિનંતી છે.

શેડ્યુઅલ “અ” માં દાખલ થયેલા રસ્તાઓનું પત્રક

૧ દિલ્લી અમદાવાદ મુંબઈ માર્ગ નં. ૮.	રાષ્ટ્રીય ધોરી માર્ગ.
૨ અમદાવાદ બામણબોર મોરબી કંડલા ધોરી માર્ગ નં. ૮ અ.	રાષ્ટ્રીય ધોરી માર્ગ.
૩ બામણબોર રાજકોટ પોરબંદર માર્ગ નં. ૮ બી.	રાષ્ટ્રીય ધોરી માર્ગ.
૪ ભૂજ ખાવડા છાંબેટ રસ્તો.	રાષ્ટ્રીય ધોરી માર્ગ.
૫ ગાંધીધામ ભૂજ લખપટ રસ્તો.	રાજ્ય ધોરી માર્ગ.
૬ ભૂજને સુઈગામ સાથે જોડતો લેટરલ રસ્તો, વાયા સાંતલપુર, રાધનપુર ભાભર.	રાજ્ય ધોરી માર્ગ.
૭ સુઈગામ, વાવથરાદની રાજસ્થાની હદમાં બારમેરને જોડતો રસ્તો.	રાજ્ય ધોરી માર્ગ.
૮ અમદાવાદ મહેસાણા પાવનપુર રાધનપુર રસ્તો.	રાજ્ય ધોરી માર્ગ.
૯ કોટેશ્વર નાલીયા માંડવી રસ્તો.	અંશત રાજ્ય ધોરી માર્ગ અને અંશત જિલ્લા મુખ્ય માર્ગ.
૧૦ ભુજ માંડવી રસ્તો.	રાજ્ય ધોરી માર્ગ.
૧૧ રાજકોટ જામનગર ખંભાલીયા દ્વારકા, ઓખા રસ્તો.	રાજ્ય ધોરી માર્ગ.

૧૨.	ખંભાલીયા પોરબંદર જુનાગઢ વેરાવળ રસ્તો.	રાજ્ય ધોરી માર્ગ.
૧૩	રાજકોટ જુનાગઢ રસ્તો.	રાજ્ય ધોરી માર્ગ.
૧૪	લોંબડી ભાવનગર અમરેલી વેરાવળ રસ્તાના નીચે પ્રમાણેના વિભાગો :- (અ) લોંબડી, ધંધુકા વલ્લભીપુર ભાવનગર રસ્તો. (બ) ભાવનગર સોનગઢ ઢસા અમરેલી રસ્તો. (ક) અમરેલી ધોરી કોડીનાર વેરાવળ રસ્તો.	રાજ્ય ધોરી માર્ગ રાજ્ય ધોરી માર્ગ રાજ્ય ધોરી માર્ગ
૧૫	નડિયાદ ખંભાત રસ્તો વાયા પેટલાદ.	જિલ્લા મુખ્ય માર્ગ.
૧૬.	ખેડા દાહોદ ઈંદોર દેવાસ, ભોપાલ સોગર જબલપુર રસ્તો.	રાજ્ય ધોરી માર્ગ.

1.4.6 Road Land.—It is the land secured and reserved to the public for road purposes i. e. it is the strip of land between the road boundaries. The term “Right of way” is also sometimes used for the same purpose.

1.4.6.1 Position of borrowpits.—When excavating borrowpits, the following two requirements as shown in Fig. 1.1 should be complied with :—

(a) A minimum berm of 15, should be kept between the toe of the embankment and the nearest edge of the borrowpit.

(b) No borrowpit should cut an imaginary line drawn from the top edge of the embankment at a slop of 1 in 4.

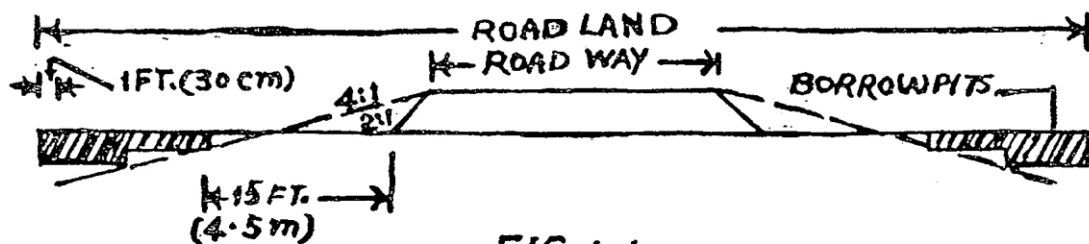


FIG. 1.1

Note :—The width of the borrowpits should be as less as possible not exceeding 8 ft. (2.5 m in case of M.D.R, S.H. and N.H. and not exceeding 5 ft. (1.5 m) in case of O.D.R. & V.R.

The above requirements should be taken into consideration while estimating width of road land

1.4.6.2 To consider height of road embankment in deciding land-width.

It will be evident that as the height of road embankment increases, the width of and required between the farther edges of the borrowpits will also increase.

Since a range of width for road land has been prescribed (rather than a fixed value) for each category of road, as suitable width of road land, within this range should be provided after taking the formation height into account at different places. However, a change in land-width should not be made too frequently and should preferably remain uniform in a minimum length of 1 furlong. (200 m).

Govt. Circular No. SSR-5054-II, dated 28-12-1954.

1.4.6.3 Land-width for roads at level crossings—National Highways State Highways and Major District Roads cater for bulk of road traffic. Evethough, these roads are being improved or constucted to the specifics standards, they cross existing railway lines, in almost all cases, at level. Looking to the development of tra-

ffic on these roads, it will be necessary to replace most of these level crossings either by overbridges or underpassages, in future. In order to make this change over economical, it is necessary that over-bridge or under-passages be located just at the present site of level crossings. Extra land required, to accommodate approach embankments should be acquired right now, as it may become very costly or impracticable to acquire such extra land when required for providing an overbridge or an underpassage. Therefore, 100% extra width of land should be acquired in the case of National Highways, State Highways and Major District Roads for half a furlong (100 m) on either side of the crossings, the land-width should gradually taper off and should join the normal land width at the end of another furlong (200 m.) as shown in Fig. 1.2.

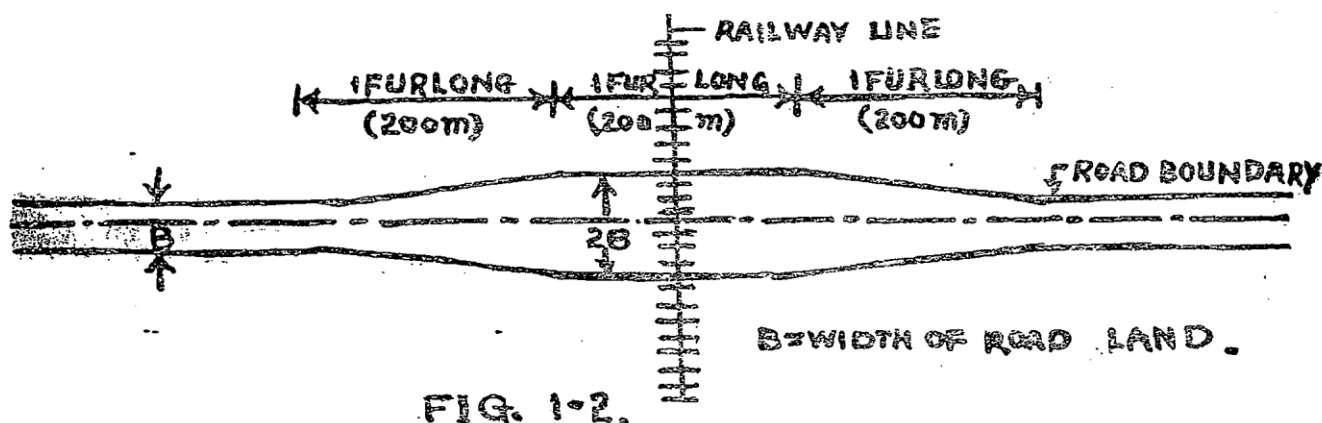


FIG. 1-2.

Where such extra land is acquired, borrowpits should be excavated near the boundary so that these will not have to be refilled when approaches to the over-bridge are constructed.

1.4.6.4 Land width : Land width at approaches of bridges—Similarly on approaches to bridges and at other places where the embankment is high, extra land width will be necessary and should be provided for in the project estimate and acquired.

1.4.7 Road Margin or Road Site.—It is the portion of road not reserved for traffic i. e. the strip between the edge of the roadway and the road boundary on each side.

1.4.8 Width of Roadway.—It is the distance between the edges of the road at the top. In the past this distance often used to be termed as 'Formation width, which now has a different meaning as given below. To avoid confusion, the correct term should be used. For a given classification of road, the roadway width is fixed.

1.4.9 Formation width.—It is the finished width of the earth-work in embankment or cutting for receiving the road crust. For a given classification of road the formation width will vary somewhat according to the thickness of road crust provided.

1.4.10 Carriageway.—It is the portion of the roadway designed and constructed for vehicular traffic.

1.4.11 Shoulder.—It is the portion immediately beyond the edges of a carriageway on which vehicular traffic may pass occasionally.

(Note—The terms 'berm' and 'side width' have also been used in the past in the same sense.)

1.4.12 Traffic Lane.—It is a longitudinal strip of the carriageway of a road of unit width (usually taken as 10 to 12 ft.) (3.048 m to 3.658 m) which will safely accommodate and permit the forward movement of single lane of vehicular traffic.

1.4.13 Design speed.—It is the maximum approximately uniform speed that will be probably adopted by the faster group of drivers, but not necessarily by a small percentage of reckless ones. It is the speed at which vehicles may travel under normal conditions with a reasonable margin of safety. Under favourable conditions, however, greater speeds may be used by competent drivers.

1.4.13.1 Design speed is a standard of much importance. For obtaining a balance geometric design, values of certain other standards such as minimum sight distances, minimum curvature (horizontal as well as vertical) widening on curves and super elevations are derived from equations which are functions of the design speed. For the same classification of road, a lower design speed is specified for hilly and mountainous country.

1.4.14 Stopping Distance.—It is the distance travelled by a vehicle during the interval of time elapsing between the instant the driver first perceives a source of danger and its coming to a complete stop.

1.4.14.1 Calculation of the stopping distance.—The stopping distance is the sum of (i) the distance travelled during the perception Time i. e. during the time required for the average driver to realise the danger (ii) the distance travelled during the Brake Reaction Time i. e. during the time lag between the realisation of danger and application of brakes by an average driver ; (iii) the distance travelled by the vehicle after the brakes are applied till it comes to a complete stop. This distance is known as the 'Braking Distance'.

If the vehicle is moving along a level road, the distance (i) and (ii) vary as V and the distance (iii) as V^2 where V is the initial velocity.

The stopping distances shown in the statement No. 1 are for the appropriate design speeds specified for the different classifications of roads assuming that the vehicle is moving on a level road.

1.4.15 Sight Distance.—It is the distance along the road surface upto which a driver has visibility of objects whether stationary or moving, at a specified height above the road surface.

1.4.15.1 Related to height of driver's eye and the object.—The specification and Standard Committee of the Indian Roads Congress has recommended that the heights of the drivers eye and of the object be assumed as 4'-0" (1.20 m) and 0'-4" (0.10 m) above the road surface respectively.

1.4.15.2 To measure along the road surface.—Whether the road alignment is straight or curved level or undulating, the sight distance is measured along the road surface and not along the straight line joining two points at the prescribed heights above the road surface.

1.4.15.3 The sight distance being the length of road visible to the driver, the longer it is at every point on the road, the better it is for safe driving.

1.4.16 Minimum sight distance—It is the minimum length of road which the driver of a vehicle moving at the design speed should be able to see without obstruction in order that he can safely bring the vehicle to a stop on seeing a stationary source of danger. In other words, the minimum sight distance should not be less than the stopping distance for the design speed.

1.4.16.1 The term 'Minimum Non-overtaking Sight distance' sometimes used as the same significance.

1.4.17 Minimum overtaking sight distance.—It is the minimum length of road which the driver of a vehicle moving at the design speed should be able to see without obstruction in order that he can safely overtake another vehicle moving in the same direction at a speed 10 miles per hour less than the design speed. The facility of minimum overtaking sight distance should be available at reasonable intervals along the road in either direction.

1.4.17.1 This sight distance is affected by the number of traffic lanes etc., on the road. The distances given in the Statement No. 1 are applicable to two lane undivided roads.

1.4.18 Horizontal curves should be of as large radii as possible. The minimum permissible values to be adopted where larger radii are not practicable are as follows :—

1.4.18.1 Ruling Radius.—It is the desirable minimum radius of the center line of a curve for a given design speed. It is based on the following formula :—

(i) For flat or rolling country :—

$$R_{vf} = 0.31 (V_f + 10)^2$$

(ii) For hilly or mountainous country. :

$$R_{vh} = 0.31 (V_h + 5)^2$$

where R_{vf} = Ruling radius in flat country in feet

V_f = Design speed in flat country in M.P.H.

R_{vh} = Ruling radius in hilly country in feet.

V_h = Design speed in hilly country in M.P.H.

1.4.18.2 Absolute minimum radius—It is the minimum radius of the centre line of a curve necessary to provide safe and comfortable travel for a given design speed without skidding of vehicles under wet conditions of the road surface. It is based on the formula :—

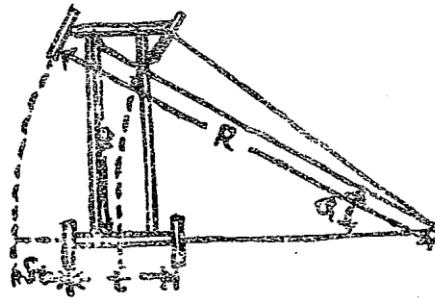
$$R_{mf} = 0.31 V_f^2 \text{ for flat or rolling country and}$$

$$R_{mh} = 0.31 V_h^2 \text{ for hilly or mountainous country.}$$

The value of radii obtained by the above four formulae are rounded off to the next higher multiple of 50 ft.

1.4.18.3 To restrict design speed at sub-standard curves—If the conditions at a given place are so unfavourable that it is not feasible to provide even the absolute minimum radius except at very excessive cost, the design speed should be suitably lowered and speed limit boards placed sufficiently ahead of the curve at either end to enable drivers to slow down their vehicles before entering upon the curve.

1.4.19 Widening of the pavement (carriageway) on curves.—This becomes necessary for a number of reasons, one of them being that while going round a curve—a vehicle particularly with a long wheel base like a truck, has the inner wheel, of the rear axle nearer the centre of the curve than the inner wheel of the front axle (Fig 1.3)



**THE EXTRA WIDTH REQUIRED
BY VEHICLE ON A CURVE
FIG- 1-3**

1.4.19.1 The widening should be equally distributed on the inner and outer sides except that in the case of hill roads with radius of curve less than 200 ft. the widening may be on the inside only.

1.4.19.2 The widening should start at the beginning or tangent point of the transition curve and increase uniformly at such a rate that the maximum designed widening is reached at the same point along the length of the road where the full designed Superelevation is reached.

1.4.19.3 The maximum extra width is limited to 4 ft. (1.2 m.).

1.4.19.4 Extra width for pavements with more than 2 lanes—The values given in the statement No. 1 apply to one lane and two lane pavements. For pavements with more than two lanes, the following formula may be used and the value obtained rounded off to the nearest foot :—

$$W_e = 200 \frac{n}{R} + \frac{R}{\sqrt{V}}$$

where W_e =extra width in feet

n =number of lanes.

R =radius of the curve in feet.

V =design speed in M.P.H.

1.4.20 Transition curve.—It is a curve, the radius of curvature of which changes gradually from infinity to a given minimum (or vice-versa). It is provided between straight and circular portions of road alignment :—

(i) to ensure that a vehicle entering a curve from a straight length is subjected to the effect of centrifugal force in a gradually increasing manner and not suddenly ; in other words, the centrifugal acceleration should develop gradually at a rate which will not cause discomfort;

(ii) to enable a gradual change to be made from the normal camber on a straight portion to full super-elevation on the circular portion, and

(iii) to facilitate widening of the pavement on curves (where necessary)

1.4.21] Transition Length (L_s) —It is the length of the transition curve joining a straight length with another curved length.

For flat or rolling region.—

$$L_s = \frac{3.16 V^3}{CR} \quad \text{for providing a suitable rate of change of centrifugal acceleration.}$$

$$\text{and } L_s = \frac{73.125 V^2}{R} \quad \text{for providing a suitable change in super-elevation.}$$

Where V = design speed in M. P. H.

R—radius of the circular curve in feet.

C=rate of change of centrifugal acceleration. Its value is adopted as follows :—

For V=20 m. p. h. or less..... C=2.5

„ - V between 20 & 60 m. p. h. $C = \frac{150}{40+V}$

„ V=60 m. p. h. or more..... C=1.5

For any given values of V and R, the value of L_s is worked out by both the above equations and the higher one is, adopted. The value thus obtained is in feet and may be suitably rounded off to nearest 25 or 50 ft, if desired.

1.4.21.1 For hilly or mountainous regions, the corresponding equations are :

$$L_s = 3.16 \frac{V^3}{CR} \quad \text{and} \quad L_s = \frac{29.25 V^2}{R}$$

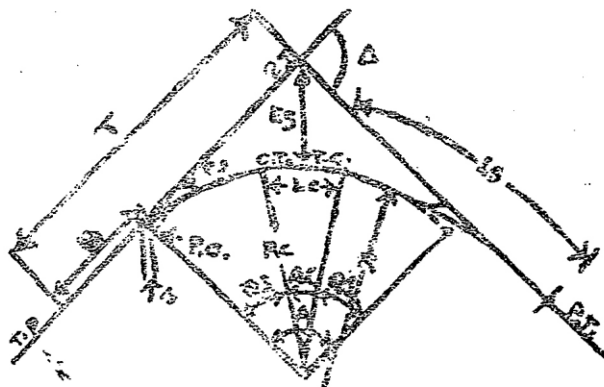
1.4.22 Shift (S) —It is the displacement of a circular curve from the straight (i. e. tangent) towards its centre so that a transition curve be fitted between the straight length and the circular curve. It is given very approximately by the formula.

$$S = \frac{L_s^2}{24 R}$$

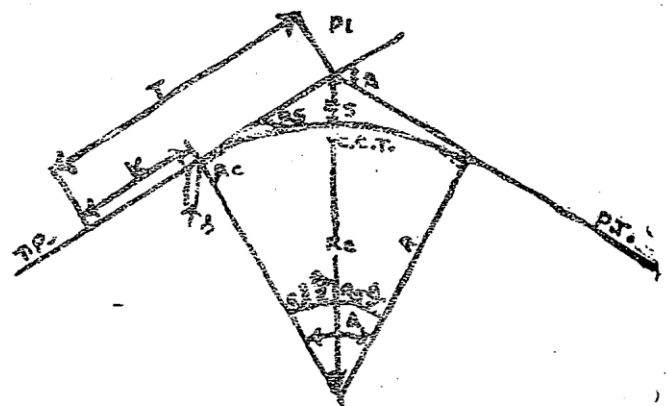
In the accompanying statement No.-1, the appropriate value of the design speed has been substituted in the respective formula and the higher of the two alternative value of L_s adopted. The formula then has only one variable viz. R.

I.R.C. Paper 119-Vol. XI-3.

1.4.23 Various curve elements are shown in Fig. 1.4.



CURVE WITH CENTRAL CIRCULAR ARC AND ENDS TRANSITIONAL.



CURVE TRANSITIONAL THROUGHOUT

FIG. 1-4

NOTATION

- (1) Curve Radius (Rc) : Minimum radius of curve.
- (2) Tangent Point (T.P. or P.T.) : The point where the straight alignment ceases and curvature begins.
- (3) Apex (P.I) : The point of intersection of the two straight connected by a curve.
- (4) Tangent Distance (T) : The length on the straight between the Apex P. I. and the spring of the curve (P.T. or T.P.).
- (5) Apex. Distance (Es) : External distance for apex. to the centre of the curve.
- (6) Total Deviation Angle (Δ) : The external angle at the intersection between the produced tangents of the entire curve.
- (7) ΔC : Deviation angle or central angle of the circular part of a curve with a transition at either end.
- (8) Os : The tangent deflection angle for the end of the transition curve.
- (9) Shift (S) : The displacement of the circular curve from the straight in order to provide room to introduce transition curve between it and the straight.
- (10) K : The distance along the straight from T.P. to P.C.
- (11) Transitional length (Ls) : Length transition curve.
- (12) C.T. & T.C. : The nearer and farther points on the combined curve where the transition changes to circular arc :
- (13) C. C. T. : The mid point of the curve transitional throughout.
- (14) Lc : Length of circular arc.

1.4.24 Super-elevation.—It is the transverse inclination given to the cross section of a carriageway on a horizontal curve to reduce the effects of centrifugal force on a moving vehicle and is generally expressed as a slope.

1.4.24.1 The value of the super-elevation is given by the following formula—

$$e = \frac{3}{80} \frac{V^2}{R}$$

where e=super elevation expressed as a slope.

V=design speed in m.p.h.
R=radius of curve in feet.

By substituting the appropriate numerical value of the design speed in the above formula in place of V, the formula may be further simplified as shown in statement No. 1 and has, then only one variable viz. R.

1.4.25 Ruling Gradient—It is the desirable upper limit upto which gradients can be provided where necessary to balance the quantities of cut and fill.

1.4.26 Limiting or Maximum Gradient.—It is the maximum upper limit upto which gradients may have to be used in place of the ruling gradient when the latter cannot be provided except at an exorbitant cost.

The length of any stretch of a road at gradients steeper than the ruling gradient should be the minimum possible under the circumstances and in any case should not exceed the limits given in statement No. 1.

1.4.27 Grade Compensation.—: If a length of road having a gradient of 1 in 20 (5 percent) or steeper is on a curve of less than 1000 ft. (300 m) radius, the gradient should be compensated or eased to the extent given by the following empirical formula ;

$$(i) \quad \% \text{ grade compensation} = \frac{100 + R}{R}$$

limited to a maximum $\frac{250}{R}$

where R is the radius of curve in feet.

Govt. Memo No. RNH--1962/C/2588/C, dt. 10th July, 1962.

(ii) The above standards may be relaxed for roads which have already been cut to an inter-mediate stage and the following standards may be adopted :—

$$\text{Net \% grade to be allowed} = \frac{300 + R}{100}$$

or net \% grade to be allowed = 6.7%

Example :—If on a road with a gradient of 1 in 15 or 6.67%, the curve is of 375 ft. radius the compensation will be $\frac{250}{375} = 0.67\%$. The gradient should be therefore eased to 6%.

1.4.28 For detailed discussion on the various aspects of the geometric design of roads, the following papers by the specifications and standards Committee of the Indian Road Congress may be referred to :—

Paper	No. of paper	Volume No.
(i) Width of Highway Pavements	113	XI-1
(ii) Horizontal and Transition curves for Highways	119	XI-3
(iii) Standards for sight Distances for Highways	149	XV-1

1.4.29 Width of culverts and Minor bridges on Roads.—Clear road width to be provided on cross drainage works on roads generally depends on category of roads. Standards to be adopted in this respect for various categories of roads are given at Sr. No. 22. in statement No. 1.

1.4.30 While preparing any road project, standards of various items connected with it should be followed as given in the following statement depending upon the category of the road.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 30th March, 2010/Chaitra 9, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 29th March, 2010, and is hereby published for general information:—

THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (AMENDMENT AND VALIDATION) ACT, 2010

(No. 10 OF 2010)

[29th March, 2010.]

An Act further to amend the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and to make provision for validation of certain actions taken by the Central Government under the said Act.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010.

Short title and
commencement.

(2) Save as otherwise provided, it shall be deemed to have come into force (except sections 3, 5, 7 and 8 to 11) on the 23rd day of January, 2010.

24 of 1958.

2. On and from the 16th day of June, 1992, in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (hereinafter referred to as the principal Act), in section 2,—

Amendment of
section 2.

(i) after clause (d), the following clauses shall be inserted and shall be deemed to have been inserted, namely:—

“(da) “Authority” means the National Monuments Authority constituted under section 20F;

(db) "competent authority" means an officer not below the rank of Director of archaeology or Commissioner of archaeology of the Central or State Government or equivalent rank, specified, by notification in the Official Gazette, as the competent authority by the Central Government to perform functions under this Act;

Provided that the Central Government may, by notification in the Official Gazette, specify different competent authorities for the purpose of sections 20C, 20D and 20E;

(dc) "construction" means any erection of a structure or a building, including any addition or extension thereto either vertically or horizontally, but does not include any re-construction, repair and renovation of an existing structure or building, or, construction, maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences, or, the construction and maintenance of works meant for providing supply of water for public, or, the construction or maintenance, extension, management for supply and distribution of electricity to the public or provision for similar facilities for public;

(ii) after clause (h), the following clause shall be inserted and shall be deemed to have been inserted, namely:—

'(ha) "prohibited area" means any area specified or declared to be a prohibited area under section 20A;';

(iii) after clause (j), the following clauses shall be inserted and shall be deemed to have been inserted, namely:—

'(k) "re-construction" means any erection of a structure or building to its pre-existing structure, having the same horizontal and vertical limits;

'(l) "regulated area" means any area specified or declared under section 20B;

'(m) "repair and renovation" means alterations to a pre-existing structure or building, but shall not include construction or re-construction;'

Insertion of
new section
4A.

Categorisation
and
classification
in respect of
ancient
monuments or
archaeological
sites and
remains
declared as of
national
importance
under sections
3 and 4.

Insertion of
new section
20A.

Declaration of
prohibited area
and carrying
out public work
or other works
in prohibited
area.

3. After section 4 of the principal Act, the following section shall be inserted, namely:—

"4A. (1) The Central Government shall, on the recommendation of the Authority, prescribe categories in respect of ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4, and while prescribing such categories it shall have regard to the historical, archaeological and architectural value and such other factors as may be relevant for the purpose of such categorisation.

(2) The Central Government shall, on the recommendation of the Authority, classify all the ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4, in accordance with the categories prescribed under sub-section (1) and thereafter make the same available to the public and exhibit the same on its website and also in such other manner as it may deem fit."

4. On and from the 16th day of June, 1992, after section 20 of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely:—

"PROHIBITED AND REGULATED AREAS

20A. Every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred metres in all directions shall be the prohibited area in respect of such protected area or protected monument:

Provided that the Central Government may, on the recommendation of the Authority, by notification in the Official Gazette, specify an area more than one hundred

metres to be the prohibited area having regard to the classification of any protected monument or protected area, as the case may be, under section 4A.

(2) Save as otherwise provided in section 20C, no person, other than an archaeological officer, shall carry out any construction in any prohibited area.

(3) In a case where the Central Government or the Director-General, as the case may be, is satisfied that—

(a) it is necessary or expedient for carrying out such public work or any project essential to the public; or

(b) such other work or project, in its opinion, shall not have any substantial adverse impact on the preservation, safety, security of, or, access to, the monument or its immediate surrounding,

it or he may, notwithstanding anything contained in sub-section (2), in exceptional cases and having regard to the public interest, by order and for reasons to be recorded in writing, permit, such public work or project essential to the public or other constructions, to be carried out in a prohibited area:

Provided that any area near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a prohibited area in respect of such protected monument, shall be deemed to be the prohibited area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted by the Central Government or the Director-General, as the case may be, for the construction within the prohibited area on the basis of the recommendation of the Expert Advisory Committee, shall be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times:

Provided further that nothing contained in the first proviso shall apply to any permission granted, subsequent to the completion of construction or re-construction of any building or structure in any prohibited area in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, or, without having obtained the recommendations of the Committee constituted in pursuance of the order of the Government of India number 24/22/2006-M, dated the 20th July, 2006 (subsequently referred to as the Expert Advisory Committee in orders dated the 27th August, 2008 and the 5th May, 2009)."

5. In section 20A of the principal Act (as so inserted by section 4 of this Act), after sub-section (3), the following sub-section shall be inserted, namely:—

Amendment of section 20A.

"(4) No permission, referred to in sub-section (3), including carrying out any public work or project essential to the public or other constructions, shall be granted in any prohibited area on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010 receives the assent of the President."

6. On and from the 16th day of June, 1992, after section 20A of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely:—

Insertion of new section 20B.

"20B. Every area, beginning at the limit of prohibited area in respect of every ancient monument and archaeological site and remains, declared as of national importance under sections 3 and 4 and extending to a distance of two hundred metres in all directions shall be the regulated area in respect of every ancient monument and archaeological site and remains:

Declaration of regulated area in respect of every protected monument.

Provided that the Central Government may, by notification in the Official Gazette, specify an area more than two hundred metres to be the regulated area having regard

to the classification of any protected monument or protected area, as the case may be, under section 4A:

Provided further that any area near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a regulated area in respect of such protected monument, shall be deemed to be the regulated area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted for construction in such regulated area shall, be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times.”.

7. After section 20B of the principal Act (as so inserted by section 6 of this Act) the following sections shall be inserted, namely:—

Insertion of new sections 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P and 20Q.

Application for repair or renovation in prohibited area, or construction or re-construction or repair or renovation in regulated area.

‘20C. (1) Any person, who owns any building or structure, which existed in a prohibited area before the 16th day of June, 1992, or, which had been subsequently constructed with the approval of the Director-General and desires to carry out any repair or renovation of such building or structure, may make an application to the competent authority for carrying out such repair or renovation, as the case may be.

(2) Any person, who owns or possesses any building or structure or land in any regulated area, and desires to carry out any construction or re-construction or repair or renovation of such building or structure on such land, as the case may be, may make an application to the competent authority for carrying out construction or re-construction or repair or renovation, as the case may be.

GRANT OF PERMISSION BY COMPETENT AUTHORITY

20D. (1) Every application for grant of permission under section 20C of this Act shall be made to the competent authority in such manner as may be prescribed.

(2) The competent authority shall, within fifteen days of the receipt of the application, forward the same to the Authority to consider and intimate impact of such construction (including the impact of large-scale development project, public project and project essential to the public) having regard to the heritage bye-laws relating to the concerned protected monument or protected area, as the case may be:

Provided that the Central Government may prescribe the category of applications in respect of which the permission may be granted under this sub-section and the application which shall be referred to the Authority for its recommendations.

(3) The Authority shall, within two months from the date of receipt of application under sub-section (2), intimate to the competent authority impact of such construction (including the impact of large-scale development project, public project and project essential to the public).

(4) The competent authority shall, within one month of the receipt of intimation from the Authority under sub-section (3), either grant permission or refuse the same as so recommended by the Authority.

(5) The recommendations of the Authority shall be final.

(6) In case the competent authority refuses to grant permission under this section, it shall, by order in writing, after giving an opportunity to the concerned person, intimate such refusal within three months from the date of receipt of the application to the applicant, the Central Government and the Authority.

Insertion of new section 4A.

Category and class in regulated area of ancient monuments and archaeological sites and remains of national importance under section 3 and

Insertion of new section 20A.

Declaration of prohibited area or of regulated area

Grant of permission by competent authority within regulated area.

(7) If the competent authority, after grant of the permission under sub-section (4) and during the carrying out of the repair or renovation work or re-construction of building or construction referred to in that sub-section, is of the opinion (on the basis of material in his possession or otherwise) that such repair or renovation work or re-construction of building or construction is likely to have an adverse impact on the preservation, safety, security or access to the monument considerably, it may refer the same to the Authority for its recommendations and if so recommended, withdraw the permission granted under sub-section (4) if so required:

Provided that the competent authority may, in exceptional cases, with the approval of the Authority grant permission to the applicant referred to in sub-section (2) of section 20C until the heritage bye-laws have been prepared under sub-section (1) of section 20E and published under sub-section (7) of that section.

(8) The Central Government, or the Director-General, as the case may be, shall exhibit, on their website, all the permissions granted or refused under this Act.

2 of 1882.

20E. (1) The competent authority, in consultation with Indian National Trust for Arts and Cultural Heritage, being a trust registered under the Indian Trusts Act, 1882, or such other expert heritage bodies as may be notified by the Central Government, shall prepare heritage bye-laws in respect of each protected monument and protected area.

Heritage bye-laws.

(2) The heritage bye-laws referred to in sub-section (1) shall, in addition to such matters as may be prescribed, include matters relating to heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines).

(3) The Central Government shall, by rules, specify the manner of preparation of detailed site plans in respect of each protected area or protected monument or prohibited area or regulated area, the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws.

(4) The competent authority for the purpose of preparation of detailed site plans and heritage bye-laws may appoint such number of experts or consultants as it may deem fit.

(5) A copy of each of the heritage bye-laws prepared under sub-section (1) shall be forwarded to the Authority for its approval.

(6) A copy of the heritage bye-laws as approved by the Authority under sub-section (5) shall be laid before each House of Parliament.

(7) Each heritage bye-laws shall, be made available by the competent authority to the public, by exhibiting the same on its website and also in such other manner as it may deem fit, immediately after laying the same before each House of Parliament.

NATIONAL MONUMENTS AUTHORITY

20F. (1) The Central Government shall, by notification in the Official Gazette, constitute an Authority to be called as the National Monuments Authority.

Constitution of National Monuments Authority.

(2) The Authority shall consist of,—

(a) a Chairperson, on whole-time basis, to be appointed by the President, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(b) such number of members not exceeding five whole-time members and five part-time members to be appointed, on the recommendation of the Selection Committee referred to in section 20G, by the Central Government, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(c) the Director-General as member, *ex officio*.

(3) The tenure of the whole-time Chairperson or every whole-time member and every part-time member, of the Authority shall be three years from the date on which he assumes office as such and shall not be eligible for re-appointment:

Provided that, save as otherwise provided in clause (c) of sub-section (2), any person who has held any post in the Archaeological Survey of India or in the Ministry of Culture of the Government of India or a State Government or has not been found fit to be considered for being appointed to any such post shall, not be eligible to be appointed as the Chairperson or a member of the Authority:

Provided further that any person, who had either been granted a permission or licence or refused any such permission or refused grant of a licence or any person or any of his relative having any interest in a prohibited area or a regulated area shall not be eligible to be appointed as a Chairperson or member.

Explanation.—For the purposes of this section, “relative” means—

- (i) spouse of the Chairperson or member of the Authority;
- (ii) brother or sister of the Chairperson or member of the Authority;
- (iii) brother or sister of the spouse of the Chairperson or member of the Authority;
- (iv) brother or sister of either of the parents of the Chairperson or member of the Authority;
- (v) any lineal ascendant or descendant of the Chairperson or member of the Authority;
- (vi) any lineal ascendant or descendant of the spouse of the Chairperson or member of the Authority;
- (vii) spouse of the person referred to in clauses (ii) to (vi);

(4) An officer, not below the rank of Joint Secretary to the Government of India, shall be the Member Secretary of the Authority.

(5) The Central Government shall provide such number of officers and other employees as may be necessary for discharge of functions by the Authority under this Act.

Selection
Committee
for selection
of members
of Authority.

20G. (1) Every whole-time member and every part-time member of the Authority shall be selected by a Selection Committee consisting of the following persons, namely:—

- (a) Cabinet Secretary — Chairperson, *ex officio*;
- (b) Secretary in the Ministry of Culture — member, *ex officio*;
- (c) Secretary in the Ministry of Urban development — member, *ex officio*;
- (d) three experts, having proven experience and expertise in the fields of archaeology, architecture, heritage or conservation-architecture to be nominated by the Central Government.

(2) The Selection Committee referred to in sub-section (1) shall regulate its own procedure for the purposes of selecting whole-time members and part-time members of the Authority.

Salary,
allowances and
meetings of
Authority.

20H. (1) The salaries and allowances payable to the whole-time Chairperson and whole-time members, and the other terms and conditions of their service or fees or allowances payable to the part-time members, of the Authority shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the whole-time Chairperson and whole-time members shall be varied to their disadvantage after their appointment.

(2) The Authority shall regulate its own procedure for the purposes of holding its meetings (including quorum of such meetings) and granting permissions under this Act.

(3) All the decisions of the Authority shall be published in such manner as it may decide and also on its own website and on the website of the Central Government.

20-L. (1) The Authority shall exercise or discharge the following powers or functions, namely:—

Functions and powers of Authority.

(a) make recommendations to the Central Government for grading and classifying protected monuments and protected areas declared as of national importance under sections 3 and 4, before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010;

(b) make recommendations to the Central Government for grading and classifying protected monuments and protected areas which may be declared after the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, as of national importance under section 4;

(c) oversee the working of the competent authorities;

(d) to suggest measures for implementation of the provisions of this Act;

(e) to consider the impact of large-scale developmental projects, including public projects and projects essential to the public which may be proposed in the regulated areas and make recommendations in respect thereof to the competent authority;

(f) to make recommendations to the competent authority for grant of permission.

(2) The Authority shall, for the purpose of discharging functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit in respect of the following matters, namely:—

5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) any other matter which may be prescribed.

20J. (1) Notwithstanding anything contained in sub-section (3) of section 20F, the President in the case of the Chairperson and the Central Government in the case of whole-time member and part-time member may, by order, remove from office, the Chairperson or any such member of the Authority, if he —

Removal of Chairperson and members.

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as Chairperson or member; or

(d) has acquired such financial or other interests as is likely to affect prejudicially his functions; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or any member of the Authority shall not be removed under clauses (d) and (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.

20K. On ceasing to hold office, the Chairperson or whole-time member of the Authority, as the case may be, shall, subject to the provisions of this Act, be ineligible, for a period of five years from the date on which they cease to hold office, for further employment (including as consultant or expert or otherwise) in any institution, agency

Restriction on future employment by Chairperson and members.

or organisation of any nature mainly dealing with archaeology, country and town planning, architecture, heritage and conservation-architecture or whose matters had been before the Chairperson or such member.

Power of
Central
Government
to issue
directions to
Authority.

20L. (1) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions on question of policy, other than those relating to technical and administrative matters, as the Central Government may give in writing to it from time to time:

Provided that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government, whether a question is one of policy or not, shall be final.

Power of
Central
Government to
issue directions
to competent
authority.

20M. Without prejudice to the foregoing provisions of this Act, the competent authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions, as the Central Government may give in writing to it from time to time.

Power of
Central
Government
to supersede
Authority.

20N. (1) If, at any time the Central Government is of the opinion,—

(a) that, on account of circumstances beyond the control of the Authority, it is unable to discharge the functions or perform the duties imposed on it by or under the provisions of this Act; or

(b) that the Authority has persistently defaulted in complying with any direction given by the Central Government under this Act or in the discharge of the functions or performance of the duties imposed on it by or under the provisions of this Act and as a result of such default the financial position of the Authority or the administration of the Authority has suffered; or

(c) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Authority for such period, not exceeding six months, as may be specified in the notification and appoint a person or persons as the President may direct to exercise powers and discharge functions under this Act:

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Authority to make representations against the proposed supersession and shall consider the representations, if any, of the Authority.

(2) Upon the publication of a notification under sub-section (1) superseding the Authority,—

(a) the Chairperson and all other whole-time members and part-time members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority shall, until the Authority is reconstituted under sub-section (3), be exercised and discharged by the person or persons referred to in sub-section (1); and

(c) all properties owned or controlled by the Authority shall, until the Authority is reconstituted under sub-section (3), vest in the Central Government.

(3) On or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government shall reconstitute the Authority by a fresh appointment of its Chairperson and other whole-time members and part-time members and in such case any person who had vacated his office under

clause (a) of sub-section (2) shall not be deemed to be disqualified, subject to the provisions of sub-section (3) of section 20F for reappointment for the remaining period.

(4) The Central Government shall cause a copy of the notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

20-O. No civil court shall have jurisdiction in respect of any matter which the Authority is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

Bar of jurisdiction of civil court.

20P. (1) The Authority shall prepare once in every year, in such form and at such time as may be prescribed by the Central Government, an annual report giving full description of all the activities of the Authority for the previous year.

Annual report.

(2) A copy of the report received under sub-section (1) shall be laid, as soon as may be after it is received, before each House of Parliament.

20Q. Where the Central Government considers it expedient so to do, it may, by order in writing call upon the Authority or the competent authority, as the case may be, to furnish in writing such information, in such form and manner as may be prescribed, relating to its affairs as the Central Government may require."

Power to call for information.

8. In section 30 of the principal Act,—

Amendment of section 30.

(a) in sub-section (1),—

(i) for the words "imprisonment which may extend to three months", the words "imprisonment which may extend to two years" shall be substituted;

(ii) for the words "fine which may extend to five thousand rupees", the words "fine which may extend to one lakh rupees" shall be substituted;

(b) in sub-section (2), for the words "fine which may extend to five thousand rupees", the words "imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both" shall be substituted.

9. After section 30 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new sections 30A, 30B and 30C.

"30A. Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the prohibited area, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

Punishment for construction, etc., in prohibited area.

30B. Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the regulated area without the previous permission of the competent authority or in contravention of the permission granted by the competent authority, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

Punishment for construction, etc., in regulated area.

30C. If any officer of the Central Government enters into or acquiesces in any agreement to do, abstains from doing, permits, conceals or connives at any act or thing whereby any construction or re-construction takes place in a prohibited area or regulated area, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both."

Offences by officers of Government.

Insertion of new sections 35A and 35B.

Obligation to survey the protected prohibited area and regulated areas.

Identification of unauthorised constructions on or after 16th June, 1992.

Amendment of section 38.

Validation of action taken, etc., under notification No.S.O.1764, dated 16th June, 1992.

10. After section 35 of the principal Act, the following sections shall be inserted, namely:—

“35A. (1) The Director-General shall, within such time as may be specified by the Central Government, conduct a survey or cause survey to be conducted in respect of all prohibited areas and regulated areas for the purpose of detailed site plans.

(2) A report in respect of such survey referred to in sub-section (1) shall be forwarded to the Central Government and to the Authority.

35B. (1) The Director-General shall, within such time as may be specified by the Central Government, identify or cause to be identified, all constructions (of whatever nature) made on and after the 16th day of June, 1992 in all prohibited areas and regulated areas and, thereafter, submit from time to time a report in respect thereof to the Central Government.

(2) The Director-General shall, for the purposes of sub section (1), have the power to call for information from the local bodies and other authorities.”

11. In section 38 of the principal Act, in sub-section (2), after clause (c), the following clauses shall be inserted, namely:—

“(ca) the categories of ancient monuments or archaeological sites and remains, declared as of national importance, under sub-section (1) of section 4A;

(cb) the manner of making application for grant of permission under sub-section (1) of section 20D;

(cc) the category of applications in respect of which the permission may be granted and applications which shall be referred to the Authority for its recommendation, under sub-section (2) of section 20D;

(cd) the other matters including heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines) under sub-section (2) of section 20E;

(ce) the manner of preparation of detailed site plans in respect of each prohibited area and regulated area and the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws under sub-section (3) of section 20E;

(cf) salaries and allowances payable to, and the other terms and conditions of service of, the whole-time Chairperson and whole-time members, or fees or allowances payable to the part-time members, of the Authority under sub-section (1) of section 20H;

(cg) the form in which and time at which the Authority shall prepare an annual report giving full description of its activities for the previous year under section 20P;

(ch) the form and manner in which the Authority and competent authority shall furnish information to the Central Government under section 20Q.”

12. Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority—

(a) any thing done or purported to be done or any action taken or purported to be taken by the Central Government, except as provided in the second proviso to sub-section (3) of section 20A, immediately before the commencement of this Act, in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O.1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, shall be deemed to be and deemed to have always been done or taken validly and in accordance with law at all material times [except as provided in the second proviso to sub-section (3) of section 20A] and no action taken or thing done

24 of 1958. (including any order made, agreement entered into, or notification issued for constituting any Expert Advisory Committee) in connection with any permission granted or licence issued for any construction in a prohibited area or a regulated area in respect of a protected monument, shall be deemed to be invalid or ever to have become invalid except as provided in the second proviso to sub-section (3) of section 20A merely on the ground that the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or the rules, orders or notifications issued thereunder did not contain any provision for constitution of an Expert Advisory Committee or Advisory Committee, as the case may be;

24 of 1958. (b) no suit, claim or other proceedings shall be instituted, maintained or continued in any court, tribunal or other authority for any permission or licence granted by the Central Government or the Director-General under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or any rule, order or notification made thereunder for carrying out any repair, renovation or construction work or for undertaking any public work or public project before the commencement of this Act;

24 of 1958. (c) no claim or challenge shall be made in or entertained by any court, tribunal or other authority solely on the ground that the Central Government or the Director-General did not take into consideration any of the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, as amended by the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, in granting any permission or licence for the purpose of carrying out any mining or repair, renovation or construction work in a prohibited area or a regulated area at any time between the 16th day of June, 1992 and the date of commencement of this Act.

Ord. 1 of 2010. 13. (1) The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

V. K. BHASIN,
Secy. to the Govt. of India.



ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

આઈ.એસ.આઈ.એસ.ઓ. ૯૦૦૧:૨૦૧૫ અને આઈ.એસ. આઈ.એસ.ઓ. ૧૪૦૦૧:૨૦૧૫ સંસ્થા

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