

MAHABLESHWAR PANCHGANI

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MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

NEW DELHI, 17th January, 2001

S.O 52(E).– Whereas a notification under sub section (1) and clause (v) of sub section (2) of Section 3 of the Environment Protection Act, 1986, inviting objection or suggestion against the notification notifying the Mahableshwar Panchgani as an Eco sensitive region and imposing restriction on industries, operations, processes and other developmental activities in the region which have detrimental effect on the environment was published in S.O. No. 693(E) dated the 25th July, 2000;

And whereas all objections or/and suggestions received have been duly considered by the Central Government

Now, therefore, in exercise of the powers conferred by clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby notify the Mahableshwar Panchgani Region (as defined in the Government of Maharashtra notification of 29th April, 1983 as an Eco Sensitive Zone. (Copy attached as Annexure). The Region shall include the entire area within the boundaries of the Mahableshwar Tehsil and the villages of Bondarwadi, Bhuteghar, Danwali, Taloshi and Umbri of Jaoli Tehsil of the Satara District in the Maharashtra state.

1. All activities in the forests (both within and outside municipal areas) shall be governed by the provisions of the Indian Forests Act, 1927 (16 of 1927) and Forest (Conservation) Act, 1980 (69 of 1980). All activities in the sanctuaries and national parks shall be governed by the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972).
2. The following activities are proposed to be regulated in the Eco-Sensitive Zone.

(a) Zonal Master Plan: -

- (i) (i) A Master plan for the entire Zone shall be prepared by the State Government and approved by the Ministry of Environment and Forests in the Government of India within a period of two years from the date of publication of this notification. The Master Plan shall be published by following a procedure similar to that prescribed under the Maharashtra Regional and Town Planning Act 1966. The Master Plan shall clearly indicate those limited areas where industries may be permitted.
- (ii) (ii) The said Master Plan shall clearly demarcate all the existing forests, green areas, horticultural areas such as strawberry farms, raspberry farms, orchards, tribal areas, and other environmentally sensitive areas. No change of land use from green uses such as horticultural areas, agriculture, parks and other like places to non-green uses shall be permitted in the Master Plan. The Master Plan shall indicate measures and lay down stipulations for regulating traffic, especially through traffic in the Eco sensitive zone.
- (iii) (iii) The areas within and outside Mahableshwar and Panchgani municipal areas shall have Sub-Zonal Master Plans which may be prepared by the State Government as a component of the Zonal Master Plan and concurrence of the Ministry of Environment and Forests shall be obtained on this.

This Sub-Zonal Master Plan shall include building regulations for the gaathan areas.

- (iv) (iv) Pending the preparation of and approval by the Ministry of Environment and Forests to the Zonal Master Plan and Sub-Zonal Master Plans referred to above, there shall be no increase in the existing parameters of permissible Floor Area Ratio, permissible height, permissible maximum number of storeys and permissible ground coverage; and there shall also be no reduction in the Forest

Zone/Green Zone/Agricultural Zone. Absolute height of buildings shall not exceed 9 metres and number of storeys shall not exceed ground plus one.

(b) (b) Industrial Units: -

- (i) (i) Location of industries shall be only in the designated industrial areas or estates and has to be as per guidelines drawn up by the Government of Maharashtra as well as the guidelines issued from time to time by the Ministry of Environment and Forests. However this would not apply to all those units which have obtained Consent to establish and all other statutory permissions and have commenced construction at site on or before the date of issue of this notification.
- (ii) (ii) In future only non polluting non hazardous service industries, units making footwear from processed and ready made leather, floriculture, horticulture based or agro based industries producing products from indigenous goods from the Eco Sensitive Zone shall be permitted in this zone:
Provided that these do not result in polluting effluent, emission or impacts.
- (iii) (iii) In the non municipal areas, the following shall also be permitted:
 - (a) (a) Larger dairy, poultry, mushroom-rearing and other units in the nature of allied agricultural activities and structures connected therewith may be allowed with the prior permission of the competent authority subject to a maximum of 1/8th built up area, relaxable by the Monitoring Committee.
 - (b) (b) Structures connected with small agro-based industries, activities related to the needs of the local village economy, and processing or storage of local agro-based products may be allowed subject to the usual “not agriculture” permission requirements and a maximum built up area of 1/8th.

(c) (c) Quarrying and Mining: - Quarrying and Mining activities shall be banned in this area. No fresh mining lease shall be granted in the Eco Sensitive Zone. However, the Monitoring Committee shall be the authority to give special permission for limited quarrying of materials required for the construction of local residential housing and

traditional road maintenance work only; provided that such quarrying is not done on forestlands.

(d) (d) Trees: -There shall be no felling of trees whether on Forest, Government, Revenue or private lands within the Eco-Sensitive Zone, without the prior permission of the State Government in case of forest land, and the respective District Collector in case of Government, Revenue and private land, as per procedure which shall be prescribed by the State Government, provided that the District Collector shall not delegate this power to any subordinate officer below the rank of Sub-Divisional Officer.

(e) (e) Tourism :-Tourism activities shall be as per a Tourism Master Plan to be prepared by the Department of Tourism of the State Government in consultation with the Ministry of Tourism of Government of India and approved by the Ministry of Environment and Forests. The Tourism Master Plan shall also form a component of the Zonal Master Plan.

The Tourism Master Plan shall be based on a detailed Carrying Capacity Study of the Eco-Sensitive Zone, which may be carried out by the State Government and submitted to the Ministry of Environment and Forests for approval within two years of the date of this notification. All new tourism activities, developments for tourism or expansion of existing tourism activities shall be permitted only within the parameters of this tourism plan or carrying capacity study. Till the Tourism Master Plan is submitted to Ministry of Environment and Forests for approval, new tourism activities and developments for tourism or expansion of existing tourism activities shall be permitted only after a detailed analysis is carried out and approved by the Monitoring Committee subject to guidelines laid down by Ministry of Environment and Forests.

(f) (f) Natural Heritage: - The sites of valuable natural heritage in the zone shall be identified, particularly rock formations, waterfalls, pools, gorges, groves, caves, points, walks, rides etc. and plans for their conservation in their natural setting shall be

incorporated in the Zonal Master Plan and Sub Zonal Master Plans. Strict guidelines shall be drawn up by the State Government to discourage construction activities at or near these sites including under the garb of providing tourist facilities. All the gene pool reserve areas in the zone shall be preserved. The State Government may draw up proper plans for their conservation or preservation within one year from the date of publication of this notification. These plans shall form a part of the Zonal Master Plan and Sub-Zonal Master Plans.

(g) (g) Man-made heritage: - Buildings, structures, artifacts, areas and precincts of historical, architectural, aesthetical, and cultural significance shall be identified and plans for their conservation, particularly their exteriors (and wherever deemed appropriate their interiors also) shall be prepared and incorporated in the Zonal Master Plan and Sub-Zonal Master Plans within one year from the date of publication of this notification. Guidelines may be drawn up by the State Government to regulate building and other activities in the Zone, particularly in Mahableshwar and Panchgani municipal limits and in Kshetre Mahableshwar, so that the special character and distinct ambience of the towns and the eco sensitive zone is maintained.

(h) Development or construction activity at or around heritage sites (both natural and man-made) shall be regulated in accordance with the Draft Model Regulations for Conservation of Natural and Man-made Heritage formulated by the Ministry of Environment and Forests in 1995 as amended from time to time and circulated to all State Governments and Union territory Administrations.

(i) (i) Ground Water: - Extraction of ground water shall be permitted only for the bona fide agricultural and domestic consumption of the occupier of the plot. Extraction of ground water for private industrial/commercial/residential estates/complexes shall require prior permission from the State Ground Water Board. No sale of ground water shall be permitted except with prior approval of the Monitoring Committee.

(j) Use of plastics: - The use of plastics within the Eco Sensitive Zone shall be regulated by the Monitoring Committee.

(k) Protection of Hill Slopes: - The Master Plan shall indicate areas on hill slopes where construction shall not be permitted.

(l) Discharge of effluents: - The discharge of any untreated effluent is prohibited within the Eco Sensitive Zone. No effluent, either treated or untreated, shall be permitted to be discharged into water body/s and water source/s within the zone.

(m) Solid Wastes: - The local authorities shall draw up plans for the segregation of solid wastes into biodegradable and non-biodegradable components. The biodegradable material may be recycled preferably through composting or vermiculture; the inorganic material may be disposed of at environmentally acceptable locations. It is clarified that the term solid wastes include domestic, industrial, commercial and garden wastes.

3 (a) The Government of India shall constitute a High Level Monitoring Committee to ensure compliance with the provisions of this notification. Besides the above provisions of the notification, the monitoring committee shall have the powers to regulate and control noise pollution within the Eco sensitive zone. The monitoring committee shall also have powers to regulate traffic especially through traffic within the Eco sensitive zone; once the Master Plan is approved by the Ministry of Environment and Forests in Government of India such regulation shall be in conformity with the provisions of the Master Plan. The monitoring committee shall include representative(s) of the Ministry of Environment and Forests, Central pollution Control Board and at least two representatives of non-government organisations working in the field of environment (including heritage conservation) (to be nominated by the Ministry of Environment and Forests, Government of India). The membership of the committee including Chairman shall not exceed ten.

(b) It shall be the duty of the Monitoring Committee to file complaints under section 19 of the Environment (Protection) Act, 1986 if offences under the said Act come to its notice.

(c) The Committee or any officer or member of the Monitoring Committee authorised by the Committee shall be authorised to file complaints under the Environment (Protection) Act, 1986.

4. In exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986, read with section 23 of the said Act, the Ministry of Environment and Forests, Government of India empowers the Urban Development Department, Government of Maharashtra and the High Level Monitoring Committee to discharge the functions specifically enumerated in this notification and to do all things incidental thereto, (except the functions as are required to be performed by the Central Government under the provisions of the Environment Impact Assessment notification of 27th January, 1994 as amended from time to time).

5. 5. Provided that in respect of functions delegated under this notification, an appeal from any order shall lie to the Ministry of Environment and Forests.

[File No. J-20011/7/98/IA-III]

Dr. V. Rajagopalan, Jt. Secy.

ANNEXURE

Urban Development Department

NOTIFICATION

Bombay the 29th April 1983

Maharashtra Regional and Town Planning Act, 1966. -No. TPS. 1982/4507

(a)-UD 7: In exercise of powers conferred by sub-section (1) of Section (3) of

Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as “the said act”), to Government of Maharashtra, hereby establishes a region for the purpose of the said Act to be named as the “ Mahableshwar Panchgani Region” which shall include the entire area within the boundaries of Mahableshwar Tehsil and villages of –

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| (1) | (1) | Bondarwadi |
| (2) | (2) | Bhuteghar |
| (3) | (3) | Danwali |
| (4) | (4) | Taloshi |
| (5) | (5) | Umbri |

Of Jaoli Tehsil of Satara District in the Maharashtra State. A Copy of the plan showing boundaries of Mahableshwar Panchgani Region showing the area included as aforesaid is available for inspection at offices of the following officers namely:

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| (1) | (1) | The Director of Town Planning, Maharashtra State, Pune |
| (2) | (2) | The Collector of Satara |
| (3) | (3) | The Tahasildars of Mahableshwar and Jhaoli |
| (4) | (4) | The Municipal Council, Mahableshwar |
| (5) | (5) | The Municipal Council, Panchgani |
| (6) | (6) | The Assistant Director of Town Planning, Satara |

By Order and in the Name of the Governor of Maharashtra

Sd/-

R.B. DONALD, Dy. Secy.

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A.	Area of Mahableshwar Panchgani Region	= 237.28 sq. kms
B.	<u>Of the above</u>	
	(1) Mahableshwar Municipal Area	= 19.55 sq. kms
	(2) Panchgani Municipal Area	= 6.16 sq. kms
	(3) Gaothans outside Municipal limits	= 0.95 sq. kms
C.	Residential Zone outside Municipal limits	= 1.66 sq. kms
D.	Forest Zone	= 123.96 sq. kms

E. Green Zone = 83.72 sq. kms
