

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2003

S.O. 248(E) – Whereas by a notification of the Government of India in the Ministry of Environment and Forests number S.O. 319 (E) dated the 7th May, 1992 (herein referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said act) read with rule 5 of the Environment (Protection) Rules, 1986 (herein referred to as the said rules), the Central Government imposed prohibitions on carrying certain processes and operations in the specified areas of Aravalli range as specified in the said notification, except with prior permission of the Central Government.

And whereas, the Central Government had delegated the aforesaid powers conferred on it by the said notification, to the State Governments of Haryana and Rajasthan vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 1189 (E) dated 29th November 1999;

And whereas, the Central Government is of the opinion that there should be a uniform procedure for granting environmental clearance to mining projects for major minerals involving mining lease areas of more than five hectares under the provisions of the Environmental Impact Assessment of Development Projects contained in the notification of the Ministry of Environment and Forests number S.O. 60(E) dated 27th January, 1994:

And whereas, sub-rule (4) of rule 5 of the said rules provides that, whenever it appears to the Central Government that it is in the public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules:

And whereas, the Central Government is of the opinion that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the notifications of the Ministry of Environment and Forests numbers S.O. 60(E) dated 27th January 1994 and S.O. 319 (E) dated 7th May 1992:

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Act read with rule 5 of the said rules, the Central Government hereby makes the following further amendments in the aforesaid notifications with effect from the date of publication of this notification in the Official Gazette namely :-

1. In the notification of the Ministry of Environment and Forests number S.O. 60(E) dated 27th January, 1994, in paragraph 3, in item (a), for the words, figures and letter “nos. 3, 18 and 20 of the Schedule-I”, the words, figures and letter “numbers 3 and 18 of the Schedule-I” shall be substituted.

2. In the notification of the Ministry of Environment and Forests number S.O. 319 (E) dated 7th May, 1992, in paragraph 1, for item (ii), the following item shall be substituted, namely :-

“(ii) Mining processes and operations, except mining project (major minerals) with lease areas of more than five hectares covering –

- (a) all new mining operations including renewals of mining leases, or
- (b) existing mining leases in sanctuaries or national park and areas covered under Project Tiger, or
- (c) mining is being done without permission of the competent authority.”

[F.No Z-12013/4/89-IA-I (Part)]
Dr. V. Rajagopalan, Jt. Secretary

Note 1: The Principal notification relating to Environmental Impact Assessment of Development Projects was published in the Gazette of India vide number : S.O. 60(E) dated the 27th January, 1994 and subsequently amended vide numbers S.O. 356(E) dated the 4th May, 1994, S.O. 318 (E) dated 10th April, 1997, S.O. 73 (E) dated 27th January, 2000, S.O. 119(E) dated the 13th December, 2000, S.O. 737 (E) dated the 1st August, 2001, S.O. 1148 (E) dated 21st November, 2001 and S.O. 632 (E) dated the 13th June, 2002.

Note 2: The Principal notification restricting certain activities in specified area of Aravalli range which are causing environmental degradation in the region was published in the Gazette of India vide number S.O. 319 (E) dated the 7th May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29th November, 1999.