GOVERNMENT OF PUNJAB
DEPARTMENT OF SCIENCE, TECHNOLOGY, ENVIRONMENT &
NON CONVENTIONAL ENERGY

NOTIFICATION

Dated Chandigarh, the 7/8/07

No.3/6/07/STE(4)/2851 whereas it is necessary and expedient to take immediate steps under Section 5 and Section 7 of Environmental Protection Act 1986 and the Rules framed there under, to maintain ecological balance, to prevent environmental degradation and to avoid human health hazard in the State.

2. And whereas in order to resolve the complex issue regarding siting of residential projects in the vicinity of Industrial Units/Industrial areas and to frame consolidated guidelines after considering all other guidelines/ instructions/ notifications issued by Govt. of India/ State Government and various Pollution Control Boards, the Govt. of Punjab constituted a Committee headed by the Chief Secretary, Punjab which in its final meeting held on 08.06.2007, observed that in case of knowledge based industry like electronic/I.T. Parks etc. where there is no discharge of any type, there may not be any necessity of any buffer distance between the industry and the residents. In fact, the concept of walk to work is being encouraged, world wide, in green industries. The SEZ policy of Govt. Of India also permits development and co-existence of non-polluting and non-hazardous industries. Similarly, the Punjab State Industries and Export Corporation policy/ Industrial policy of the State Govt. have provisions for co- existence of residential and industrial establishments in industrial parks/focal points. The Committee also observed that new sophisticated technological developments today enable us to curb the levels of pollutants from various categories of industries, eliminating or substantially minimizing the ill-effects of industrial emission/discharge. The pressure of ever increasing population, fast urbanization and nearly double digit economic growth make it imperative that natural resources, including land, are optimally utilized. This calls for co-existence of residential projects and industry, of course, with proper safe guard measures.
3. And whereas it was noticed that no such minimum distance in locating residential colony/ commercial complexes from existing industrial complexes has been fixed either by the Ministry of Housing and Urban Development, the Ministry of Environment and Forests Govt. of India or other State Pollution Control Boards from where information could be obtained. Noticing further that in case of air and water pollution, prescription of any such distance, say 500 meters or even 100 meters, may , become more or less fruitless, because pollution, if created shall spread beyond the prescribed limits. The Bhopal gas tragedy is too recent to be forgotten. Therefore, the focus has to be on strict and rigid pollution and risk control measures. Fortunately, the Pollution Control Acts provides a comprehensive system and mechanism, laying standards and norms, which the committee recommended, should be rigorously enforced, Primarily, the committee observed that the need was to ensure public safety, for which the distance from source of hazard was relevant for locating residential colony/ commercial complex.
4. And whereas the committee also held a public hearing on the issue of evolving the siting guidelines on 2.6.2007, which was attended by the representatives of the industries as well as representatives of on going residential complexes in the state. It was pointed out at the time of public hearing that some of the existing and on going residential projects are located as per the draft master plan in residential zones/municipal areas etc. and some of these cases have got a detailed EIA study done and obtained approval after proper public hearing. It was further represented that the committee should take into account the huge investments made by the projects promoters as well as the individual buyers of these properties.
5. And whereas it was resolved that to solve the issue of siting in a logical manner and on permanent basis, there is an urgent need to immediately prepare Master plans for the

entire state, designating industrial and residential zones. Once these plans are in position, the respective activity should be allowed only in the designated zone, thus eliminating conflict between industrial and residential usage of land.

6. Now, therefore, in supersession of earlier guidelines framed by the Punjab Pollution Control Board vide letter No.GPC/Gen-4/419/2006/876-96,dated 17.1.2006 and any other guidelines/ notification issued by the Board from time to time and in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 read with Rule 5(1) (vi) of the Environment (Protection) Rules, 1986, the Governor of Punjab is pleased to notify the siting policy/guidelines for establishment of residential colonies, commercial establishments like shopping malls, multiplexes in the State of Punjab as under:

1. The Master Plan is the final legal solution to planned development and hence the Master Plans be prepared in a time bound manner, on priority.
2. All residential colonies, commercial establishments like shopping malls, multiplexes etc. shall maintain a minimum distance of 100 meter from the hazardous (Maximum Accident Hazard) industries notified by Director General Factory Advise Service Labour Institute (DG FALSI). This distance should be measured from the source of pollution/hazard (e.g. storage tank, gas chamber, etc.)in the industrial premises to the building line as per zoning plan, of residential colonies/ commercial complex. This notification would not have an overriding affect on any act/rules/orders of the Govt. of India/ State Govt. which prescribe a distance of more than 100. meters from such source of hazard and the said prescribed distance shall be maintained. The notifications/ orders issued by the State/ Punjab Pollution Control Board relating to siting of industries namely stone crushers, rice shellers, Saila Plants, brick kilns, cement plants, grinding units, hot mix plants and other industries shall remain operative and unaffected by this policy/notification. In order to resolve any dispute regarding measurement or other related issues, an Inspection Committee comprising of Chairman, Punjab Pollution Control Board or his nominee, Chief Inspector of Factories, Punjab or his nominee, Chief Town Planner, Punjab or his nominee and a nominee of the Department of Industries is hereby constituted. This Inspection Committee will be headed by the Chairman, Punjab Pollution Control Board who will also act as convener of the said committee.
3. In view of the fact that these guidelines may affect few existing housing complexes and also that some projects in the pipeline may not be conforming to the policy and also the fact that huge investments made by the project proponent and the prospective buyers in these projects, it is decided that all such projects which are not cover under this policy shall be studied on unit to unit basis by the above said inspection committee as per the guidelines prescribed above with Public safety being the prime concern.

M.P. Singh
Secretary to Government of Pb.
Deptt of Science, Tech., Environment
and Non Conventional Energy

Endst No. 3/6/07/STE(4) Dated, Chandigarh.

A copy is forwarded to the Controller, Printing & Stationery, Punjab, Chandigarh with the request that the above notification may be published in the ordinary gazette and 50 (Fifty)copies thereof may be sent for record.

Secretary

Endst.No.: 3/6/07/STE(4) 2855 Dated, Chandigarh 7/8/07

A copy is forwarded to the following for information & necessary action:

1. Advocate General, Punjab.
2. Executive Director, Punjab State Council for Science & Technology.
3. Chief Town planner, Pb. , Chandigarh.
4. Chief Administrator, PUDA, Chandigarh.
5. The Managing Director, Punjab State Industries & Export Corporation, Chandigarh.
6. Chairman, Punjab Pollution Control Board, Nabha Road, Patiala
7. Director, Factories, SCO-87-88, Sector-17-D, Chandigarh.
8. Director, Local Government, Chandigarh.

Secretary

A copy is forwarded to the following for information & necessary action:

1. Principal Secretary to Hon'ble Chief Minister, Punjab for the kind information of C.M.Punjab.
2. Secretary to Science, Tech. & Environment Minister for the kind information of Hon'ble Minister.
3. Chief Secretary to Government of Punjab.
4. Financial Commissioner, Forests.
5. Principal Secretary to Government of Punjab, Deptt. of Industries and commerce.
6. Principal Secretary to Government of Punjab, Deptt. of Housing & Urban Development.
7. Principal Secretary to Government of Punjab, Deptt. of Local Government.
8. Principal Secretary to Government of Punjab, Deptt. of Labour & Employment .

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ID No.3/6/07/STE(4) Dated, Chandigarh.