

Note: The actual compendium starts from p 46.
It has a copy of the EIA notification #SO 1533 (p 102-142), but that is not searchable.
That's why I have added a searchable copy of SO 1533 here.

(Published in the **Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)**
MINISTRY OF ENVIRONMENT AND FORESTS
New Delhi 14th September, 2006
Notification

S.O. 1533(E). - Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18th May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the **Gazette of India ,Extraordinary, Part II, section 3, sub-section (ii)** vide number S.O. 1324 (E) dated the 15th September ,2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
 - (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
 - (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- ¹“(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:
Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and copy thereof sent to MoEF.”

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category ‘A’ in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category ‘B’ in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. ¹¹ “In the absence of a duly constituted SEIAA

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

- (ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.
- (iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

- (i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
 - (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- III “(cc) maintenance dredging provided the dredged material shall be disposed within port limits.”;
- III “(d) All Building or Construction projects or Area Development projects (which do not contain any category ‘A’ projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification).”
- e) all Category ‘B2’ projects and activities.
 - f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising:-
- (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory

authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.,

- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.
- (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.
- (ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iii) The appraisal of an application be shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days .The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The “Validity of Environmental Clearance” is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- IV (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.
- (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of the MoEF website where it is displayed.
- (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Governmental portal.
- (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.;"
- IV (ii) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- IV (iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the

concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I , or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any	
		A	B		
1		Mining, extraction of natural resources and power generation (for a specified production capacity)			
(1)	(2)	(3)	(4)	(5)	
^ "1(a)	(i) Mining of minerals. (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease. > 150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area All projects.	<50 ha ≥ 5 ha of mining lease area in respect of non-coal mine lease. ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted.";	
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		Note Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey	
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	^ "General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category 'B' Projects.";	

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	< 500 MW (coal / lignite / naphtha & gas based); ≤ 50 MW ≥ 5MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	“General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.”;
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2	Primary Processing			
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing $\geq 200\text{TPD}$ c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000\text{ tonnes / annum}$	Sponge iron manufacturing $<200\text{TPD}$ Secondary metallurgical processing industry i.) All toxic and heavy metal producing units $<20,000\text{ tonnes / annum}$ ii.) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum	^v "General condition shall apply. Note: (i) The recycling industrial units registered under the HSM Rules, are exempted. (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electrical arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted."
3(b)	Cement plants	$\geq 1.0\text{ million tonnes/annum}$ production capacity	<1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply
Materials Processing				
4				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	<2,50,000 & $\geq 25,000$ tonnes/annum	^v "General Condition shall apply."
4(c)	Asbestos milling and asbestos based products	All projects	-	-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	“(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate.”	“General as well as specific condition shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this notification.”
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	“General as well as specific condition shall apply.”
5	Manufacturing / Fabrication			
5(a)	Chemical fertilizers	“All projects except Single Super Phosphate.”	“Single Super Phosphate.”	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	-
5(d)	Manmade fibers manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	“General as well as specific condition shall apply.”

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	^v "General as well as specific condition shall apply."
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice / non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp& Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	^v Omitted			
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks / sanctuaries /coral reefs / ecologically sensitive areas including LNG Terminal	All projects		-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	^ "All projects including airstrips, which are for commercial use."	-	^ "Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7©	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	^ "General as well as special conditions shall apply. Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mts. And or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be."
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
7(e)	^v "Ports, harbours, break waters, dredging."	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	^v "General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained."
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	^v " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	^{v(xvi)(a)} "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	^{v(xvi)(b)} "All projects except those covered in column (3)."	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

Note:-

v(xvii) "General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as identified by the Central Pollution Control Board from time to time, (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II (I)]
(R.CHANDRAMOHAN)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

APPENDIX I
(See paragraph – 6)
FORM 1

VI(a) "(I) Basic Information

Serial Number	Item	Details
1.	Name of the project/s	
2.	S. No. in schedule	
3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If Yes, please specify.	
8.	Does it attract the specific condition? If Yes, please specify.	
9.	Location Plot/Survey/Khasra No. Village Tehsil District State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence: Name Designation (Owner/Partner/CEO) Address Pin Code E-mail Telephone No. Fax No.	
16	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3.
17.	Interlinked Projects	
18	Whether separate application of interlinked project has been submitted?	

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

19.	If yes, date of submission	
20.	If no, reason	
21.	Whether the proposal involves approval/clearance under: If yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z. Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/ relating to the site ?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up ? (a) Name of the Court. (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut And fill or excavations		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment.		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources.		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting. lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, esting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce Resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental Problems (<i>earthquakes, subsidence, landslides, erosion, Flooding or extreme or adverse climatic conditions</i>)		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(IV). Proposed Terms of Reference for EIA studies

VI(b) "I hereby give undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance given, if any to the project will be revoked at our risk and cost."

Date: _____

Place: _____

Signature of the applicant
With Name and Full Address
(Project Proponent/Authorised Signatory)

NOTE:

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z. (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z. Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being and authorized signatory for the specific project."

APPENDIX II
(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement be met? State the sources & quantities and furnish a water balance statement.
- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed? (State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with its unique features, if any)
- 3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)
- 3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

- 4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

- 4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.
- 4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

- 5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)
- 5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.
- 5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.
- 5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.
- 5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.
- 5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

- 6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?
- 6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?
- 6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.
- 6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

- 7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on

- creation of heat island & inversion effects?
- 9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.
- 9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.
- 9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.
- 9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.
- 9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESSMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none">• Purpose of the report• Identification of project & project proponent• Brief description of nature, size, location of the project and its importance to the country, region• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none">• Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following:<ul style="list-style-type: none">• Type of project• Need for the project• Location (maps showing general location, specific location, project boundary & project site layout)• Size or magnitude of operation (incl. Associated activities required by or for the project• Proposed schedule for approval and implementation• Technology and process description• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)• Assessment of New & untested technology for the risk of technological failure

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: <ul style="list-style-type: none"> • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

		<ul style="list-style-type: none"> Employment potential –skilled; semi-skilled and unskilled Other tangible benefits
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> Overall justification for implementation of the project Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A

(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2. 0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the official language of the state/local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/District collector/Deputy commissioner/s
- (b) Zila Parishad or Municipal Corporation or Panchayats Union
- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned / Development authorities.
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for

inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy Commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/District collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above.

4.0 Supervision and Presiding over the Hearing:

4.1 The District Magistrate/District collector/Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall Supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while Forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 6.2 There shall be no quorum required for attendance for starting the proceedings.
- 6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.
- 6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the local/vernacular language and the agreed minutes shall be signed by the District Magistrate/District collector/Deputy Commissioner or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.
- 6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings:
- 6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchayats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate/District collector/Deputy Commissioner, and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing.Simultaneously, a copy will also be provided to the project proponent.The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns.”.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

APPENDIX –V

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory:

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal.

3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance.”

4. Every application shall be placed before the EAC/SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533 (E), dated 14th September, 2006 and amended vide S.O. 1737 (E), dated the 11th October, 2007.

APPENDIX VI

(See paragraph 5)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT`

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

- **Environmental Economics Expert with experience in project appraisal**
3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.
4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.
5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.
6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.
7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.
8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.
-



COMPENDIUM OF GAZETTE NOTIFICATIONS, OFFICE MEMORANDA UNDER ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION, 2006



पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

इंदिरा पर्यावरण भवन, जोर बाग, अलीगंज, नई दिल्ली-110003

Ministry of Environment, Forests & Climate Change

Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003

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November, 2014

प्रकाश जावडेकर
Prakash Javadekar



राज्य मंत्री (स्वतंत्र प्रभार)
पर्यावरण, वन एवं जलवायु परिवर्तन
भारत सरकार

MINISTER OF STATE (INDEPENDENT CHARGE)
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
GOVERNMENT OF INDIA

FOREWORD

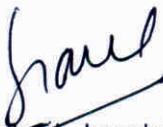


November 28, 2014

Environmental Protection and Sustainable Development have been the cornerstones of the policies and procedures governing the industrial and other developmental activities in India. The Ministry of Environment, Forests & Climate Change has taken several policy initiatives and enacted environmental and pollution control legislations to prevent indiscriminate exploitation of natural resources and to promote integration of environmental concerns in developmental projects. One such initiative is the Notification on Environmental Impact Assessment (EIA) of developmental projects issued on 14.09.2006 under the provisions of Environment (Protection) Act, 1986 making EIA mandatory for certain categories of developmental projects.

EIA is a planning tool that is now generally accepted as an integral component of sound decision-making. The objective of EIA is to foresee and address potential environmental problems/concerns at an early stage of project planning and design. EIA/EMP should assist planners and government authorities in the decision making process by identifying the key impacts/issues and formulating mitigation measures. Ministry had issued sectoral guidelines some time ago.

In view of evolving scenario in industry and development sector amendments and clarifications were issued on EIA Notification 2006 through Notifications and Office Memorandum. A compendium of such Notification and Office Memorandum has been prepared for the ready reference of the Project Proponents and decision makers. This compendium will help the users in keeping their information updated on the developments in EIA Notification-2006.


(Prakash Javadekar)

अशोक लवासा
ASHOK LAVASA, IAS



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Secretary
Government of India
Ministry of Environment, Forests & Climate Change



INTRODUCTORY MESSAGE

November 28, 2014

Every anthropogenic activity has some impact on environment, sometimes harmful. However, the development imperative is necessary for food, security and other needs. Consequently, there is a need to harmonise developmental activities with the environmental concerns. Environmental Impact Assessment (EIA) is one of the tools available with the planners to achieve the above-mentioned goal.

It is desirable to ensure that the development options under consideration are sustainable. In doing so, environmental consequences must be characterised early in the project cycle and accounted for in the project design. The objective of EIA is to foresee the potential environmental problems that would arise out of a proposed development and address them in the project's planning and design stage. EIA integrates the environmental concerns in the developmental activities right at the time of initiating for preparing the feasibility report. In doing so, it can enable the integration of environmental concerns and mitigation measures in project development. EIA can often prevent future liabilities or expensive alterations in project design.

EIA is mandatory for sectors and industries mentioned in the Schedule of EIA Notification 2006. The above Notification has been amended a number of times and many clarificatory OMs have also been issued. The users often find it difficult to see all of them at one place, which poses a lot of hardship especially to the Project Proponents. This compendium has been prepared by the Ministry to bring all the Notifications and OMs issued in regard to Notification 2006 together and classify to make them user friendly. It is hoped that project proponents, EIA consultants and regulatory authorities will find this Compendium useful.



(Ashok Lavasa)

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PREFACE



November 28, 2014

The environmental impact assessment in India was started in 1976-77 when the Planning Commission asked the then Department of Science and Technology to examine the river-valley projects from environmental angle. This was subsequently extended to cover those projects, which required approval of the Public Investment Board. These were administrative decisions, and lacked the legislative support. The Government of India enacted the Environment (Protection) Act on 23rd May 1986. To achieve the objectives of the Act, one of the decisions that were taken is to make environmental impact assessment statutory. After following the legal procedure, a Notification was issued on 27th January 1994 making environmental impact assessment statutory for 30 activities. This is the principal piece of legislation governing environmental impact assessment. This Notification was superseded by the EIA Notification 2006, which is currently in vogue.

Subsequent to that the Government of India has issued a number of other Notifications and OMs which are related to environmental impact assessment. The Project Proponents find it difficult to get hold of all of them at one place. Besides the Project Proponents, the environmental consultant should be conversant with the existing legal and procedural requirements of obtaining environmental clearance for proposed project.

This compendium has been prepared bringing all the Notifications and OMs related to EIA Notification 2006 at one place. This will certainly aid and assist the Project Proponent, the Consultants, and the other stakeholders.



(Shashi Shekhar)



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CHAPTER-1
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भारत का राजपत्र

The Gazette of India

असाधारण
EXTRAORDINARY

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

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1067]
No. 1067]

नई दिल्ली, बृहस्पतिवार, सितम्बर 14, 2006/भाद्र 23, 1928
NEW DELHI, THURSDAY, SEPTEMBER 14, 2006/BHADRA 23, 1928

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 14 सितम्बर, 2006

का.आ. 1533(अ).—केंद्रीय सरकार या केन्द्रीय सरकार द्वारा राज्य सरकार या संबंधित संघ राज्यक्षेत्र प्रशासन के परामर्श से गठित किए जाने वाले राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाधात निर्धारण प्राधिकरण द्वारा इस अधिसूचना के प्रयोजन के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन संघ मंत्रिमंडल द्वारा 18 मई, 2006 को अनुमोदित राष्ट्रीय पर्यावरण नीति और अधिसूचना में विनिर्दिष्ट प्रक्रिया के उद्देश्यों के अनुसार जब तक पूर्व पर्यावरणीय अनापत्ति अभिलिखित नहीं हो जाती है, भारत के किसी भाग में, नई परियोजनाओं या क्रियाकलापों पर या इस अधिसूचना की अनुसूची में यथा उपवर्णित उनके सक्षम पर्यावरणीय समाधातों पर विद्यमान परियोजनाओं या क्रियाकलापों के विस्तार या आधुनिकीकरण पर कतिपय निर्बंधन और प्रतिषेध अधिरोपित करने के लिए, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के अधीन एक प्रारूप अधिसूचना भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में, का०आ० सं० 1324(अ), तारीख 15 सितंबर, 2005 द्वारा प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों से, जिनके उनसे प्रभावित होने की संभावना है, उस तारीख से, जिसको उक्त अधिसूचना को अंतर्विष्ट करने वाले राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे ;

और उक्त अधिसूचना की प्रतियां 15 सितंबर, 2005 को जनता को उपलब्ध करा दी गई थीं ;

और ऊपर उल्लिखित प्रारूप अधिसूचना के उत्तर में प्राप्त सभी आपेक्षाओं और सुझावों पर केन्द्रीय सरकार ने सम्यक् रूप से विवार कर लिया है ।

अतः, अब केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और अधिसूचना सं0 का.आ. 60(अ), तारीख 27 जनवरी, 1994 को उन बातों के भिताए अधिकांत करने हुए जिन्हें ऐसे अधिकांत से पर्यावरण किया गया है या करने का लोप किया गया है यह

(2) सदस्य-सचिव संबोधित राज्य सरकार या संघ राज्यक्षेत्र प्रशासन का सेवारत अधिकारी होगा जो पर्यावरण विधियों से परिचित होगा ।

(3) अन्य दो सदस्य या तो वृत्तिक या विशेषज्ञ होंगे जो इस अधिसूचना के परिशिष्ट VI में दी गई प्रत्रता कसौटी को पूरा करते हों ।

(4) ऊपर उपपैरा (3) में विनिर्दिष्ट सदस्यों में से एक सदस्य जो पर्यावरण समाधात निर्धारण प्रक्रिया में विशेषज्ञ हो, एसईआईए का अध्यक्ष होगा ।

(5) राज्य सरकार या संघ राज्यक्षेत्र प्रशासन उपपैरा (3) से उपपैरा (4) में निर्दिष्ट सदस्यों और अध्यक्ष के नामों को केन्द्रीय सरकार को अग्रेषित करेगी और केन्द्रीय सरकार नामों के प्राप्ति की तारीख से तीस दिन के भीतर इस अधिसूचना के प्रयोजनों के लिए एसईआईए को एक प्राधिकरण के रूप में गठित करेगी ।

(6) गैर पदधारी सदस्य और अध्यक्ष की (प्राधिकरण को केन्द्रीय सरकार द्वारा गठित करने वाली अधिसूचना के प्रकाशन की तारीख से) तीन वर्षों की नियत पदावधि होगी ।

(7) एसईआईए के सभी विनिश्चय एकमत से होंगे और किसी बैठक में लिए जाएंगे ।

4. परियोजना और क्रियाकलापों का प्रवर्गीकरण :-

(i) सभी परियोजनाएं या क्रियाकलाप मुख्यतः दो प्रवर्गों में प्रवर्गीकृत हैं- प्रवर्ग 'क' और प्रवर्ग 'ख'

सक्षम समाधात की स्थानिक सीमा और मानव स्वास्थ्य और प्राकृतिक तथा मानव निर्मित संसाधनों पर आधारित हैं ।

(ii) अनुसूची में प्रवर्ग 'क' के रूप में सम्मिलित सभी परियोजनाओं या क्रियाकलापों, जिसके अंतर्गत विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार और आधुनिकीकरण तथा उत्पाद गिश्रण में परिवर्तन सम्मिलित है, के लिए, इस अधिसूचना के प्रयोजनों के लिए केन्द्रीय सरकार द्वारा गठित की जाने वाली किसी विशेषज्ञ आंकलन समिति की सिफारिशों पर भारत सरकार में पर्यावरण और वन मंत्रालय से पूर्व पर्यावरण अनापत्ति अपेक्षित होगी ।

(iii) अनुसूची में प्रवर्ग 'ख' के रूप में सम्मिलित सभी परियोजनाओं या क्रियाकलापों, जिसके अंतर्गत पैरा 2 के उपपैरा (ii) में यथाविनिर्दिष्ट विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार और आधुनिकीकरण या पैरा 2 के उपपैरा (iii) में यथाविनिर्दिष्ट उत्पाद गिश्रण में परिवर्तन भी हैं, किन्तु जिसमें वे सम्मिलित नहीं हैं जो अनुसूची में निश्चित की गई साधारण शर्तों को पूरा करते हैं, राज्य/संघ राज्यक्षेत्र पर्यावरण समाधात निर्धारण प्राधिकरण से पूर्व पर्यावरणीय अनापत्ति अपेक्षित होगी । एसईआईए का अपना विनिश्चय, इस इस अधिसूचना में गठित की जाने वाली किसी राज्य या संघ राज्यक्षेत्र स्तर विशेषज्ञ आंकलन समिति (एसईएसी) की सिफारिशों पर आधारित होगा । एसईआईए सम्यक् रूप से गठित एसईआईए या एसईएसी की अनुस्थिति में, कोई प्रवर्ग 'ख' परियोजना प्रवर्ग 'क' परियोजना समझी जाएगी ।

5. **स्क्रीनिंग, विस्तारण और आंकलन समिति :-** केंद्रीय सरकार के स्तर पर वही विशेषज्ञ आंकलन समिति और राज्य या संघ राज्य स्तर पर राज्य विशेषज्ञ आंकलन समिति (जिन्हें इसमें इसके पश्चात् ईएसी और एसईएसी कहा गया है) क्रमशः प्रवर्ग 'क' और प्रवर्ग 'ख' परियोजनाओं या क्रियाकलापों की स्क्रीनिंग, विस्तारण और आंकलन करेंगी। ईएसी और एसईएसी की प्रत्येक मास में कम से कम एक बार बैठक होगी।

- (क) ईएसी की संरचना परिशिष्ट VI में दी जाएगी। राज्य या संघ राज्यक्षेत्र स्तर पर एसईएसी का गठन संबंधित राज्य सरकार या संघ राज्यक्षेत्र प्रशासन के परामर्श से समान संरचना सहित गठन किया जाएगा।
- (ख) केंद्रीय सरकार, संबद्ध राज्य सरकार या संघ राज्यक्षेत्र प्रशासन की पूर्व सहमति से प्रशासनिक सुविधा और लागत के कारणों से एक या अधिक राज्य या संघ राज्यक्षेत्र के लिए एक एसईएसी जा गठन कर सकेगी।
- (ग) विशेषज्ञ आंकलन समिति और राज्य विशेषज्ञ आंकलन समिति तीन वर्ष की अवधि के लिए गठित की जाएगी।
- (घ) संबंधित विशेषज्ञ आंकलन समिति और राज्य विशेषज्ञ आंकलन समिति के प्राधिकृत सदस्य उस परियोजना या क्रियाकलाप के संबंध में जिसके लिए पूर्व पर्यावरणीय अनापत्ति मांगी गई है, को स्क्रीन करने या विस्तार करने या आंकलन के प्रयोजनों के लिए आवेदक को जो निरीक्षण के लिए आवश्यक सुविधाएँ देगा, कम से कम सात दिन की पूर्व सूचना देंगे।
- (ङ) विशेषज्ञ आंकलन समिति और राज्य विशेषज्ञ आंकलन समिति संयुक्त दायित्व के सिद्धांत पर कृत्य करेगी। अध्यक्ष प्रत्येक मामले में सहमति बनाने का प्रयास करेगा और सहमति नहीं बन पाती है तो बहुमत का विचार माना जाएगा।
6. पूर्व पर्यावरणीय अनापत्ति के लिए आवेदन (ईसी) :— सभी मामलों में पर्यावरणीय अनापत्ति मांगने के लिए कोई आवेदन, परियोजना और/या क्रियाकलापों के लिए, जिससे आवेदन संबंधित है, आवेदक द्वारा स्थल पर किसी सन्निभांण क्रियाकलाप या भूमि की तैयारी के प्रारंभ के पूर्व, पूर्वक्षित स्थल (स्थलों) की पहचान के पश्चात् परिशिष्ट 2 (२) नदा है, यदि लागू हों, इससे संलग्न प्ररूप 1 और अनुपूरक प्ररूप 1क में किया जाएगा। आवेदक, उसके सिवाय, उसी साथ परियोजनाओं या क्रियाकलापों (अनुसूची की मद 8) के मामले में प्ररूप 1 और अनुपूरक प्ररूप 1क के अंतरिक्ष पूर्व साध्यता परियोजना रिपोर्ट की एक प्रति, पूर्व साध्यता रिपोर्ट के स्थान पर धारणा योजना की एक प्रति सावेदन के साथ ऐश करेगा।

7. (i) नई परियोजनाओं के लिए पूर्व पर्यावरणीय अनापत्ति (ईसी) प्रक्रिया के प्रक्रम :— नई परियोजनाओं के लिए पर्यावरणीय अनापत्ति प्रक्रिया में अधिकतम चार प्रक्रम समाविष्ट होंगे, जिनमें से सभी इस अधिसूचना में नीचे वर्णित विशिष्ट मामलों में लागू नहीं होंगे, ये चार प्रक्रम शृंखलावध्य कम में होंगे :—

- प्रक्रम (1) स्क्रीनिंग (केवल प्रदर्शन 'ख' परियोजनाओं और क्रियाकलापों के लिए)
- प्रक्रम (2) विस्तारण
- प्रक्रम (3) लोक प्रभास्त्र
- प्रक्रम (4) आंकलन

I. प्रक्रम (1) - स्क्रीनिंग :

प्रदर्शन 'ख' परियोजनाओं या क्रियाकलापों के मामले में, यह प्रक्रम परियोजना की प्रकृति और अवस्थिति विनिर्देश पर आधारित पर्यावरणीय अनापत्ति मंजूर करने से पूर्व उसके आंकलन के लिए कोई पर्यावरणीय समाधात निर्धारण रिपोर्ट तैयार करने के लिए यह अवधारण करने के लिए कि परियोजना या क्रियाकलाप के लिए आगे पर्यावरणीय अध्ययन करना अपेक्षित है या नहीं संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति (एसईएसी) द्वारा प्ररूप 1 में पूर्व पर्यावरणीय अनापत्ति मांगने के लिए किसी आवेदन की संवीक्षा होगी। कोई पर्यावरणीय समाधात निर्धारण रिपोर्ट की अपेक्षा करने वाली परियोजनाओं को प्रदर्शन "ख1" कहा जाएगा और शेष परियोजनाओं को प्रदर्शन "ख2" कहा जाएगा और उसके लिए कोई पर्यावरणीय समाधात निर्धारण रिपोर्ट अपेक्षित नहीं होगी। मद 8ख के सिवाय परियोजनाओं के ख 1 या ख2 में प्रवर्गीकरण के लिए पर्यावरण और वन मंत्रालय समय-समय पर समुचित मार्गदर्शक सिद्धांत जारी करेगा।

II. प्रक्रम (2) विस्तारण :

(i) उस प्रक्रिया को निर्दिष्ट करता है जिसके द्वारा प्रदर्शन 'क' परियोजनाओं या क्रियाकलापों के मामले में विशेषज्ञ आंकलन समिति, और प्रदर्शन 'ख1' परियोजनाओं या क्रियाकलापों के मामले में, राज्य स्तर विशेषज्ञ आंकलन समिति, जिसके अंतर्गत विद्यमान परियोजनाओं या क्रियाकलापों के विस्तार और/या आधुनिकीकरण और/या उत्पाद मिश्रण में परिवर्तन के विस्तार, सौंपे जाने वाले विस्तृत और व्यापक कार्य अवधारित करने के लिए, उस परियोजना या क्रियाकलाप के संबंध में कोई पर्यावरणीय समाधात निर्धारण रिपोर्ट तैयार करने के लिए सभी सुसंगत पर्यावरणीय समुद्धानों को, जिसके लिए पूर्व पर्यावरणीय अनापत्ति ईस्प्रिट की गई है, आवेदन समिलित हैं। विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति विहित आवेदन प्ररूप 1/प्ररूप 1क में दी गई जानकारी के आधार पर सौंपे जाने वाले कार्य अवधारित करेगी, जिसके अंतर्गत आवेदक द्वारा सौंपे जाने वाले प्रस्थापित कार्य, किसी विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर आंकलन समिति के किसी सब ग्रुप द्वारा देखा गया कोई स्थल, यदि विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा आवश्यक समझा जाए, आवेदक द्वारा सुझाए गए सौंपे जाने वाले कार्य और अन्य सूचना जो विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति के पास उपलब्ध हो, समिलित हैं। अनुसूची की मद 8 में प्रदर्शन ख के रूप में सूचीबद्ध सभी परियोजनाओं और क्रियाकलापों (संनिर्माण, नगरी/वाणिज्यिक काम्प्लैक्स/आवासन) के लिए विस्तार अपेक्षित नहीं होगा और उनका आंकलन प्ररूप 1/प्ररूप 1क और धारणा योजना के आधार पर किया जाएगा।

- (ii) सौंपे गए कृत्यों को प्रस्तु 1 की प्राप्ति के साठ दिनों के भीतर विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा आवेदक को प्रेषित किया जाएगा। अनुसूची के प्रवर्ग के हाइड्रोक्लेक्ट्रिक परियोजना मद 1 (ग) (i) के मामले में सौंपे गए कृत्यों को पूर्व संनिर्माण क्रियाकलापों के लिए अनापत्ति सहित प्रेषित किया जाएगा। यदि सौंपे गए कृत्यों को अंतिम रूप नहीं दिया गया है और प्रस्तु 1 की प्राप्ति के साठ दिनों के भीतर आवेदक को प्रेषित किया जाता है तो आवेदक द्वारा सुझाए गए सौंपे जाने वाले कृत्य ईआईए अध्ययन के लिए अनुमोदित अंतिम सौंपे गए कृत्यों के रूप में समझे जाएंगे। अनुमोदित सौंपे गए कृत्य, पर्यावरण और वन मंत्रालय तथा संबंधित राज्य स्तर पर्यावरण समाधात निर्धारण प्राधिकरण के लिए वेबसाइट पर प्रदर्शित किए जाएंगे।
- (iii) इसी प्रक्रम पर संबंधित विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिश पर संबंधित विनियामक प्राधिकरण द्वारा पूर्व पर्यावरणीय अनापत्ति के लिए आवेदनों को नामंजूर किया जा सकेगा। ऐसे नामंजूर किए जाने की दशा में, विनिश्चय को उसके कारणों सहित आवेदक को, आवेदन की प्राप्ति के साठ दिनों के भीतर लिखित में संसूचित किया जाएगा।

III प्रक्रम (3) लोक परामर्श

- (i) “लोक परामर्श” उस प्रक्रिया को निर्दिष्ट करता है जिसके द्वारा स्थानीय प्रभावी व्यक्तियों और ऐसे अन्य व्यक्तियों की चिंताओं को, जिनका परियोजना या क्रियाकलापों के पर्यावरणीय समाधातों में न्यायसंगत आधार है, समूचित रूप में अभिकल्पित परियोजना या क्रियाकलाप में संबंधित सभी सामग्री को ध्यान में रखते हुए सुनिश्चित किया जाएगा। सभी प्रवर्ग “क” और प्रवर्ग “ख1” परियोजनाएं या क्रियाकलाप निम्नलिखित के सिवाय लोक परामर्श करेंगे:-
- (क) सिंचाई परियोजनाओं का आधुनिकीकरण (अनुसूची की मद 1(ग) (ii))।
- (ख) संबंधित प्राधिकारियों द्वारा अनुमोदित औद्योगिक संपदाओं या पार्कों के भीतर अवस्थित सभी परियोजनाएं या क्रियाकलाप (अनुसूची की मद 7(ग)) और जिन्हें ऐसे अनुमोदन में अनुज्ञात नहीं किया जाता है।
- (ग) सड़कों और राजमार्गों का विस्तार (अनुसूची की मद 7(च))जिनमें भूमि का कोई और अर्जन अंतर्वलित नहीं है।
- (घ) सभी भवन/संनिर्माण परियोजनाएं/क्षेत्र विकास परियोजनाएं और नगरीय योजनाएं (मद 8)।
- (ङ) सभी प्रवर्ग ख 2' परियोजनाएं और क्रियाकलाप।
- (च) केन्द्रीय सरकार द्वारा यथा अवधारित राष्ट्रीय रक्षा और सुरक्षा से संबंधित सभी परियोजनाएं और क्रियाकलाप या जिसमें अन्य युक्तगत विचार अंतर्वलित हैं।
- (ii) लोक परामर्श में साधारणतया दो घटक समाविष्ट होंगे :-
- (क) स्थानीय प्रभावित व्यक्तियों की चिंताओं को सुनिश्चित करने के लिए परिशिष्ट 4 में विहित रीति में जाने वाली स्थल पर या उसके निकट परिसर में जिला वार कोई लोक सुनवाई ;
- (ख) परियोजना या क्रियाकलाप के पर्यावरणीय पहलुओं में कोई न्यायसंगत आधार रखने वाले अन्य संबंधित व्यक्तियों से लिखित में प्रतिक्रियाएं प्राप्त करना।

(iii) स्थल (स्थलों) पर या उसके निकट परिसर में सभी मामलों में लोक सुनवाई विनिर्दिष्ट रीति में संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा की जाएगी और कार्यवाहियों को आवेदक से प्राप्त अनुरोध के पैतालीस दिनों के भीतर संबंधित विनियामक प्राधिकरण को अग्रेषित किया जाएगा ।

(iv) यदि संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्य क्षेत्र प्रदूषण नियंत्रण समिति लोक सुनवाई नहीं करती है और लोक सुनवाई को विनिर्दिष्ट अवधि के भीतर पूरी नहीं करती है और/या लोक सुनवाई की कार्यवाहियां को विहित अवधि के भीतर यथाउपर्युक्त संबंधित विनियामक प्राधिकरण को प्रेषित नहीं करती है तो विनियामक प्राधिकरण अन्य लोक अभिकरण या प्राधिकरण को, जो विनियामक प्राधिकरण का अधीनस्थ नहीं है, प्रक्रिया को पैतालीस दिनों की और अवधि के भीतर पूरा करने के लिए लगाएगी ।

(v) यदि ऊपर उपरोक्त (iii) के अधीन नामनिर्दिष्ट लोक अभिकरण या प्राधिकरण, संबंधित विनियामक प्राधिकरण को यह रिपोर्ट करता है, कि स्थानीय अवस्थिति के कारण लोक सुनवाई करना संभव नहीं है, तो किसी सेति में स्पष्ट रूप से अभिव्यक्त किए जाने वाले संबंधित स्थानीय व्यक्तियों के विचारों का समर्थन करेंगे । वह उस तथ्य की रिपोर्ट संबंधित विनियामक प्राधिकरण को व्यौरेवार देगा जो रिपोर्ट पर और अन्य विश्वसनीय सूचना पर सम्यक् रूप से विचार करने के पश्चात्, जिसका लोक परामर्श के लिए विनिश्चय किया गया है, उस दशा में जिसे लोक सुनवाई में सम्मिलित करने की आवश्यकता है, रिपोर्ट करेगा ।

(vi) परियोजना या क्रियाकलापों के पर्यावरणीय पहलुओं में कोई न्यायसंगत आधार रखने वाले अन्य संबंधित व्यक्तियों से लिखित में प्रक्रिया अभिप्राप्त करने के लिए, संबंधित विनियामक प्राधिकरण और राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, आवेदक द्वारा परिशिष्ट उक्त में दिए गए प्रारूप में तैयार की गई संक्षिप्त ईआईए रिपोर्ट को उनके वेबसाइट पर देते हुए ऐसे संबंधित व्यक्तियों से लोक सुनवाई की व्यवस्था के लिए किसी लिखित अनुरोध की प्राप्ति के सात दिनों के भीतर प्रतिक्रियाएं प्राप्त करेंगी । गोपनीय सूचना, जिसके अंतर्गत प्रकट न करने योग्य या विधिक रूप से विशेषाधिकार प्राप्त सूचना, जिसमें बौद्धिक संपदा अधिकार अंतर्वलित हैं, आवेदन में विनिर्दिष्ट स्रोत, वेबसाइट पर नहीं रखे जाएंगे । संबंधित विनियामक प्राधिकरण, परियोजना या क्रियाकलाप की बाबत विस्तृत प्रचार को सुनिश्चित करने के लिए अन्य समुचित मीडिया का उपयोग भी कर सकेगा । विनियामक प्राधिकरण, तथापि लोक सुनवाई की तारीख तक निरीक्षण के लिए प्रारूप ईआईए रिपोर्ट किसी संबंधित व्यक्ति से, सामान्य कार्यालय घंटों के दौरान अधिसूचित स्थान पर किसी लिखित अनुरोध पर उपलब्ध कराएगा । इस लोक परामर्श प्रक्रिया के भाग के रूप में प्राप्त सभी प्रतिक्रियाएं शीघ्रतम उपलब्ध साधन से आवेदक को अग्रेषित की जाएंगी ।

(vii) लोक परामर्श पूरा करने के पश्चात्, इस प्रक्रिया के दौरान अभिव्यक्त सभी सारांश पर्यावरणीय चिंताओं को संबोधित करेगा और प्रारूप ईआईए और ईएमपी में समुचित परिवर्तन करेगा । इस प्रकार तैयार की गई अंतिम ईआईए रिपोर्ट आवेदक के लिए संबंधित विनियामक प्राधिकरण को प्रस्तुत की जाएगी । आवेदक, लोक परामर्श के दौरान अभिव्यक्त की गई सभी चिंताओं को संबोधित करते हुए, प्रारूप ईआईए और ईएमपी की एक संक्षिप्त रिपोर्ट अनुकूलपतः प्रस्तुत करेगा ।

IV प्रक्रम(4) - आंकलन :

(i) आंकलन से आवेदन और अन्य दस्तावेजों, ऐसे अंतिम ईआईए रिपोर्ट, लोक परामर्शों का निष्कर्ष, जिसके अंतर्गत लोक सुनवाई की कार्यवाहियां हैं, पर्यावरणीय अनापत्ति मंजूर करने के लिए संबंधित विनियामक प्राधिकरण को

आवेदक द्वारा प्रस्तुत की गई विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा विस्तृत संबीक्षा अभिप्रेत है। यह आंकलन विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा किसी कार्यवाही को, जिसमें आवेदक को आवश्यक स्पष्टीकरण प्रस्तुत करने के लिए व्यक्तिगत रूप से या किसी प्राधिकृत प्रतिनिधि को आमंत्रित किया जाता है, एक पारदर्शी रीति में किया जाएगा। इस कार्यवाही के निष्कर्ष पर विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति संबंधित विनियामक प्राधिकरण को निश्चित निबंधनों और शर्तों पर पूर्व पर्यावरणीय अनापत्ति मंजूर करने के लिए या पूर्व पर्यावरणीय अनापत्ति के लिए आवेदन को नामंजूर करने के लिए उसके कारणों सहित स्पष्ट सिफारिशें करेंगी।

(ii) सभी परियोजनाओं या क्रियाकलापों का आंकलन जो लोक परामर्श के लिए अपेक्षित नहीं है या कोई पर्यावरण समाधात निर्धारण रिपोर्ट प्रस्तुत करना अपेक्षित नहीं है, जैसा लागू हो विहित आवेदन प्ररूप 1 और प्ररूप 1क के आधार पर उपलब्ध सभी अन्य सुसंगत विधिमान्य सूचना और दौरा किए स्थल को, जहां विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा ऐसा करना आवश्यक समझा जाता है, कार्यान्वित किया जाएगा।

(iii) किसी आवेदन का आंकलन, विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा अंतिम पर्यावरण समाधात निर्धारण रिपोर्ट और अन्य दस्तावेजों की प्राप्ति या प्ररूप 1 या प्ररूप 1क के साठ दिनों के भीतर पूरा किया जाएगा, जहां लोक परामर्श आवश्यक नहीं है, वहां विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिशों को सक्षम प्राधिकारी के समक्ष अगले पन्द्रह दिनों के भीतर अंतिम विनिश्चय के लिए रखा जाएगा। आंकलन की विहित प्रक्रिया परिशिष्ट V में दी गई है।

7. (ii) विद्यमान परियोजनाओं का विस्तार या आधुनिकीकरण या उत्पाद मिश्रण में परिवर्तन के लिए पूर्व पर्यावरणीय अनापत्ति प्रक्रिया,-

उस क्षमता के परे जिसके लिए इस अधिसूचना के अधीन पूर्व पर्यावरणीय अनापत्ति मंजूर की गई है, उत्पादन क्षमता में वृद्धि सहित या तो पट्टा क्षेत्र या खनन परियोजनाओं की दशा में उत्पादन क्षमता में वृद्धि सहित या इस अधिसूचना की अनुसूची में विहित अंतिम सीमा के परे कुल उत्पादन क्षमता में वृद्धि सहित विद्यमान यूनिट के आधुनिकीकरण के लिए, प्रक्रिया और/या प्रौद्योगिकी में परिवर्तन के माध्यम से या उत्पाद मिश्रण में किसी परिवर्तन के लिए पूर्व पर्यावरणीय अनापत्ति ईस्प्रित करने वाले सभी आवेदन प्ररूप 1 में किए जाएंगे और उन पर संबंधित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा साठ दिनों के भीतर विचार किया जाएगा, जो सम्यक् आवश्यक तत्परता से जिसके अंतर्गत ईआईए का तैयार किया जाना और लोक परामर्श भी है, विनिश्चय करेगी और आवेदन का तदनुसार पर्यावरणीय अनापत्ति मंजूर करने के लिए आंकलन किया जाएगा।

8. पूर्व पर्यावरणीय अनापत्ति मंजूर किया जाना या उसको खारिज किया जाना,-

(i) विनियामक प्राधिकरण, संबंधित ई ए सी या एस ई ए सी की सिफारिशों पर विचार करेगा और अपने विनिश्चय को आवेदक को विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिशों की प्राप्ति के पैसालीस दिनों के भीतर प्रेषित करेगा या अन्य शब्दों में अंतिम पर्यावरणीय समाधात निर्धारण रिपोर्ट की प्राप्ति के एक सौ पांच दिनों के भीतर प्रेषित करेगा और जहां पर्यावरणीय समाधात निर्धारण पूरे आवेदन की प्राप्ति के एक सौ पांच दिनों के भीतर अपेक्षित नहीं है वहां अपेक्षित दस्तावेज, नीचे उपबंधित के सिवाय प्रेषित करेगा।

(ii) विनियामक प्राधिकरण, सामान्यतः विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिशों को स्वीकार करेगा । उन दशाओं में जहां विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिशों से असहमत है, वहां विनियामक प्राधिकरण विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति की सिफारिशों की असहमति को स्वीकार करेगा ।

आवेदन का निर्देश करता है, मंजूर की गई है। किसी परियोजना या क्रियाकलाप के लिए नदी घाटी परियोजनाओं (अनुसूची की मद 1(ग)) की दशा में दस वर्ष की अवधि के लिए, विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा यथा प्राक्कलित परियोजना की अवधि खनन परियोजनाओं के लिए अधिकतम तीस वर्षों के लिए और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में पांच वर्ष होगी। तथापि क्षेत्र विकास परियोजनाओं और नगरीय की दशा में (मद 8(ख)) विधिमान्य अवधि केवल ऐसे क्रियाकलापों तक सीमित होगी जहां तक किसी विकासकर्ता के रूप में आवेदक का उत्तरदायित्व है। इस विधिमान्यता की अवधि को संबंधित विनियामक प्राधिकरण द्वारा पांच वर्ष की अधिकतम अवधि तक बढ़ाया जा सकेगा, परन्तु यह तब जब कि कोई आवेदन आवेदक द्वारा विनियामक प्राधिकरण को सनिर्माण परियोजनाओं या क्रियाकलापों के लिए (अनुसूची की मद 8) अद्यतन प्ररूप 1 और अनुपूरक प्ररूप 1क सहित विधिमान्य अवधि के भीतर किया जाता है। इस बाबत विनियामक प्राधिकरण, यथास्थिति, विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति से भी परामर्श कर सकेगा।

10. पर्यावरणीय अनापत्ति को मानीटर करना,-

- (i) परियोजना प्रबंधन के लिए प्रत्येक कलेंडर वर्ष की 1 जून और 1 दिसंबर को संबंधित विनियामक प्राधिकरण को निश्चित पूर्व पर्यावरणीय अनापत्ति के निबंधनों और शर्तों के संबंध में अनुपालन रिपोर्टों को अर्धवार्षिक रूप में हार्ड और स्लाफ्ट प्रतियों में प्रस्तुत करना आज्ञापक होगा।
- (ii) परियोजना प्रबंधन द्वारा प्रस्तुत की गई सभी ऐसी अनुपालन रिपोर्टें लोक दस्तावेज होंगी, उसकी प्रतियां संबंधित विनियामक प्राधिकरण को आवेदन पर किसी व्यक्ति को दी जाएंगी। ऐसी अंतिम अनुपालन रिपोर्ट संबंधित विनियामक प्राधिकरण की वेबसाइट पर भी दर्शित की जाएगी।

11. पर्यावरणीय अनापत्ति की अंतरणीयता,-

किसी आवेदक को किसी विनिर्दिष्ट परियोजना या क्रियाकलाप के लिए मंजूर की गई कोई पूर्व पर्यावरणीय अनापत्ति अंतरक द्वारा या अंतरिकी द्वारा आवेदन पर परियोजना या क्रियाकलाप को करने के हकदार किसी अन्य विधिक व्यक्ति को अंतरक द्वारा लिखित “अनापत्ति सहित” जो इसकी विधिमान्यता की अवधि के दौरान संबंधित विनियामक प्राधिकरण द्वारा उन्हीं निबंधनों और शर्तों के अधीन पूर्व पर्यावरणीय अनापत्ति आरंभ में मंजूर की गई थी और उसी विधिमान्यता अवधि के लिए अंतरित की जा सकेगी। ऐसे मामलों में विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति को कोई निर्देश आवश्यक नहीं है।

12. लंबित मामलों के निपटान तक ई.आई.ए. अधिसूचना का प्रवर्तन,-

इस अधिसूचना के अंतिम प्रकाशन की तारीख से पर्यावरणीय समाधात निर्धारण की अधिसूचना सं0 का.आ. 60(अ), तारीख 27 जनवरी, 1994 को, उन बातों के सिवाय, जिन्हें ऐसे अधिक्रमण से पूर्व किया गया है या करने से लोप किया गया है, उस सीमा तक अधिक्रांत किया जाता है कि पूर्व पर्यावरणीय अनापत्ति के लिए किए गए और इस अधिसूचना के अंतिम प्रकाशन की तारीख को लंबित सभी या कुछ प्रकार के आवेदनों को, परियोजनाओं या क्रियाकलापों को, उस सूची के सिवाय जिनमें अनुसूची 1 में पूर्व पर्यावरणीय अनापत्ति अपेक्षित है, इस अधिसूचना के किसी एक या सभी उपबंधों से छूट दे सकेगी या उक्त अधिसूचना के कुछ या सभी उपबंधों के प्रवर्तन को इस अधिसूचना के जारी करने की की तारीख से एक वर्ष से अनधिक अवधि के लिए जारी रख सकेगी।

अनुसूची

(पैरा 2 और 7 देखें)

पूर्व पर्यावरणीय अनापत्ति की अपेक्षा वाली परियोजनाओं या क्रियाकलापों की सूची

क्र. सं.	परियोजना या क्रियाकलाप	अवसीमा सहित प्रवर्ग		शर्त, यदि कोई हो
		क	ख	
1 खनन, प्राकृतिक संसाधन का निष्कर्षण और विद्युत उत्पादन विनिर्दिष्ट उत्पादन क्षमता के लिए)				
1	2	3	4	5
1(क)	खनिज का खनन	खनन पट्टा क्षेत्र का ≥ 50 है। किसी भी खनन क्षेत्र का ध्यान दिए बिना ऐस्वैस्टज खनन	< 50 हैक्टेयर ≥ 5 हैक्टेयर खनन पट्टा क्षेत्र	साधारण शर्त लागू होगी टिप्पण खनिज पदार्थों के पूर्वक्षण (जिसमें ड्रिलिंग न हो) को छूट दी गई है वर्णत कि वास्तिवक सर्वेक्षण के लिए छूट वाले क्षेत्रों की पूर्व अनुमति ली गई है।
1(ख)	अपतट और तटवर्ती तेल तथा गैस की खोज, विकास और उत्पादन	सभी परियोजनाएं		टिप्पण सार खोज सर्वेक्षण (जिसमें ड्रिलिंग न हो) को छूट दी गई है वर्णत कि वास्तिवक सर्वेक्षण के लिए छूट वाले क्षेत्रों की पूर्व अनुमति ली गई है।
1(ग)	नदी घाटी परियोजनाएं	(i) ≥ 50 मेंवाहा जल विद्युत उत्पादन (ii) $\geq 10,000$ हॉखेटी योग्य प्रभावित क्षेत्र	(i) $< 50 \geq 25$ मेंवाहा जल विद्युत उत्पादन (ii) $< 10,000$ हॉ खेती योग्य प्रभावित क्षेत्र	साधारण शर्त लागू होगी
1(घ)	तापीय विद्युत संयंत्र	(कोयला लिग्नाइट और नेष्टा गैस आधारित) ≥ 500 मे.वा. ≥ 50 मे.वा. (पैटकोक, डीजल और सभी अन्य ईंधन)	(कोयला/लिग्नाइट/नैफ्था एवं गैस आधारित) < 500 मे.वा. (पैटकोक, डीजल और सभी अन्य ईंधन) < 50 मे.वा. ≥ 5	साधारण शर्त लागू होगी
1(ङ)	आणविक विद्युत परियोजनाएं और आणविक ईंधन का प्रसंस्करण	सभी परियोजनाएं		
2	प्राथमिक प्रसंस्करण			
2(क)	कोयला धोवनशालाएं	≥ 1 मिलियन टन/ वार्षिक कोयले का उत्पादन	< 1 मिलियन टन/ वार्षिक कोयले का उत्पादन	साधारण शर्त लागू होगी (यदि खनन क्षेत्र के अंदर स्थित है तो प्रस्ताव का मूल्यांकन खनन प्रस्ताव के साथ किया जाना चाहिए)

2(ख)	खनिज सज्जीकरण	≥ 0.1 मिलियन टन/ वार्षिक कोयले का उत्पादन	<0.1 मिलियन टन/ वार्षिक कोयले का उत्पादन	साधारण शर्त लागू होगी अनापत्ति प्रदान करने के लिए खनन प्रस्ताव का खनिज सज्जीकरण के साथ ही मूल्यांकन किया जाना चाहिए
पदार्थ उत्पादन				
3(क)	धातुकर्म उद्योग (फेरस और गैर फैरस)	<p>क) प्राथमिक धातुकर्म उद्योग</p> <p>सभी परियोजनाएं</p> <p>ख) स्पंज आयरन विनिर्माण ≥ 200 टन पी डी</p> <p>ग) गौण धातु कर्म प्रसंस्करण उद्योग</p> <p>सभी विषाक्त और भारी धातु उत्पादित करने वाली ईकाइयां $\geq 20,000$ टन/ वार्षिक</p>	<p>स्पंज आयरन विनिर्माण < 200 टन पी डी</p> <p>गौण धातु कर्म प्रसंस्करण उद्योग</p> <p>1) सभी विषाक्त और भारी धातु उत्पादित करने वाली ईकाइयां $< 20,000$ टन/ वार्षिक</p> <p>2) अन्य सभी विषरहित गौण धातुकर्म प्रसंस्करण उद्योग</p> <p>> 5000 टन/ वार्षिक</p>	स्पंज आयरन विनिर्माण के लिए साधारण शर्त लागू होगी
3(ख)	सीमेंट संयंत्र	वार्षिक उत्पादन क्षमता ≥ 1.0 मिलियन टन	वार्षिक उत्पादन क्षमता < 1.0 मिलियन टन	साधारण शर्त लागू होगी
पदार्थ प्रसंस्करण				
4(क)	पेट्रोलिम रिफाइनिंग उद्योग	सभी परियोजनाएं	-	-
4(ख)	कोक भट्टी संयंत्र	$\geq 2,50,000$ टन वार्षिक	$< 2,50,000$ एवं $\geq 25,000$ टन वार्षिक	-
4(ग)	एस्बेस्टास मिलिंग और एस्बेस्टास आधारित उत्पाद	सभी परियोजनाएं	-	-
4(घ)	क्लोस्क्वार उद्योग,	उत्पादन क्षमता ≥ 300 टन पी डी या अधिसूचित औद्योगिक क्षेत्र/संपदा से वाहन अपस्थित ईकाई	उत्पादन क्षमता < 300 टन पी डी और अधिसूचित औद्योगिक क्षेत्र/संपदा में अवस्थित ईकाई	विनिर्दिष्ट शर्त लागू होगी किसी नए पारा प्रकोष्ठ आधारित संयंत्र को अनुज्ञा नहीं दी जाएगी और इस अधिसूचना द्वारा द्वितीय प्रकोष्ठ प्रौद्योगिकी में परिवर्तन करने वाली विद्यमान ईकाई को छूट प्राप्त है।

4 (ङ)	सोडा भर्स उद्योग	सभी परियोजनाएं	-	-
4(च)	चमड़ा/त्वचा/खाल प्रसंस्करण उद्योग	औद्योगिक क्षेत्र से बाहर सभी नई परियोजनाएं या औद्योगिक क्षेत्र के बाहर विद्यमान ईकाइयों का विस्तार	अधिसूचित औद्योगिक क्षेत्र/संपदा में अवस्थित सभी नई परियोजनाएं या परियोजनाओं का विस्तार	विनिर्दिष्ट शर्त लागू होगी
5	उत्पादन/फॉडिकेशन			
5(क)	रासायनिक उर्वरक	सभी परियोजनाएं	-	-
5(ख)	कीटनाशक उद्योग और कीटनाशक विशेषज्ञ मध्यक जीवमार (विनिर्मिति को छोड़कर)	तकनीकी श्रेणी के कीटनाशकों को उत्पादन करने वाली सभी ईकाइयां	-	-
5(ग)	पेट्रो रसायन परिसर (पेट्रोलियम के अंश और प्राकृतिक गैस और/या सुगम्भितों में सुधार प्रसंस्करण आधारित उद्योग	सभी परियोजनाएं	-	-
5(घ)	मानव निर्मित फाइबर का उत्पादन	रेयन	अन्य	साधारण शर्त लागू होगी
5(ङ)	पेट्रो रसायन आधारित प्रसंस्करण (भंजन से भिन्न अन्य प्रसंस्करण तथा सुधार और जो परिसर के भीतर समाविष्ट नहीं हैं)	अधिसूचित औद्योगिक क्षेत्र/संपदा के बाह्य अवस्थित	अधिसूचित औद्योगिक क्षेत्र/संपदा के भीतर अवस्थित	विनिर्दिष्ट शर्त लागू होगी
5(च)	संशिलष्ट कार्बनिक रसायन उद्योग (रेजक और रेजक मध्यक; थोक औषधि और औषधि विनिर्मितियों को छोड़कर मध्यक; संशिलष्ट रबड़ मूल कार्बनिक रसायन, अन्य संशिलष्ट कार्बनिक रसायन और रसायन मध्यक)	अधिसूचित औद्योगिक क्षेत्र/संपदा के बाह्य अवस्थित	अधिसूचित औद्योगिक क्षेत्र/संपदा के भीतर अवस्थित	विनिर्दिष्ट शर्त लागू होगी
5(छ)	आसवनी	(i) सभी शीरा आधारित आसवनी । (ii) सभी गन्ने का रस/गैर-शीरा आधारित आसवनी ≥ 30 कि०ली० दैनिक	सभी गन्ने का रस/गैर शीरा आधारित आसवनी <30 कि०ली० दैनिक	साधारण शर्त लागू होगी
5(ज)	समेकित पेट उद्योग	-	सभी परियोजनाएं	साधारण शर्त लागू होगी
5(झ)	अपशिष्ट कागज से कागज का निर्माण और तैयार लुग्दी और विरेजन किए बिना तैयार लुग्दी से कागज निर्माण के अलावा लुग्दी एवं कागज	लुग्दी विनिर्माण और लुग्दी और कागज विनिर्माण उद्योग	लुग्दी विनिर्माण के बिना कागज विनिर्माण उद्योग	साधारण शर्त लागू होगी

उद्योग		सेवा सेक्टर		
5(अ)	चीनी उद्योग	गन्ना पेरने की क्षमता \geq 5000 टन दैनिक	साधारण शर्त लागू होगी	
5(ट)	प्रेरण/आर्क मट्टी/कुपोला मट्टी 5 टन प्रति घंटा या ज्यादा	सभी परियोजनाएं	साधारण शर्त लागू होगी	
सेवा सेक्टर				
6(क)	राष्ट्रीय उद्यानों/ अभयारण्यों/ प्रवाल भित्तियों/ एल एन जी टर्मिनल सहित पारिस्थिकीय संवेदनशील क्षेत्रों से गुजरने वाली तेल और गैस परिवहन पाइप लाइनें(अपरिकृष्ट और परिकृष्टीय/पेट्रो रसायन उत्पाद)	सभी परियोजनाएं		
6(ख)	एकल भंडारकरण और परिसंकटमय रसायन को संभालना (एमएसआईएचसी नियम, 1989 और 2000 की संशोधित अनुसूची 2 और 3 के स्तर 3 में उपवर्णित अवसीमा योजना परिमाण के अनुसार	सभी परियोजनाएं	साधारण शर्त लागू होगी	
पर्यावरणीय सेवाओं सहित भौतिक अवसंरचना				
7(क)	विमानपत्तन	सभी परियोजनाएं	-	
7(ख)	सभी पोत भंजन यार्ड जिसमें पोत भंजन इकाई भी सम्मिलित है	सभी परियोजनाएं	-	
7(ग)	औद्योगिक संपदा/पार्क/परिसर/ क्षेत्र/निर्यात प्रसंस्करण जौन(नि.प्र.जो.), विशेष आर्थिक जौन(वि.आ.जो.) जैव औद्योगिकी पार्क चमड़ा परिसर	प्रस्तावित औद्योगिक संपदा में यदि एक भी उद्योग श्रेणी के के अंतर्गत आता है तो पूरे औद्योगिक क्षेत्र को श्रेणी क ही समझा जाएगा चाहे वह किसी भी क्षेत्र में हो 500 हैक्टेयर से ज्यादा क्षेत्र की औद्योगिक संपदाएं और जिनमें कम से कम एक श्रेणी ख का उद्योग स्थित हो	औद्योगिक संपदाएं और जिनमें कम से कम एक श्रेणी ख का उद्योग स्थित है औद्योगिक संपदाएं क्षेत्र $>$ 500 हैक्टेयर और जिसमें श्रेणी क या ख श्रेणी का कोई उद्योग नहीं है	विशेष शर्त लागू होगी टिप्पण 500 हैक्टेयर से कम क्षेत्र की औद्योगिक संपदाओं जिनमें क या ख श्रेणी का कोई उद्योग नहीं है, को मंजूरी की आवश्यकता नहीं है
7(घ)	सामान्य परिसंकटमय अपशिष्ट उपचार भंडारकरण और निपटान सुविधाएं (उ.भ.नि.स.)	सभी एकीकृत सुविधाएं जिनमें भस्मीकरण और भूमिभरण या कैवल भस्मीकरण शामिल है	केवल भूमि भरण वाली सभी सुविधाएं	साधारण शर्त लागू होगी

7(अ)	पत्तन, बंदरगाह	≥ 5 मिलियन टन वार्षिक स्थोरा की उठाई-धराई की क्षमता (मत्त्य बंदरगाह से भिन्न)	< 5 मिलियन टन वार्षिक स्थोरा की उठाई-धराई की क्षमता और पत्तन/बंदरगाह में ≥ 10,000 टन वार्षिक मछली पकड़ने की क्षमता	साधारण शर्त लागू होगी
7(ब)	राजमार्ग	1) नए राष्ट्रीय राजमार्ग: और 2) 30 कि.मी. से ज्यादा लंबाई के राष्ट्रीय राजमार्गों का विस्तार जिनमें मार्ग के दोनों ओर अतिरिक्त भूमि अधिग्रहण 20 मीटर से ज्यादा है और एक से अधिक राज्यों से गुजरते हैं।	1) नए राज्य राजमार्ग: और 2) 30 कि.मी. से ज्यादा लंबे राष्ट्रीय /राज्य राजमार्गों का विस्तार जिनमें मार्ग के दोनों ओर अतिरिक्त भूमि अधिग्रहण 20 मीटर से ज्यादा है।	साधारण शर्त लागू होगी
7(छ)	आकाशी यात्री रेज्युमार्ग		सभी परियोजनाएं	साधारण शर्त लागू होगी
7(ज)	सामान्य आव उपचार संयंत्र (स.आ.उ.सं.)		सभी परियोजनाएं	साधारण शर्त लागू होगी
7(झ)	नगरपालिका ठोस अपशिष्ट प्रबंधन सुविधा (स.न.अ.प्र.स.)		सभी परियोजनाएं	साधारण शर्त लागू होगी
8	भवन/ संनिर्माण परियोजनाएं/क्षेत्र विकास परियोजनाएं और शहरीकरण			
8(क)	भवन एवं संनिर्माण परियोजनाएं		≥ 20000 वर्ग मी. के निर्मित क्षेत्र और < 1,50,000 वर्ग मीटर के निर्मित क्षेत्र #	# आवृत संनिर्माण के लिए निर्मित क्षेत्र आकाश की ओर खुली सुविधाओं की दशा में यह क्रियाकलाप क्षेत्र भी होगा।
8(ख)	नगरी और क्षेत्र विकास परियोजनाएं		≥ 50 हेक्टेयर को सम्मिलित करते हुए और या निर्मित क्षेत्र ≥ 1,50,000 वर्ग मीटर ++	++ 8 (ख) के अंतर्गत सभी परियोजनाओं को ख 1 प्रवर्ग के अनुसार निर्वाचित किया जाएगा।

टिप्पणी

साधारण शर्त (सा.श.)

प्रवर्ग “ख” में विनिर्दिष्ट किसी परियोजना या क्रियाकलाप को प्रवर्ग “क” माना जाएगा, यदि वह : (i) वन्य जीव (संरक्षण) अधिनियम, 1972 के अधीन अधिसूचित संरक्षित क्षेत्र; (ii) उसकी समय-समय पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा गंभीर रूप से प्रदूषित क्षेत्र के रूप में पहचान की गई है; (iii) परिस्थितिकी संवेदनशील क्षेत्र अधिसूचित है; और (iv) अंतरराज्यिक सीमाओं और अंतरराष्ट्रीय सीमाओं से दस किलोमीटर के भीतर संपूर्ण रूप से या आंशिक रूप में अवस्थित है।

विनिर्दिष्ट शर्त (वि.श.)

यदि कोई मद 4(घ), 4(च), 5(अ), 5(छ) जैसी समयुग्म की प्रकार का उद्योगों वाला औद्योगिक संपदा/कांप्लेक्स/निर्यात प्रसंस्करण जोन/विशेष आर्थिक जोन/जैव प्रौद्योगिकी उद्यान/चमड़ा परिसर या पूर्व निर्धारित गतिविधियों वाले उद्योग (आवश्यक नहीं कि वे समयुग्म हों) पूर्व पर्यावरणीय अनापत्ति प्राप्त करते हैं, तो ऐसी संपदाओं/कांप्लेक्सों के भीतर प्रस्तावित उद्योगों सहित निजी उद्योगों को तब तक पूर्व

परिशिष्ट -I
(पैरा 6 देखें)
प्र० १

(1) आधारभूत जानकारी

परियोजना का नाम :

विचाराधीन अनुकूली अवस्थिति/स्थान :

परियोजना का आकार * :

परियोजना की प्राक्कलित लागत

संपर्क जानकारी :

संवीक्षा प्रवर्ग :

- अंचलीय क्रियाकलाप के लिए तत्त्वानी क्षमता (जैसे विनिर्माण करने के लिए उत्पादन क्षमता, खनिज उत्पादन के लिए खनन पट्टा क्षेत्र और उत्पादन क्षमता, खनिज पूर्वेक्षण के लिए क्षेत्र, अनुरेख परिवहन अवसंरचना के लिए लंबाई, विद्युत उत्पादन आदि के उत्पादन क्षमता)

(II) क्रियाकलाप

1. परियोजना का संनिर्माण, प्रचालन या न निकालना जिसमें ऐसी कार्रवाई भी समिलित है जो परिक्षेत्र में भौतिक परिवर्तनों का कारण होगी (स्थलाकृति, भूमि उपयोग, जल निकायों में परिवर्तन आदि)

क्र.सं.	जानकारी/जांच सूची पुष्टिकरण	हाँ/नहीं	उनके ब्यौरे (लगभग मात्रा/दरों, सहित, जो संभव हो, सहित) आंकड़ों की जानकारी के लिए सहित।
1.1	भूमि उपयोग, समावेश भूमि या स्थलाकृति में स्थायी या अस्थायी जिसमें भूमि उपयोग की मात्रा(स्थानीय भूमि उपयोग योजना के बारे में वृद्धि भी समिलित है)		
1.2	विद्यमान भूमि, वनस्पति और भवनों की अनापत्ति		
1.3	नई भूमि उपयोगों का सृजन		
1.4	संनिर्माण पूर्व अन्वेषण अर्थात् बोर गृह, मिट्टी का परिष्कार करना		
1.5	संनिर्माण कार्य		
1.6	विध्वंस कार्य		

[भाग II—खण्ड 3(ii)]

भारत का राजपत्र : अस्थायी

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1.7	संनिर्माण कार्य या संनिर्माण कर्मकारों के घर के प्रवेश के लिए उपयोग किए गए अस्थायी रूपले		
1.8	उपर्युक्त मूँ-भेंडन, संरचनाएँ या शुल्क जिसमें अनुरेखीय संरचनाएँ, काटनी और भेंडन या खुदाई भी सम्भिलित हैं।		
1.9	भूमिगत कार्य जिसमें खनन या सुरंग बनाना भी सम्भिलित है।		
1.10	भूमि उद्धार कार्य		
1.11	तलकर्षक		
1.12	अपसाट संरचनाएँ		
1.13	उत्पादन और विनिर्माण प्रक्रियाएँ		
1.14	सामग्रियों या माल के भंडार वाली सुविधाएँ		
1.15	ठोस अपशिष्ट या तरल बहिःस्थावों के उपचार या निपटान के लिए सुविधाएँ		
1.16	परिवालन कर्मकारों के दीर्घकालिक घर के प्रवेश के लिए सुविधाएँ		
1.17	संनिर्माण या प्रचालन के दौरान में इसक, रेल या समुद्री यातायात		
1.18	नई सड़क, रेल, वायु जले वाहिन या अन्य परिवहन अवसंरचना जिसमें नए या परिवर्तित मार्गी और स्टेशन, पत्तन, विमानपत्तन आदि भी सम्भिलित हैं।		
1.19	विद्यमान परिवहन मार्गों को बंद करना या अवर्तन या यातायात परिवालन में परिवर्तनों के लिए प्रमुख अवसंरचना		
1.20	नई या अपवर्तित ग्रेडेंग लाईनें या चाहूपलाईनें		
1.21	अवरुद्ध करना, बांध बनाना, पुलिया बनाना, पुनःरेखांकन या जलमार्ग या एक्वीकर्स के जल विज्ञान के लिए अन्य परिवर्तन		
1.22	प्रवाह पार		
1.23	भूजल या भूतल से जल का अंतरण या धृथकरण		
1.24	नालियों या प्रवाह को प्रभावित करने वाले जलनिषादों या भूमि स्तर में परिवर्तन		
1.25	संनिर्माण, परिवालन या न भिकालमें के लिए कार्मिक या सामग्रियों का परिवहन		
1.26	दीर्घकालिक रूप में तोड़ना, प्रारंभ करना या कार्य पुनः आरंभ करना।		
1.27	आंश्व के दौरान जारी ऐसे क्रियाकलाप जो पर्यावरण पर समाधान कर सकेंगे।		
1.28	जनता का किसी क्षेत्र के लिए या तो अस्थायी रूप से या स्थायी रूप से आना।		
1.29	अन्य देशीय प्रजातियों का आना		
1.30	मूल निवासी प्रजातियों या आनुवंशिक विविधता की हानि		
1.31	अन्य कोई कार्रवाईयाँ		

2. परियोजना के सन्निर्माण या प्रचालन के लिए प्राकृतिक संसाधनों का उपयोग (जैसे भूमि, जल सामग्री या ऊर्जा विशेष रूप से ऐसा कोई संसाधन जो नवीकरणीय नहीं है या जिसका प्रदाय कम है)

क्र.सं.	सूचना/जांच सूची पुष्टीकरण	हाँ/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहाँ कहीं संभव हो)
2.1	विशेष रूप से अविकसित भूमि या कृषि भूमि (है)		
2.2	जल (अनुमानित स्रोत और प्रतियोगी उपयोगकर्ता) इकाई : के.एल.डी.		
2.3	खनिज (एम.टी.)		
2.4	सन्निर्माण सामग्री -- पत्थर, औसत, बालू/मृदा (अनुमानित स्रोत एम.टी.)		
2.5	वन और इमारती लकड़ी (स्रोत -- एम.टी.)		
2.6	ऊर्जा जिसके अंतर्गत विद्युत और ईधन (स्रोत, प्रतियोगी उपयोगकर्ता) इकाई : ईधन (एम.टी.) ऊज़ी (एम.डब्ल्यू)		
2.7	कोई अन्य प्राकृतिक संसाधन (समुचित मानक इकाइयों का उपयोग करें)		

3. पदार्थी या सामग्रियों का उपयोग भंडारण, परिवहन, उठाई धराई या उत्पादन, जो मानव स्वास्थ्य या पर्यावरण के लिए खतरनाक या जिनके मानव स्वास्थ्य की जीखिम की वास्तविकता के बारे में धिताएं उठती हैं ।

क्र.सं.	सूचना/जांच सूची पुष्टीकरण	हाँ/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहाँ कहीं संभव हो)
3.1	पदार्थी या सामग्रियों का उपयोग जो मानव स्वास्थ्य या पर्यावरण (फ्लोरा, फौजा और जल प्रदाय के लिए परिसंकटमय) (एम.एस.आई.एव.री. नियमों के अनुसार) है		
3.2	रोग के होने में परिवर्तन या रोग वाहकों के रैग का प्रभाव (उदहरणार्थ कीट या जल-जन्य रोग)		
3.3	लोगों के कल्याण पर प्रभाव उद्धरणार्थ जीवन वशाओं में परिवर्तन करके		
3.4	लोगों के संवेदनशील समूह जो परियोजना अर्थात् अस्पताल रोगियों, बालकों, वृक्षों आदि द्वारा प्रभावित हो सकते हैं		
3.5	कोई अन्य कारण		

4. निर्माण या प्रदालन या प्रारंभ न करने के दौरान ठोस अपशिष्टों का उत्पन्न (एम.टी./मास)

क्र.सं.	सूचना/जांच सूची पुष्टीकरण	हां/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहां कहीं संभव हो)
4.1	मृदा, अधिक भार या खान अपशिष्ट		
4.2	नगरपालिक अपशिष्ट (घरेलू और या वाणिज्यिक अपशिष्ट)		
4.3	परिसंकटमय अपशिष्ट (परिसंकटमय अपशिष्ट प्रबंध तंत्र नियमों के अनुसार)		
4.4	अन्य औद्योगिक प्रक्रिया अपशिष्ट		
4.5	अधिशेष उत्पाद		
4.6	मल बही-खाव उपचार से मल गाद या अन्य गाद		
4.7	निर्माण या ढाये गए अपशिष्ट		
4.8	बैकार मशीनरी या उपस्कर		
4.9	संदूषित मृदाएं या अन्य सामग्रियां		
4.10	कृषि अपशिष्ट		
4.11	अन्य ठोस अपशिष्ट		

5. वायु में संदूषकों या किसी परिसंकटमय विषेश या जहरीले पदार्थों का विसर्जन

क्र.सं.	सूचना/जांच सूची पुष्टीकरण	हां/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहां कहीं संभव हो)
5.1	लेखन सामग्री या चल संसाधनों से जीवाणु ईंधनों के दहन से उत्सर्जन		
5.2	उत्पादन प्रक्रियाओं से उत्सर्जन		
5.3	सामग्रियों की उठाई धराई से जिसके अंतर्गत भेंडारण या परिवहन भी है, उत्सर्जन		
5.4	निर्माण क्रियाकलापों से जिसके अंतर्गत संयंत्र और उपस्कर भी हैं, उत्सर्जन		
5.5	सामग्रियों की उठाई धराई से जिसके अंतर्गत निर्माण सामग्री, मल और अपशिष्ट भी हैं, धूल या गंध		
5.6	अपशिष्ट के भस्मीकरण से उत्सर्जन		
5.7	खुली वायु में अपशिष्ट के उत्सर्जन से उत्सर्जन (उदाहरणार्थ स्लेश सामग्री, निर्माण सामग्री का ढेर)		
5.8	किन्हीं अन्य स्रोतों से उत्सर्जन		

6. शोर और कंपन का पैदा होना तथा प्रकाश और उष्मा का उत्सर्जन

क्र.सं.	सूचना/जांच सूची पुस्तीकरण	हां/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहां कहीं संभव हो)
6.1	उपस्कर के प्रचालन से उदाहरणार्थ इंजन, वातायन संयंत्र, संदलनित्र		
6.2	औद्योगिक या उसी प्रकार की प्रक्रियाओं से		
6.3	निर्माण या ढहाने से		
6.4	विस्फोटन या पाइलिंग से		
6.5	निर्माण या प्रचालन संबंधी यातायात से		
6.6	प्रकाशन या प्रशीतन प्रणालियों से		
6.7	किन्हीं अन्य संसाधनों से		

7. भूमि या मल नालियों, सतही जल, भूमिगत जल, तटीय जल या समुद्र में प्रदूषकों के विसर्जन से भूमि या जल के संदूषण के जोखिम

क्र.सं.	सूचना/जांच सूची पुस्तीकरण	हां/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहां कहीं संभव हो)
7.1	परिसंकटमय सामग्री की उठाई धराई, भंडारण, उपयोग या गाद से		
7.2	जल या भूमि में (अनुमानित ढंग और विसर्जन का स्थान) मल या अन्य बही स्रावों के विसर्जन से		
7.3	वायु से भूमि या जल में उत्सर्जित प्रदूषकों के जमा होने से		
7.4	किन्हीं अन्य संसाधनों से		
7.5	क्या इन संसाधनों से पर्यावरण में प्रदूषकों के जमा होने से दीर्घकालिक जोखिम है ?		

8. परियोजना के निर्माण या प्रचालन के दौरान दुर्घटनाओं का जोखिम जो मानव स्वास्थ्य या पर्यावरण को प्रभावित कर सकते हैं

क्र.सं.	सूचना/जांच सूची पुस्तीकरण	हां/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यौरे (लगभग मात्राओं/दरों सहित, जहां कहीं संभव हो)
8.1	परिसंकटमय पदार्थों के विस्फोट, गाद, आग, भंडारण, उठाई धराई या उत्पादन से		
8.2	किन्हीं अन्य कारणों से		
8.3	क्या परियोजना प्राकृतिक विपदाओं द्वारा पर्यावरण को नुकसान पहुंचाएंगी (उदाहरणार्थ बाढ़, भूकंप, भू-सखलन, वृक्षिस्फोट आदि) ?		

9. बातें जिन पर विचार किया जाना चाहिए (जैसे पारिणामिक विकास) जिनके कारण पर्यावरणीय प्रभाव होते हैं या जो संचयी प्रभावों को करने के लिए अन्य विद्यमान प्रभावों सहित या परिक्षेत्र में नियोजित क्रियाकलापों के लिए सामर्थ्यवान हैं

क्र.सं.	सूचना/जांच सूची पुष्टीकरण	हाँ/नहीं	सूचना आंकड़ों के स्रोत सहित उनके ब्यारे (लगभग मात्राओं/दरों सहित, जहाँ कहीं संभव हो)
9.1	जिसके कारण आधार का विकास, सहायक विकास या परियोजना द्वारा विकास को बल भिलता है जिसका पर्यावरण पर प्रभाव हो सकता है अर्थात् — <ul style="list-style-type: none"> ● आधारिक अवसंरचना (सड़कें, बिंजली प्रदाय, अपशिष्ट या अपशिष्ट जल उपचार आदि) ● आवासन विकास ● निष्कर्षित उद्योग ● पूर्ति उद्योग ● अन्य 		
9.2	जिसके कारण स्थल का बाद में उपयोग होता है जिसका पर्यावरण पर प्रभाव हो सकता है		
9.3	पश्चात्वर्ती विकासों के लिए उदाहरण स्थापित करना		
9.4	सामिय के कारण अन्य विद्यमान परियोजनाओं पर संचयी प्रभाव हैं या उसी प्रकार के प्रभावों सहित नियोजित परियोजनाएं		

(III) पर्यावरणीय संवेदनशीलता

क्र.सं.	क्षेत्र	नाम/पहचान	आकाशी दूरी (15 किलोमीटर के भीतर) प्रस्तावित परियोजना अवस्थान सीमा
1.	उनके पारिस्थितिक भू-दृश्य, सांस्कृतिक या अन्य संबंधित मूल्यों के लिए अंतर्राष्ट्रीय कन्वेंशन, राष्ट्रीय या स्थानीय विधान के अधीन संरक्षित क्षेत्र।		
2.	क्षेत्र जो पारिस्थितिक कारणों के लिए महत्वपूर्ण या संवेदनशील हैं — वेट लैडर्स, जल स्रोत या अन्य जल संबंधी निकाय, तटीय जोन, बायोस्फीयर, पहाड़ियां, वन		
3.	क्षेत्र जो प्रजनन, घोसला बनाने, चारे के लिए, आशम करने के लिए, सर्दी के लिए, प्रवास के लिए फ्लोरा और फौना के संरक्षित महत्वपूर्ण या संवेदनशील प्रजातियों द्वारा उपयोग किए जाते हैं		
4.	अंतर्राष्ट्रीय, तटीय, सामुद्रिक या भूमिगत जल		

5.	राज्य, राष्ट्रीय सीमाएं		
6.	मनोरंजन की या अन्य पर्यटक/यात्रियों वाले क्षेत्रों में पहुंच के लिए जनता द्वारा उपयोग किए जाने वाले मार्ग या सुविधाएं		
7.	खाली प्रतिष्ठापन		
8.	संघन रूप से बसे हुए या निर्मित क्षेत्र		
9.	संवेदनशील मानव निर्मित भूमि उपयोगों के अधिभोगाधीन क्षेत्र अस्पताल, पाठशालाएं, पूजा स्थल, सामुदायिक सुविधाएं		
10.	महत्वपूर्ण, उच्च क्वालिटी या दुर्लभ संसाधनों वाले क्षेत्र (भूमिगत जल संसाधन, भूतल संसाधन, वनोद्योग, कृषि, मत्स्य उद्योग, पर्यटन, खनिज)		
11.	क्षेत्र जो पहले से ही प्रदूषण या पर्यावरणीय नुकसान के अधीन हैं (वे जहां विद्यमान विधिक पर्यावरणीय मानक अधिक होते हैं)		
12.	क्षेत्र जहां प्राकृतिक रांकट हो सकता है जो वर्तमान पर्यावरणीय समस्याओं की योजनाओं को प्रभावित कर सकते हैं (धंसना, भूस्खलन, भूमि कटाव, बाढ़ या अत्यंत या प्रतिकूल वातावरणीय दशाएं)		

1.5 क्या प्राकृतिक मल निकास प्रणाली के परिवर्तन से संबंधित प्रस्ताव है ? (प्रस्तावित परियोजना स्थल के निकट प्राकृतिक मल निकासी को दर्शित करते हुए किसी समोच्च नक्शे के बौरे दें)

1.6 निर्माण क्रियाकलाप — कर्तन, भरण, भूमि सुधार आदि में अंतर्वलित भूमि कार्य की मात्राएं क्या हैं ? (अंतर्वलित भूमि कार्य, स्थल आदि के बाहर से सामग्री भरने के परिवहन के बौरे दें)

1.7 निर्माण अवधि के दौरान जल प्रदाय अपशिष्ट उठाई भराई आदि के संबंध में बौरे दें ।

1.8 क्या नीचे के क्षेत्रों और वेट लैंडस में परिवर्तन होंगे ? (वह बौरे दें कि किस प्रकार निचले क्षेत्र और वेट लैंडस प्रस्तावित क्रियाकलापों से उपांतरित हो रहे हैं)

1.9 क्या निर्माण के दौरान निर्माण के कूड़ा करकट और अपशिष्ट से स्वास्थ्य को खतरा होगा ? (निर्माण के दौरान जिसके अंतर्गत निर्माण श्रम और व्ययन की युक्तियां भी हैं, जनित अपशिष्टों की विभिन्न किस्मों की मात्राएं दें ।)

2. जल पर्यावरण

2.1 विभिन्न उपयोगों की अपेक्षाओं के विश्लेषण सहित प्रस्तावित परियोजना के लिए जल अपेक्षा की कुल मात्रा दें । जल अपेक्षा की पूर्ति कैसे होगी । स्रोतों और मात्राओं का कथन करें तथा एक जल अतिशेष विवरण दें ।

2.2 जल के प्रस्तावित स्रोत की क्षमता क्या है ? (बहाव या प्राप्ति के आधार पर)

2.3 अपेक्षित जल की क्वालिटी क्या है यदि पूर्ति किसी नगर पालिक स्रोत से नहीं है ? (जल की क्वालिटी के वर्ग सहित भौतिक, रासायनिक, जैव वैज्ञानिक लक्षणों को दर्शित करें)

2.4 कितनी जल अपेक्षा की उपचारित बेकार जल के पुनः चक्रण से पूर्ति हो सकती है ? (मात्राओं, स्रोतों और उपयोगिताओं के बौरे दें ।)

2.5 क्या अन्य उपयोक्ताओं से जल का उपयोजन होगा ? (कृपया अन्य विद्यमान उपयोगों और उपभोग की मात्राओं पर परियोजना के प्रभाव का निर्धारण करें)

2.6 प्रस्तावित क्रियाकलापों से प्राप्त बेकार जल से प्रदूषण के भार में क्या वृद्धि है ? (प्रस्तावित क्रियाकलापों से प्राप्त बेकार जल की मात्राओं और संधटन के बौरे दें)

2.7 जल अपेक्षाओं की जल संचयन से हुई पूर्ति के बौरे दें । सृजित सुविधाओं के बौरे प्रस्तुत करें ।

2.8 दीर्घकालिक आधार पर निर्माण चरण के पश्चात् क्षेत्र की प्रस्तावित परियोजना के पूरा होने के लक्षणों (मात्रात्मकता के साथ-साथ क्वालिटी भी) के कारण भूमि उपयोग में हुए परिवर्तनों का क्या प्रभाव होगा ? क्या इससे बाढ़ या जल के जमा होने की किसी रूप में समस्या में वृद्धि होती ?

2.9 भूमिगत जल पर प्रस्ताव के क्या प्रभाव होंगे ? (क्या भूमिगत जल में नल लगाया जाएगा ; भूमिगत जल की सारणी, पुनः प्रभारण क्षमता और सक्षम प्राधिकारी से अभिप्राप्त अनुमोदन यदि कोई हो तो के बौरे दें)

2.10 भूमि और पनिलों को प्रदूषित करने वाले निर्माण क्रियाकलाप हैं वह होने के लिए क्या सावधानियां/कदम उठाए जाने हैं ? (प्रतिकूल प्रभारों से बचने के लिए मात्राओं और आपानाएं जाने वाले उपायों के बौरे दें)

2.11 स्थल के भीतर किस प्रकार तेज जल की व्यवस्था की जाएगी ? (क्षेत्र में बाढ़ से बचने के लिए किए गए उपबंध, समोच्च स्तरों के उपदर्शन के स्थल अभिन्यास सहित उपलब्ध कराई गई जल निकासी सुविधाओं के ब्यौरे का कथन करें)

2.12 क्या आवश्यक अवधि में विशेष रूप से निर्माण श्रमिकों के लगाए जाने से परियोजना स्थल के आसपास अस्वाच्छता दशाएं उत्पन्न हो जाती हैं ? (उचित स्पष्टीकरण से न्यायोचित ठहराएं)

2.13 स्थल सुविधाओं पर संग्रहण, उपचार और जल निकासी के सुरक्षित व्ययन के लिए क्या व्यवस्था की जाती है ? (पुनःचक्रण और व्ययन के लिए प्रोद्योगिकी और सुविधाओं सहित जनन, उपचार क्षमताओं की, चाहे जैसी हों मात्राओं के ब्यौरे दें)

2.14 दोहरी नलसाजी प्रणाली के ब्यौरे दें यदि उपयोग किए गए उपचारित अपशिष्ट का प्रसाधनों को बहाने या किसी अन्य उपयोग के लिए उपयोग किया जाता है ।

3 वनस्पति

3.1 क्या जैवविविधता पर परियोजना का कोई खतरा है ? (स्थानीय पारिस्थितिक प्रणाली का उसकी विशिष्ट बातों सहित यदि कोई हों वर्णन करें)

3.2 क्या निर्माण में वनस्पति की विस्तृत निकासी या उपांतरण अंतर्वलित है ? (परियोजना द्वारा प्रभावित वृक्षों और वनस्पति का विस्तृत लेखा जोखा दें)

3.3 महत्वपूर्ण स्थल की बातों पर प्रभावों को कम करने के लिए प्रस्तावित उपाय क्या हैं ? (किसी समुचित मापदंड कि किसी अभिन्यास योजना सहित वृक्षारोपण, भूदृश्य, जल निकायों आदि के सृजन के प्रस्ताव के ब्यौरे दें)

4. जीव जन्तु

4.1 क्या जीव जन्तुओं, स्थलीय और जलीय रूप से किसी प्रकार हटाने या उनके चलने फिरने के लिए रुकावटें होने की संभावना है ? ब्यौरे दें ।

4.2 क्षेत्र के जीव जन्तुओं पर क्या कोई प्रत्यक्ष या अप्रत्यक्ष प्रभाव हैं ? ब्यौरे दें ।

4.3 जीवजन्तुओं पर प्रतिकूल प्रभावों को कम करने के लिए कारीडोर, मछली सीड़ियों आदि जैसे उपाय विहित करें ।

5. वायु पर्यावरण

5.1 क्या परियोजना से द्वीपों में गैसों के वायुमंडलीय सांदर्भ में वृद्धि होगी और उसके परिणामस्वरूप ऊषा बढ़ेगी ? (प्रस्तावित निर्माणों के परिणामस्वरूप वर्धित यातायात बढ़ने को ध्यान में रखते हुए विक्षेपण आदर्श पर आधारित अनुमानित मूल्यों सहित पृष्ठभूमि वायु क्वालिटी स्तरों के ब्यौरे दें)

5.2 धूल, जहरीली वाष्पों या अन्य परिसंकटमय गैसों के बनने पर क्या प्रभाव हैं ? सभी मौसम विज्ञान परियोजनाओं के संबंध में ब्यौरे दें ।

5.3 क्या प्रस्ताव से यानों को पार्क करने के स्थल में कमी आएगी ? परिवहन अवसंरचना और सुधार के लिए प्रस्तावित उपायों के, जिसके अंतर्गत परियोजना स्थल के प्रवेश और निर्गम पर यातायात व्यवस्था भी है, विद्यमान स्तर के ब्यौरे दें ।

5.4 प्रस्तुक प्रक्षेत्र के अधीन क्षेत्रों में आंतरिक सड़कों, बाइसिकिल मार्गों, पैदल यात्री मार्गों, पैदल मार्गों आदि पर चक्षने की पैदली की व्यावे हैं।

5.5 क्या यातायात शोर और कंपन में महत्वपूर्ण वृद्धि होगी ? उम्पर वर्णित बातों को कम करने के लिए रुतों और प्रस्तावित उपायों की व्यावे हैं।

5.6 परियोजना स्थल के आसपास शोर व्यावे और कंपन तथा यिरी हुई वायु की क्वालिटी पर डीजी सेटों और अन्य उपस्थकर्णों पर क्या प्रभाव होगा ? व्यावे हैं।

6. सीन्दर्भबोधी

6.1 क्या प्रस्तावित निर्माणों के परिणामस्वरूप किसी दृश्य, दृश्यसुविधा या भूदृश्य में रुकावट होगी ? क्या प्रस्तावको ने इन बातों पर विचार कर लिया है ?

6.2 क्या विद्यमान परिनिर्माणों पर नए निर्माण से कोई प्रतिकूल प्रभाव होगा ? किन बातों को ध्यान में रखा गया है ?

6.3 क्या डिजाइन मापमान को प्रभावित करने वाले शहर रूपी या शहरी डिजाइनों का कोई स्थानीय आकलन है ? उनका स्पष्ट रूप से उल्लेख किया जा सकता है।

6.4 क्या कोई मानव विज्ञान संबंधी या पुरातत्वीय स्थल या बाह्य चीजें आसपास में हैं ? कथन करें यदि कोई अन्य महत्वपूर्ण बात, जिसपर प्रस्तावित स्थल के परिक्षेत्र में होने पर विचार किया गया है।

7. सामाजिक - आर्थिक पहलू

7.1 क्या प्रस्ताव की परिणामस्वरूप स्थानीय जनता के समाज संबंधी परिनिर्माणों में कोई परिवर्तन होगा ? व्यावे हैं।

7.2 प्रस्तावित परियोजना के आसपास विद्यमान सामाजिक अवसरत्वना के व्यावे हैं।

7.3 क्या परियोजना से स्थानीय समुदायों पर प्रतिकूल प्रभाव, पवित्र स्थलों या अन्य सांस्कृतिक मूल्यों में विच्छ पड़ेंगा ? प्रस्तावित सुरक्षापाय क्या है ?

8. निर्माण सामग्री

8.1 अधिक ऊर्जा संहित निर्माण सामग्री का उपयोग हो सकेगा। क्या ऊर्जा दक्ष प्रक्रियाओं सहित निर्माण सामग्री उत्पादित की जाती है ? (निर्माण सामग्री और उनकी ऊर्जा दक्षता का चयन करने में ऊर्जा संरक्षण उपायों के व्यावे हैं)

8.2 निर्माण के दौरान सामग्री का परिवहन और उठाई धराई के कारण प्रदूषण, शोर और लोक अशान्ति हो सकती है। इन प्रभावों को कम करने के लिए क्या उपाय किए जाने हैं ?

8.3 क्या सड़कों और ढाँचों में पुनः चक्रित सामग्री उपयोग की जाती है ? की गई बचतों की सीमा का कथन करें ?

8.4 परियोजना के प्रचालन संबंधी चरणों के दौरान हुए कूड़े के संग्रहण, पृथक्करण और व्ययन की पद्धति के व्यावे हैं।

9 ऊर्जा संरक्षण

9.1 विद्युत अपेक्षा प्रदाय के स्रोत, स्रोत आदि की पृष्ठभूमि आदि के बौरे दें। निर्मित क्षेत्र में प्रति वर्ग फुट ऊर्जा खपत कितनी है? ऊर्जा खपत को कम करने के लिए क्या प्रयास किए गए हैं?

9.2 विद्युत की पृष्ठभूमि की किस्म और क्षमता, जिसको देने की आपकी योजना है, क्या है?

9.3 उपयोग किए जाने वाले कांच के अभिलक्षण क्या हैं? शार्ट वेव और लांग वेव विकिरण दोनों से संबंधित उसके अभिलक्षणों के विवरण दें।

9.4 भवन में कौन से अप्रत्यक्ष सौर वास्तविक कारक उपयोग किए जा रहे हैं? प्रस्तावित परियोजना में किए गए उपयोजन को स्पष्ट करें।

9.5 क्या गलियों और भवनों के अभिन्यास सौर ऊर्जा युक्तियों की क्षमता को अधिकतम करते हैं? क्या आपने भवन कम्प्लैक्स में उपयोग के लिए सड़क प्रकाशन आपात प्रकाशन और सौर तप्त जल प्रणालियों के उपयोग पर विचार कर लिया है? बौरों का सार दें।

9.6 क्या प्रशीतन/तापन भार को कम करने के लिए शैडिंग का प्रभावी रूप से उपयोग किया जाता है? पूर्व और पश्चिम की दीवारों और छत पर शैडिंग को अधिकतम करने के लिए उपयोग करने के सिद्धांत क्या हैं?

9.7 क्या परिनिर्माणों में ऊर्जा दक्ष स्थल शीतन, प्रकाशन और यांत्रिक प्रणालियों का उपयोग किया जाता है? तकनीकी बौरे दें। ट्रांसफार्मरों और मोटर दक्षता प्रकाशन तीव्रता और वायु प्रशीतन भार धारणाओं के बौरे दें। क्या आप सीएफसी एचरीएफसी फ्री चिलर्स का उपयोग कर रहे हैं? विवरण दें।

9.8 सूक्ष्म जलवायु के परिवर्तन में भवन क्रियाकलापों के संभावित प्रभाव क्या हैं? तप्त द्वीप और प्रतीपन प्रभावों के सुजन पर प्रस्तावित निर्माण के संभावित प्रभावों पर स्वतः निर्धारण का उल्लेख करें।

9.9 भवन आहाते के तापीय अभिलक्षण क्या हैं? (क) छत; (ख) बाह्य दीवारें; और (ग) झारोखे? उपयोग की गई सामग्री और व्यष्टिक संघटकों के यू मूल्यों या आर मूल्यों के बौरे दें।

9.10 अग्नि संकट के लिए प्रस्तावित सावधानियां और सुरक्षा उपाय क्या हैं? आपात योजनाओं के बौरे दें।

9.11 दिवाल सामग्री के रूप में यदि कांच का उपयोग किया जाता है तो बौरे और विवरण जिसके अंतर्गत उत्तरार्जनता और तापीय अभिलक्षण भी हैं, दें।

9.12 भवन में वायु प्रदेशन की दर क्या है? प्रवेशन के प्रभावों को कैसे कम कर रहे हैं, उसके बौरे दें।

9.13 समग्र ऊर्जा खपत में अपारंपरिक ऊर्जा प्रोद्योगिकियों का किसी सीमा तक उपयोग किया जाता है? उपयोग की गई नवीकरणीय ऊर्जा प्रोद्योगिकियों के बौरे दें।

10 पर्यावरण प्रबंध योजना

पर्यावरण प्रबंध योजना में, निर्माण, प्रचालन और परियोजना के क्रियाकलापों के परिणामस्वरूप प्रतिकूल पर्यावरणीय प्रभावों को न्यूनतम करने के लिए समस्त जीवन चक्र के दौरान किए जाने वाले क्रियाकलापों की प्रत्येक मददार के लिए सभी न्यूनतम करने वाले उपाय अंतर्विष्ट होंगे। इसमें विभिन्न पर्यावरणीय विनियमों के अनुपालन के लिए पर्यावरणीय मानिटरी योजना का आलेखन भी होगा। आपात की दशा में, जैसे स्थल पर दुर्घटना जिसके अंतर्गत आग लगना भी है, उठाए जाने वाले कदमों का कथन भी होगा।

परिशिष्ट 3
(पैरा 7 देखें)

पर्यावरणीय समाधात निर्धारण दस्तावेज की साधारण संरचना

क्र.सं.	ईआईए संरचना	अंतर्वस्तु
1.	प्राककथन	<ul style="list-style-type: none"> शिपोर्ट का प्रयोजन परियोजना और परियोजना प्रस्तावक की पहचान परियोजना की प्रकृति, आकार, अवस्थान का संक्षिप्त वर्णन और देश, प्रदेश में इसका महत्व अध्ययन का विस्तार — किए गए विनियामक विस्तार के ब्यौरे (सौंपे गए कृत्यों के अनुसार)
2.	परियोजना वर्णन	<ul style="list-style-type: none"> परियोजना के उन पहलुओं का संघनित वर्णन (परियोजना साध्यता अध्ययन पर आधारित) जिनकी पर्यावरणीय प्रभाव कारित करने की संभावना है। निम्नलिखित को स्पष्ट करने के लिए ब्यौरे उपबंधित किए जाने चाहिए : परियोजना के किस्म परियोजना की आवश्यकता अवस्थान (साधारण अवस्थान, विनिर्दिष्ट अवस्थान, परियोजना सीमा और परियोजना स्थल अभिन्नास को दर्शित करते हुए नक्शे) प्रचालन का आकार या विस्तार (जिसके अंतर्गत परियोजना द्वारा या उसके लिए अपेक्षित सहयोगित क्रियाकलाप) अनुमोदन और कार्यान्वयन के लिए प्रस्तावित अनुसूची प्रोद्योगिकी और प्रक्रिया वर्णन परियोजना वर्णन, जिसके अंतर्गत परियोजना अभिन्नास, परियोजना आदि के संघटकों को दर्शित करते हुए आरेखन। साध्यता आरेखनों के स्कीमबद्ध प्रतिनिधित्व जो ईआईए परियोजना के लिए महत्वपूर्ण जानकारी दें। पर्यावरणीय मानकों, पर्यावरणीय प्रचालन दशाओं या अन्य ईआईए अपेक्षाओं की पूर्ति के लिए परियोजनाओं में सम्मिलित न्यूनिकरण उपायों का वर्णन (विस्तार द्वारा यथाअपेक्षित) प्रोद्योगिकीय असफलता के जोखिम के लिए नई और अपरीक्षित प्रोद्योगिकी का निर्धारण
3.	पर्यावरण का वर्णन	<ul style="list-style-type: none"> अध्ययन क्षेत्र, अवधि, संघटक और पद्धति विस्तार में पहचान किए गए मूल्यवान पर्यावरणीय संघटकों के लिए आधारिक लेखा की स्थापना सभी पर्यावरणीय संघटकों के आधार नक्शे
4.	अनुमानित पर्यावरणीय समाधात और न्यूनीकरण उपाय	<ul style="list-style-type: none"> परियोजना अवस्थान, संभावित दुर्घटनाओं, परियोजना डिजाइन, परियोजना निर्माण, नियमित प्रचालनों, पूरी की गई परियोजना को अंतिम रूप से बंद करना या पुर्नस्थापन के कारण अन्वेषित पर्यावरणीय समाधातों के ब्यौरे। पहचान किए गए प्रतिकूल समाधातों न्यूनिकृत और/या दूर करने के लिए उपाय पर्यावरणीय संघटकों के असंपरिवर्तनीय और पुनः प्राप्त न किए जा सकने वाले आश्वासन।

		<ul style="list-style-type: none"> समाधातों के महत्व का निर्धारण (महत्व महत्व निर्धारण का अवधारण करने के लिए मानदण्ड) न्यूनीकरण उपाय
5.	अनुकल्पियों का विश्लेषण (प्रोद्योगिकी और स्थल)	<ul style="list-style-type: none"> यदि विस्तारित करने के कार्य के परिणामस्वरूप अनुकल्पियों की आवश्यकता होती है : प्रत्येक अनुकल्पी का वर्णन प्रत्येक अनुकल्पी के प्रतिकूल समाधातों का सार प्रत्येक अनुकल्पी के लिए प्रस्तावित न्यूनीकरण उपाय और अनुकल्पी का बयान
6.	पर्यावरणीय मानीटरी कार्यक्रम	<ul style="list-style-type: none"> न्यूनीकरण उपायों की प्रगावशीलता को मानीटर करने के तकनीकी पहलू (जिसके अंतर्गत माप, पद्धति, आवर्त, अवस्थान, आंकड़े विश्लेषण, रिपोर्ट करने की अनुसूचियां, आपात प्रक्रियाएं, विरत्त बजट और उपापन अनुसूचियां भी हैं)
7.	अतिरिक्त अध्ययन	<ul style="list-style-type: none"> लोक पशामर्श जोखिम निर्धारण सामाजिक समाधात निर्धारण आर और आर अनुवर्ती योजनाएं
8.	परियोजना के फायदे	<ul style="list-style-type: none"> भौतिक अवसंरचना में सुधार सामाजिक अवसंरचना में सुधार नियोजन क्षमता - कुशल ; अर्धकुशल और अकुशल अन्य मूल फायदे
9.	पर्यावरणीय स्थान फायदा विश्लेषण	यदि विस्तारण प्रक्रम पर सिफारिश की जाती है।
10.	ईएमपी	<ul style="list-style-type: none"> यह सुनिश्चित करने के लिए कि न्यूनीकरण रांबंधी उपाय कार्यान्वित किए गए हैं और ईआईए के अनुमोदन के पश्चात् उनकी प्रभावी मानीटरी की गई है, प्रशासनिक पहलुओं का वर्णन।
11.	संक्षिप्त सार निष्कर्ष (यह ईआईए रिपोर्ट का संक्षिप्त सार होगा)	<ul style="list-style-type: none"> परियोजना के कार्यान्वयन के लिए समग्र औचित्य। यह स्पष्टीकरण कि प्रतिकूल प्रभाव किरा प्रकार कम किए जाते हैं
12.	नियोजित परामर्शियों का प्रकटन	<ul style="list-style-type: none"> उनके संक्षिप्त कार्य और दिए गए पशामर्श की प्रकृति सहित नियोजित किए गए परामर्शियों के नाम।

परिशिष्ट 3क

(पैरा 7 देखें)

संक्षिप्त पर्यावरणीय समाधात निर्धारण की अंतर्वस्तु

पर्यावरणीय समाधात निर्धारण का संक्षिप्त सार अधिकतम ए -4 आकार के दस पृष्ठों पर पूरी पर्यावरणीय समाधात निर्धारण का एक संक्षिप्त सार होगा। इसमें संक्षेप में अनिवार्य रूप से पूर्ण पर्यावरणीय समाधात निर्धारण रिपोर्ट के निम्नलिखित अध्याय होने चाहिए :-

- (1) परियोजना वर्णन :
- (2) पर्यावरण का वर्णन :
- (3) अनुमानित पर्यावरणीय समाधात और न्यूनीकरण उपाय :
- (4) पर्यावरणीय मानीटरी कार्यक्रम :
- (5) अतिरिक्त अध्ययन :
- (6) परियोजना के फायदे :
- (7) पर्यावरण प्रबंधन योजना :

परिशिष्ट 4

(पैरा 7 देखिए)

लोक सुनवाई को संचालित करने के लिए प्रक्रिया

1.0 लोक सुनवाई की, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा परियोजना स्थल (स्थलों) में या उसके निकटस्थ परिसर में जिला वार एक प्रणालीबद्ध समयबद्ध और पारदर्शी रीति में अधिकतम संभव लोक भागीदारी को सुनिश्चित करते हुए व्यवस्था की जाएगी ।

2.0 प्रक्रिया :

2.1 आवेदक, उस राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य संविव को, जिसकी अधिकारिता में परियोजना अवस्थित है, विहित कानूनी अवधि के भीतर लोक सुनवाई की व्यवस्था करने के लिए एक सादा पत्र के माध्यम से अनुरोध करेगा । यदि परियोजना स्थल का किसी राज्य या संघ राज्यक्षेत्र के परे

2.3 ऊपर उल्लिखित प्राधिकारी, पर्यावरण और वन मंत्रालय के सिवाय, प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की प्राप्ति पर, अपनी अधिकारिताओं के भीतर, उसमें हितबद्ध व्यक्तियों से संबंधित विनियामक प्राधिकरणों को अपनी टीका-टिप्पणियां भेजने का अनुरोध करते हुए, विस्तृत प्रचार करने की व्यवस्था करेंगे। वे लोक सुनवाई होने तक सामान्य कार्यालय घंटों के दौरान जनता को इलैक्ट्रॉनिक रूप से या अन्यथा निरीक्षण करने के लिए प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट भी उपलब्ध कराएंगे। पर्यावरण और वन मंत्रालय अपनी वेबसाइट पर प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट का सार तत्परता से प्रदर्शित करेगा और दिल्ली स्थित मंत्रालय में सामान्य कार्यालय घंटों के दौरान किसी अधिसूचित स्थान पर निर्देश के लिए पूरे प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट को भी उपलब्ध करेगा।

2.4 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्य प्रदूषण नियंत्रण समिति भी राज्य/संघ राज्यक्षेत्र के भीतर परियोजना की बाबत प्रचार करने के लिए उसी प्रकार की व्यवस्था करेंगी और चयनित कार्यालयों या लोक पुस्तकालयों या पंचायतों आदि में निरीक्षण के लिए प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट (परिशिष्ट 3क) का संक्षिप्त सार उपलब्ध कराएगी। वे उपर्युक्त पांच प्राधिकारियों/कार्यालयों अर्थात् पर्यावरण और वन मंत्रालय, जिला मजिस्ट्रेट आदि को प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की एक प्रति अतिरिक्त रूप से भी उपलब्ध कराएंगे।

3.0 लोक सुनवाई की सूचना

3.1 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति का सदस्य सचिव परियोजना सलाहकार से प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की प्राप्ति की तारीख से तीस दिनों के भीतर लोक सुनवाई संचालित करने के लिए तारीख, समय और निश्चित स्थान को अंतिम रूप देगा और उसको मुख्य राष्ट्रीय दैनिक में और एक प्रादेशिक भाषा के दैनिक समाचारपत्र में विज्ञापित करेगा। जनता को अपनी प्रतिक्रियाएं देने के लिए कम से कम तीस दिनों की सूचना उपलब्ध कराई जाएगी;

3.2 विज्ञापन, जनता को उन स्थानों या कार्यालयों की बाबत भी सूचित करेगा जहां प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट और पर्यावरणीय समाधात निर्धारण रिपोर्ट के संक्षिप्त सार तक सुनवाई से पूर्व जनता की पहुंच हो सके;

3.3 लोक सुनवाई की तारीख, समय और स्थान को तब तक आस्थगित नहीं किया जाएगा जब तक कोई अवांछित आपात स्थिति न आ जाए और केवल संबंधित जिला मजिस्ट्रेट की सिफारिश पर किया आस्थगन को उन्हीं राष्ट्रीय और प्रादेशिक भाषा के समाचार पत्रों के माध्यम से अधिसूचित किया जाएगा तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा पहचान किए सभी कार्यालयों में मुख्य रूप से प्रदर्शित भी किया जाएगा;

3.4 ऊपर आपवादिक परिस्थितियों में, कैवल जिला मजिस्ट्रेट के परामर्श से संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य-सचिव द्वारा लोक परामर्श के लिए नई तारीख, समय और स्थान का विविश्वव्य किया जाएगा और ऊपर 3.1 के अधीन प्रक्रिया के अनुसार नए सिरे से अधिसूचित किया जाएगा ।

4.0 ऐनल

जिला मजिस्ट्रेट या किसी अपर जिला मजिस्ट्रेट से अन्यून की पंक्ति का उसका प्रतिनिधि, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि की सहायता से समस्त लोक सुनवाई प्रक्रिया का पर्यवेक्षण करेगा और उसकी अध्यक्षता करेगा ।

5.0 वीडियोग्राफी

राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, समस्त कार्यवाहियों की वीडियो फिल्म तैयार करने की व्यवस्था करेगी । संबंधित विनियामक प्राधिकरण को इसे अग्रेषित करते समय वीडियो टेप की एक प्रति या एक सीडी लोक सुनवाई कार्यवाईयों के साथ संलग्न की जाएगी ।

6.0 कार्यवाहियां

6.1 उन सभी व्यक्तियों की उपस्थिति को जो स्थल पर विद्यमान हैं, अंतिम कार्यवाहियों के साथ संलग्न किया जाएगा ।

6.2 कार्यवाहियों को आरंभ करने के लिए उपस्थिति हेतु कोई गणपूर्ति अपेक्षित नहीं होगी ।

6.3 आवेदक का कोई प्रतिनिधि, परियोजना और पर्यावरण समाधात निर्धारण रिपोर्ट के संक्षिप्त सार की प्रस्तुति के साथ कार्यवाहियां आरंभ करेगा ।

6.4 स्थल पर उपस्थित प्रत्येक व्यक्ति को, आवेदक से परियोजना पर सूचना या स्पष्टीकरण मांगने का अवसर दिया जाएगा । लोक सुनवाई कार्यवाहियों का संक्षिप्त सार ठीक रूप से प्रवर्शित करते हुए अभिव्यक्त सभी विचारों और अभिव्यक्त चित्ताओं को राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि द्वारा अभिलिखित किया जाएगा और प्रांतीय भाषा में अंतर्स्तुओं को स्पष्ट करते हुए कार्यवाहियों के अंत में श्रोताओं को पढ़ कर सुनाया जाएगा तथा कशर पाए गए कार्यवृत्त पर उसी दिन जिला मजिस्ट्रेट या उसके प्रतिनिधि द्वारा हस्ताक्षर किए जाएंगे तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति को अग्रेषित किया जाएगा ।

6.5 जनता द्वारा उठाए गए मुद्दों का एक विवरण और आवेदक की टीका-टिप्पणियों को भी स्थानीय भाषा में और अंग्रेजी भाषा में तैयार किया जाएगा तथा कार्यवाहियों के साथ संलग्न किया जाएगा ।

6.6 लोक सुनवाई की कार्यवाहियों को उस पंचायत घर के कार्यालय पर, जिसकी अधिकारिता में परियोजना अवस्थित है, संबंधित जिला परिषद, जिला मजिस्ट्रेट और राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के कार्यालय में सहजदृश्य रूप से प्रदर्शित किया जाएगा। राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति साधारण जानकारी के लिए अपने वेबसाइट पर कार्यवाहियों को प्रदर्शित भी करेगी। कार्यवाहियों पर टीका-टिप्पणियों को, यदि कोई हों, संबंधित विनियामक प्राधिकरणों और संबंधित आवेदक को प्रत्यक्षतः भेजी जा सकेगी।

7.0 लोक सुनवाई को पूरा करने के लिए कालावधि :

7.1 लोक सुनवाई, आवेदक से अनुरोध पत्र की प्राप्ति की तारीख से पैंतालीस दिन की अवधि के भीतर पूरी की जाएगी। अतः संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति लोक सुनवाई के पूरा होने के आठ दिनों के भीतर संबंधित विनियामक प्राधिकरण को लोक सुनवाई की कार्यवाहियों को भेजेगी। आवेदक, लोक सुनवाई और लोक परामर्श के पश्चात् तैयार की गई अंतिम पर्यावरणीय समाधात निर्धारण रिपोर्ट या प्रास्त्र्य पर्यावरण समाधात निर्धारण रिपोर्ट पर अनुपूरक रिपोर्ट की प्रति के साथ संबंधित विनियामक प्राधिकरण को, अनुमोदित लोक सुनवाई कार्यवाहियों की एक प्रति प्रत्यक्षतः भी अग्रेषित करेगा।

7.2 यदि राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्य क्षेत्र प्रदूषण नियंत्रण समिति, नियत पैंतालीस दिनों के भीतर लोक सुनवाई करने में असफल रहती है तो केन्द्रीय सरकार, पर्यावरण और वन मंत्रालय, प्रवर्ग 'क' परियोजना या क्रियाकलाप के लिए और प्रवर्ग ख परियोजना या क्रियाकलाप के लिए और राज्य सरकार या संघ राज्यक्षेत्र प्रशासन, राज्य पर्यावरणीय समाधात निर्धारण प्राधिकरण के अनुरोध पर, किसी अन्य अभिकरण या प्राधिकरण द्वारा इस अधिसूचना में अधिकथित प्रक्रिया के अनुसार प्रक्रिया को पूरा करने के लिए नियोजित करेगी।

परिशिष्ट 5

(पैरा 7 देखिए)

आंकलन के लिए विहित प्रक्रिया

1. आवेदक, संबंधित विनियामक प्राधिकरण को निम्नलिखित दस्तावेजों को संलग्न करते हुए, जहाँ लोक परामर्श आज्ञापक है, एक सावा सूचना के माध्यम से आवेदन करेगा :-

- अंतिम पर्यावरण समाधात निर्धारण रिपोर्ट की बीस हार्ड प्रतियां और एक साफ्ट प्रति
- लोक सुनवाई की कार्यवाहियों की वीडियो टेप की एक प्रति या सी.डी.
- अंतिम अभिन्यास योजना की बीस प्रतियां
- परियोजना साध्यता रिपोर्ट की एक प्रति

2. आवेदक द्वारा प्रस्तुत की गई अंतिम पर्यावरणीय समाधात निर्धारण रिपोर्ट और अन्य सुसंगत दस्तावेजों की संबंधित विनियामक प्राधिकरण द्वारा उसकी प्राप्ति की तारीख से तीस दिनों के भीतर कार्यालय में तत्परता से टीओआर के प्रतिनिर्देश से समीक्षा की जाएगी और ध्यान में रखी गई अपर्याप्तताओं को प्रत्येक अंतिम पर्यावरणीय समाधात निर्धारण रिपोर्ट की एक प्रति संलग्न करते हुए, जिसके अंतर्गत लोक सुनवाई कार्यवाहियां और प्राप्त की गई अन्य लोक प्रतिक्रियाएं भी हैं, प्रस्तुत या प्रस्तुत 1 की एक प्रति और प्रस्तावों पर विचार करने के लिए पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति की बैठकों के लिए निश्चित तारीख सहित पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति के सदस्यों को एकल सेट में इलेक्ट्रॉनिक रूप से या अन्यथा संसूचित किया जाएगा।
3. जहां कोई लोक परामर्श आज्ञापक नहीं है और इसलिए कोई औपचारिक पर्यावरणीय समाधात निर्धारण अध्ययन अपेक्षित नहीं है, वहां आंकलन, विहित आवेदन प्रस्तुत 1 के आधार पर और अनुसूची की मद 8 से मिन्न सभी परियोजनाओं और क्रियाकलापों की दशा में किसी पूर्व साध्यता रिपोर्ट के आधार पर किया जाएगा। अनुसूची की मद 8 की दशा में, इसके विलक्षण परियोजना चक्र को ध्यान में रखते हुए, संबंधित पर्यावरणीय निर्धारण समिति या राज्य पर्यावरणीय निर्धारण समिति, प्रस्तुत 1, प्रस्तुत 1 के और धारणा योजना के आधार पर सभी प्रदर्श 'ख' परियोजनाओं या क्रियाकलापों का आंकलन करेगी और पर्यावरणीय अनापत्ति के लिए शर्तें नियत करेगी। जब कभी आवेदक सभी अन्य आवश्यक कानूनी अनुमोदनों सहित निश्चित पर्यावरणीय अनापत्ति शर्तों को पूरा करते हुए अनुमोदित स्कीम/भवन योजना प्रस्तुत करता है तो पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति, सक्षम प्राधिकारी को पर्यावरणीय अनापत्ति मंजूर करने की सिफारिश करेगी।
4. प्रत्येक आवेदन, पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति के समक्ष और इसका पूरा आंकलन, विहित रीति में अपेक्षित दस्तावेजों/ब्यौरों सहित इसकी प्राप्ति के साठ दिनों के भीतर रखा जाएगा।
5. आवेदक को परियोजना प्रस्ताव पर विचार करने के लिए पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति की निश्चित तारीख से कम से कम पन्द्रह दिन पूर्व सूचित किया जाएगा।
6. पर्यावरणीय निर्धारण समिति/राज्य पर्यावरणीय निर्धारण समिति की बैठक के कार्यवृत्त को बैठक के पांच कार्यकरण दिनों के भीतर अंतिम रूप दिया जाएगा और संबंधित विनियामक प्राधिकरण के वेबसाइट पर प्रदर्शित किया जाएगा। परियोजना या क्रियाकलापों को पर्यावरणीय अनापत्ति को मंजूर किए जाने के लिए सिफारिश की दशा में, कार्यवृत्त में विनिर्दिष्ट पर्यावरणीय सुरक्षापायों और शर्तों को स्पष्ट रूप से सूचीबद्ध किया जाएगा। यदि सिफारिशें नामंजूर करने के लिए हैं तो उसके कारणों को भी स्पष्ट रूप से कथित किया जाएगा।

परिशिष्ट 6

(पैरा 5 देखिए)

केन्द्रीय सरकार द्वारा गठित की जाने वाली प्रवर्ग 'क' परियोजनाओं के लिए सेक्टर/परियोजना विनिर्दिष्ट विशेषज्ञ आंकलन समिति और प्रवर्ग 'ख' परियोजनाओं के लिए राज्य/संघ राज्यक्षेत्र स्तर विशेषज्ञ आंकलन समितियों की संरक्षना

1. विशेषज्ञ आंकलन समितियां और राज्य/संघ राज्यक्षेत्र स्तर विशेषज्ञ आंकलन समितियां केवल निम्नलिखित पात्रता कसौटी को पूरा करने वाले वृत्तिकों और विशेषज्ञों से मिलकर बनेगी

वृत्तिक : ऐसा व्यक्ति जिसके पास कम से कम (i) एम.ए./एम.एस.सी डिग्री सहित संबंधित विद्या शाखा में पांच वर्ष का औपचारिक विश्वविद्यालय प्रशिक्षण या (ii) इंजीनियरी/प्रौद्योगिकी/वास्तुविद विद्या शाखाओं की दशा में, बी.टेक/बी.ई./बी.आर्क. डिग्री सहित क्षेत्र में विहित व्यावहारिक प्रशिक्षण सहित किसी वृत्तिक प्रशिक्षण पाठ्यक्रम में चार वर्षीय औपचारिक प्रशिक्षण या (iii) अन्य वृत्तिक डिग्री (जैसे विधि) जिसमें पांच वर्ष का औपचारिक विश्वविद्यालय प्रशिक्षण या विहित व्यावहारिक प्रशिक्षण अंतर्वलित है, या (iv) विहित शिक्षुता/कारीगारी तथा संबंधित वृत्तिक संगम द्वारा संचालित परिक्षाएं उत्तीर्ण की हो (जैसे चार्टर्ड अकाउंटेंट्सी) या (v) किसी विश्वविद्यालय डिग्री के पश्चात् किसी विश्वविद्यालय या सेवा अकादमी में दो वर्ष का औपचारिक प्रशिक्षण (जैसे एम.बी.ए./आई.ए.एस./आई.एफ.एस.) व्यष्टि वृत्तिकों का चयन करते समय उनके द्वारा उनके क्षेत्रों में प्राप्त अनुभव को ध्यान में रखा जाएगा ।

विशेषज्ञ : उम्र पात्रता कसौटी को पूरा करने वाला कोई वृत्तिक जिसके पास क्षेत्र में कम से कम पंद्रह वर्ष का सुसंगत अनुभव या संबंधित क्षेत्र में कोई उच्चतर डिग्री हो (जैसे पी.एच.डी. और कम से कम दस वर्ष का सुसंगत अनुभव) ।

आयु : सत्तर वर्ष से नीचे । तथापि, किसी क्षेत्र में विशेषज्ञों की अनुपलब्धता/कमी की दशा में विशेषज्ञ आंकलन समिति के सदस्यों की अधिकतम आयु को पचहतर वर्ष तक अनुज्ञात किया जा सकेगा ।

2. पर्यावरणीय निर्धारण समिति के सदस्य निम्नलिखित क्षेत्रों/विद्या शाखाओं में अपेक्षित विशेषज्ञता और अनुभव वाले विशेषज्ञ होंगे । उस दशा में कि “विशेषज्ञ” की कसौटी को पूरा करने वाले व्यक्ति उपलब्ध नहीं हैं, तो उसी क्षेत्र में पर्याप्त अनुभव रखने वाले वृत्तिकों पर भी विचार किया जा सकेगा ।

- पर्यावरण क्वालिटी विशेषज्ञ : पर्यावरणीय क्वालिटी के संबंध में माप/मानिटरी, विश्लेषण और निर्वचन में विशेषज्ञ ।

- परियोजना प्रबंधन में क्षेत्रीय विशेषज्ञ : परियोजना प्रबंधन या सुसंगत क्षेत्रों में प्रक्रिया /प्रचालन/सुविधा प्रबंधन में विशेषज्ञ ।
- पर्यावरणीय समाधात निर्धारण प्रक्रिया विशेषज्ञ : पर्यावरणीय समाधात निर्धारण का संचालन और कार्यान्वयन तथा पर्यावरणीय प्रबंधन योजना और अन्य प्रबंधन योजना तैयार करने में विशेषज्ञ और जो पर्यावरणीय समाधात निर्धारण प्रक्रिया में उपयोग की जाने वाली भावी तकनीकों और औजारों में विस्तृत विशेषज्ञता और ज्ञान रखते हों ।
- जोखिम निर्धारण विशेषज्ञ ।
- पेड़ - पौधे और जीव- जन्तु प्रबंधन में प्राणी विज्ञान विशेषज्ञ ।
- वन और वन्य जीव विशेषज्ञ ।
- परियोजना आंकलन में अनुभव सहित पर्यावरणीय अर्थशास्त्र विशेषज्ञ ।

3. पर्यावरणीय निर्धारण समिति की सदस्यता पंद्रह नियमित सदस्यों से अधिक की नहीं होगी । तथापि, अध्यक्ष, समिति की किसी विशिष्ट बैठक के लिए किसी सुसंगत क्षेत्र में किसी विशेषज्ञ को सदस्य के रूप में सहयोजित कर सकेगा ।

4. अध्यक्ष, सुसंगत विकास क्षेत्र में एक प्रतिष्ठित और पर्यावरणीय निति या प्रबंधन में अथवा लोक प्रशासन में अनुभव प्राप्त विशेषज्ञ होगा ।

5. अध्यक्ष, सदस्यों में से एक सदस्य को उपाध्यक्ष के रूप में नामनिर्देशित करेगा जो अध्यक्ष की अनुपस्थिति में पर्यावरणीय निर्धारण समिति की बैठक की अध्यक्षता करेगा ।

6. पर्यावरण और वन मंत्रालय का एक प्रतिनिधि उसके सचिव के रूप में समिति की सहायता करेगा ।

7. किसी सदस्य की अधिकतम पदावधि, जिसके अंतर्गत अध्यक्ष भी है, प्रत्येक तीन वर्ष की दो पदावधि होगी ।

8. अध्यक्ष/सदस्य को किसी कारण और समुचित जांच के बिना पदावधि के अवसान से पूर्व नहीं हटाया जा सकेगा ।

**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 2006

S.O. 1533(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1324(B), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

1. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity

requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes/Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

(a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
 - (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
 - (d) all Building /Construction projects/Area Development projects and Townships (item 8).
 - (e) all Category 'B2' projects and activities.
 - (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
- (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
 - (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
 - (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.,
 - (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
 - (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use

other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the

necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant - within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- (i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- (ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity	Category with threshold limit		Conditions if any	
	A	B		
1	Mining, extraction of natural resources and power generation (for a specified production capacity)			
(1)	(2)	(3)	(4)	(5)
1(a)	Mining of minerals	≥ 50 ha. of mining lease area Asbestos mining irrespective of mining area	<50 ha ≥ 5 ha. of mining lease area.	General Condition shall apply <u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	General Condition shall apply
1(d)	Thermal Power Plants	≥ 500 MW (coal/lignite/naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels -)	< 500 MW (coal/lignite/naphtha & gas based); <50 MW ≥ 5MW (Pet coke, diesel and all other fuels)	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and of processing nuclear fuel	All projects		
2	Primary Processing			
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

3		Materials Production		
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron		

Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	$\geq 2,50,000$ tonnes/annum	$<2,50,000 \& \geq 25,000$ tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥ 300 TPD production capacity or a unit located out side the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/ non-molasses based distilleries < 30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply

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(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp& Paper manufacturing industry -	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	\geq 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	- -	All projects	General Condition shall apply
6	Service Sectors			
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects -		

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	-Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National Highways; and ii) Expansion of National Highways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State Highways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
8				
8(a)	Building and Construction projects		≥ 20000 sq.mtrs and $<1,50,000$ sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area $\geq 1,50,000$ sq.mtrs ++	++ All projects under Item 8(b) shall be appraised as Category B1

Note:-**General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

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R. CHANDRAMOHAN, Jr. Secy.

APPENDIX I**(See paragraph – 6)****FORM 1****(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.)*

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		

1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land,

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2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		

4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting, lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (<i>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions</i>)		

(IV). Proposed Terms of Reference for EIA studies

APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)**CHECK LIST OF ENVIRONMENTAL IMPACTS**

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)
- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

- 2.2. What is the capacity (kpcd) (sic flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with clarity of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)

- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESSMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> Purpose of the report Identification of project & project proponent Brief description of nature, size, location of the project and its importance to the country, region Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> Type of project Need for the project Location (maps showing general location, specific location, project boundary & project site layout)

	<ul style="list-style-type: none"> • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure
3.	<p>Description of the Environment</p> <ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	<p>Anticipated Environmental Impacts & Mitigation Measures</p> <ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	<p>Analysis of Alternatives (Technology & Site)</p> <ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative

6.	Environmental Monitoring Program	<ul style="list-style-type: none"> Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> Public Consultation Risk assessment Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> Improvements in the physical infrastructure Improvements in the social infrastructure Employment potential –skilled; semi-skilled and unskilled Other tangible benefits
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> Overall justification for implementation of the project Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7).

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report:-

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity. District wise by the concerned State Pollution Control Board (SPCB) or the

make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member –Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings.

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchayats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall send the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

APPENDIX –V (See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC

/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

APPENDIX VI

(See paragraph 5)

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**
- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1231]

No. 1231]

नई दिल्ली, ब्रह्मस्तिवार, अक्टूबर 11, 2007/आश्विन 19, 1929
NEW DELHI, THURSDAY, OCTOBER 11, 2007/ASVINA 19, 1929

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 11 अक्टूबर, 2007

का.आ. 1737(अ).— केंद्रीय सरकार ने, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के अधीन जारी, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का 0100 1533(अ), तारीख 14 सितंबर, 2006 द्वारा निर्देश दिया था कि इसके प्रकाशन की तारीख से ही, नई परियोजनाओं या क्रियाकलापों का अपेक्षित संनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, प्रक्रिया और या प्रौद्योगिकी में परिवर्तन सहित क्षमता में परिवर्धन करते हुए भारत के किसी भाग में, यथास्थिति, केंद्रीय सरकार से या केंद्रीय सरकार द्वारा इसमें विनिर्दिष्ट प्रक्रिया के अनुसार उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा सम्यक् रूप से गठित राज्य स्तर पर्यावरण समाधात निर्धारण प्राधिकरण द्वारा केवल पूर्व पर्यावरण अनापत्ति के पश्चात् ही किया जाएगा।

और ऐसे खनिज पदार्थों के पूर्वेक्षण और भूकंपी सर्वेक्षणों को करने से, जो खोज सर्वेक्षणों के भाग हैं, पर्यावरणीय अनापत्ति प्राप्त करने से, जैसा पूर्व में किया जाता रहा था, छूट देने का ; राज्य पर्यावरणीय समाधात निर्धारण प्राधिकरण और राज्य स्तर विशेषज्ञ आंकलन समिति के सदरयों के

चयन के लिए दी गई विद्या शाखाओं में पात्रता कसौटी में अधिक स्पष्टता लाने के लिए और उस प्रयोजन के लिए उक्त अधिसूचना में उपयुक्त संशोधनों को जारी करने का विनिश्चय किया गया है ;

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (3) का खंड (क) यह उपबंधित करता है कि जब कभी केंद्रीय सरकार यह विचार करती है कि किसी उद्योग पर या किसी क्षेत्र में किन्हीं प्रक्रियाओं या प्रचालन को चलाने पर, प्रतिषेध या निर्बंधन अधिरोपित करने चाहिए तो वह ऐसा करने के लिए अपने आशय की सूचना देगी :

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (4) यह उपबंधित करता है कि उपनियम (3) में किसी बात के होते हुए भी, केंद्रीय सरकार को जब कभी यह प्रतीत होता है कि ऐसा करना लोकहित में है, वह उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभियुक्ति दे सकेगी ;

अतः, अब, केंद्रीय सरकार, उक्त पर्यावरण (संरक्षण) नियमों, के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में,—

(I) पैरा 3 के उपपैरा (3) और उपपैरा (4) के स्थान पर क्रमशः निम्नलिखित पैरा रखे जाएंगे, अर्थात् :—

“(3) अध्यक्ष, पर्यावरण नीति या प्रबंध में पर्याप्त अनुभव सहित किसी एक विनिर्दिष्ट क्षेत्र में, परिशिष्ट VI में दी गई पात्रता कसौटी के निबंधनों के अनुसार विशेषज्ञ होगा ।

(4) अन्य सदस्य, किसी एक विनिर्दिष्ट क्षेत्र में परिशिष्ट VI में दी गई पात्रता कसौटी पूरा करने वाला विशेषज्ञ होगा ।”;

(II) पैरा 12 में “एक वर्ष” शब्दों के स्थान पर, “चालीस मास” शब्द रखे जाएंगे ;

(III) अनुसूची में,—

(i) मद संख्या 1(क) के सामने, स्तंभ 5 में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

‘साधारण शर्त लागू होगी ।

टिप्पण : खनिज पदार्थों के पूर्वक्षण को छूट दी गई है परंतु वास्तविक सर्वेक्षण के लिए छूट वाले क्षेत्रों की पूर्व अनुमति ली गई हो ।’;

(ii) मद संख्या 1(ख) के सामने, स्तंभ 5 में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“टिप्पण : ऐसे भूकंपी सर्वेक्षणों, जो खोज सर्वेक्षणों के भाग हैं, को छूट दी गई है परंतु वास्तविक सर्वेक्षण के लिए छूट वाले क्षेत्रों की पूर्व अनुमति ली गई हो ।”;

(iii) मद 7(च) के सामने,-

(क) स्तंभ (3) में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“i) नए राष्ट्रीय राजमार्ग ; और

ii) 30 कि.मी. से ज्यादा लंबाई के राष्ट्रीय राजमार्गों का विस्तार जिनमें मार्ग के दोनों ओर अतिरिक्त भूमि अधिग्रहण 20 मीटर से ज्यादा है ।”;

(ख) स्तंभ (4) में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“.....”

- पर्यावरण क्वालिटी : पर्यावरणीय क्वालिटी के संबंध में माप, मानिटरी, विश्लेषण और डाटा निर्वचन में विशेषज्ञ ।
 - परियोजना प्रबंधन में क्षेत्रीय : परियोजना प्रबंधन या सुसंगत क्षेत्रों में प्रक्रिया या प्रचालन या सुविधा प्रबंधन में विशेषज्ञ ।
 - पर्यावरणीय समाधात निर्धारण प्रक्रिया : पर्यावरणीय समाधात निर्धारणों (ईआईएएस) का संचालन और कार्यान्वयन तथा पर्यावरणीय प्रबंधन योजना (ईएमपीएस) और अन्य प्रबंधन योजना तैयार करने में विशेषज्ञ और जो पर्यावरणीय समाधात निर्धारण (ईआईए) प्रक्रिया में उपयोग की जाने वाली भावी तकनीकों और औजारों में विस्तृत विशेषज्ञता और ज्ञान रखते हों ।
 - जोखम निर्धारण ।
 - प्राणी विज्ञान (पेड़-पौधे और जीव-जन्तु प्रबंधन) ।
 - वन और वन्य जीव ।
 - परियोजना आंकलन में अनुभव सहित पर्यावरणीय अर्थशास्त्र ।
 - लोक प्रशासन या प्रबंधन”;
- (ii) पैरा 4 का लोप किया जाएगा ।

[फा. सं. जे-11013/69/2006-आईए. II(I)]

रा. आनंदकुमार, वैज्ञानिक 'जी'

टिप्पणि : मूल नियम, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं0 का0आ0 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे ।

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 11th October, 2007

S.O. 1737(E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on or from the dates of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act in accordance with the procedure specified therein;

And whereas it has been decided to exempt the mineral prospecting and seismic surveys which are part of exploratory surveys from seeking environmental clearance as had been done in the past; to bring in more clarity to the eligibility criteria in the disciplines given for selection of Members of the State Environment Impact Assessment Authority and State Level Expert Appraisal Committee and for that purpose to issue suitable amendments in the said notification;

And whereas clause clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules provides that, whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

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

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 Environment (Protection) Act, read with clause (d) of sub-rule (3) of rule 5 of the said Environment Protection Rules, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said Notification, —

(I) in para 3, for sub-paras (3) and (4), the following paras shall respectively be substituted, namely:-

“(3) The Chairman shall be an expert in terms of the eligibility criteria given in APPENDIX VI in one of the specified fields, with sufficient experience in environmental policy or management.

- (4) The other Member shall be an expert fulfilling the eligibility criteria given in APPENDIX VI in one of the specified fields.”;
- (II) in para 12, for the words “one year”, the words “twenty four months” shall be substituted;
- (III) in the SCHEDULE,-
- (i) against item 1(a), for the entries in column 5, the following entries shall be substituted, namely:-
- “General Condition shall apply.
- Note: Mineral prospecting is exempted provided the concession areas have got previous clearance for physical survey.”;
- (ii) against item 1(b), for the entries in column 5, the following entries shall be substituted, namely:-
- “Note: Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey.”;
- (iii) against item 7(f),-
- (a) in column (3), for the entries, the following entries shall be substituted, namely:-
- “i) New National Highways; and
- ii) Expansion of National Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.”;
- (b) in column (4), for the entries, the following entries shall be substituted, namely:-
- “i) New State Highways; and
- ii) Expansion of State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.”;
- (IV) in APPENDIX VI,-
- (i) for para 2, the following para shall be substituted, namely:-

“2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields or disciplines. In the event that persons fulfilling the criteria of “Experts” are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality:** Experts in measurement, monitoring, analysis and interpretation of data in relation to environmental quality.
- **Sectoral Project Management:** Experts in Project Management or Management of Process or Operations or Facilities in the relevant sectors.
- **Environmental Impact Assessment Process:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management Plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process.
- **Risk Assessment**
- **Life Science (Floral and Faunal Management)**
- **Forestry and Wildlife**
- **Environmental Economics with experience in project appraisal**
- **Public Administration or Management”;**

(ii) para 4 shall be omitted.

[F. No. J-11013/69/2006-IA. II(I)]

R. ANANDAKUMAR, Scientist 'G'

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2002]

नई दिल्ली, मंगलवार, दिसम्बर 1, 2009/अग्रहायण 10, 1931

No. 2002]

NEW DELHI, TUESDAY, NOVEMBER 1, 2009/AGRAHAYANA 10, 1931

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 1 दिसम्बर, 2009

का.आ. 3067(अ).—पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) में दी गई शक्तियों का प्रयोग करते हुए, पर्यावरण समाधात निर्धारण अधिसूचना, 2006 में कतिपय संशोधन करने वाली एक प्रारूप अधिसूचना जो का.आ. 1533(अ), तारीख 14 सितम्बर, 2006 द्वारा जारी की गई थी, जो पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के अधीन का.आ. 195(अ), तारीख 19 जनवरी, 2009 द्वारा प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों के जिसके उससे प्रभावित होने की संभावना है, राजपत्र में उक्त अधिसूचना के प्रकाशन की तारीख से 60 दिन के भीतर आक्षेप और सुझाव मांगे गए थे;

और उपरोक्त उल्लिखित प्रारूप अधिसूचना के उत्तर में सभी आक्षेप और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ परित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में,—

(1) पैरा 3 के उप-पैरा (7) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(7) एसईआईएए के सभी विनिश्चय बैठक में बहुमत द्वारा लिए जाएंगे :—

परंतु बहुमत द्वारा लिए गए विनिश्चय की दशा में इसके प्रति या इसके विरुद्ध विचार के ब्यौरे कार्यवृत्त में स्पष्ट रूप से अधिलिखित किए जाएंगे और इसकी एक प्रति पर्यावरण और वन मंत्रालय को भेजी जाएंगी।”;

(II) पैरा 4 के उप-पैरा (iii) में, “एसईआईएए सम्बन्धी रूप से गठित एसईआईएए या एसईएसी की अनुपस्थिति में कोई प्रवर्ग ‘ख’ परियोजना प्रवर्ग ‘क’ परियोजना समझी जाएगी” शब्दों और अक्षरों के स्थान पर, “सम्बन्धी रूप से गठित एसईआईएए या एसईएसी के अभाव में, किसी प्रवर्ग

‘ख’ परियोजना केन्द्रीय स्तर पर प्रवर्ग ‘ख’ परियोजना समझी जाएगी” शब्द और अक्षर रखे जाएंगे ;

(III) पैरा 7(i) में लोक परामर्श से संबंधित प्रक्रम (3) के उपपैरा (iii) के खंड (i) में,—

(i) मद (ग) के पश्चात् निम्नलिखित मद अंतःस्थापित की जाएगी, अर्थात् :—

“(ग) तलकर्षण अनुरक्षण परन्तु तलकर्षित सामग्री का निपटान पत्तन सीमाओं के भीतर किया जाएगा”;

(ii) मद (घ) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात् :—

“(घ) सभी भवन या संनिर्माण परियोजनाएं या क्षेत्र विकास परियोजनाएं (जिसके अंतर्गत कोई प्रवर्ग ‘क’ परियोजनाएं या क्रियाकलाप नहीं हैं) और नगरीय परियोजनाएं (अधिसूचना की अनुसूची के मद 8(क) और 8(ख) में)”;

(IV) पश्च पर्यावरणीय अनापत्ति को मानीटर करने से संबंधित पैरा 10 में,—

(क) विद्यमान उपपैरा (i) को उपपैरा (ii) के रूप में पुनःसंख्यांकित किया जाएगा और इस प्रकार पुनःसंख्यांकित उपपैरा (ii) के पूर्व निम्नलिखित उपपैरा अंतःस्थापित किया जाएगा, अर्थात् :—

“(i) (क) प्रवर्ग ‘क’ परियोजनाओं के संबंध में, परियोजना प्रस्तावक के लिए यह आज्ञापक होगा कि वह पर्यावरणीय शर्तों और रक्षोपाय सहित अपनी परियोजना के लिए अनुदत्त पर्यावरणीय अनापत्ति को अपने खंड पर उस जिले या राज्य के, जहां परियोजना अवस्थित है कम से कम दो स्थानीय समाचारपत्रों में विज्ञापित करके सार्वजनिक करें। इसके अतिरिक्त, परियोजना का प्रस्तावक की वेबसाइट में परियोजना को स्थायी रूप से दर्शित किया जाएगा। (ख) प्रवर्ग ‘ख’ परियोजनाओं के संबंध में, पर्यावरण और वन मंत्रालय/एसईआईए के अनापत्तियों को विचार में लाए विना परियोजना प्रस्तावक समाचारपत्रों में यह दर्शित करते हुए कि परियोजना की पर्यावरण अनापत्ति प्राप्त कर ली गई है और उसके ब्यौरे पर्यावरण और वन मंत्रालय की वेबसाइट पर जहां वह प्रदर्शित हैं प्रमुखता से विज्ञापित कराएगा। (ग) पर्यावरण और वन मंत्रालय तथा राज्य या संघ राज्यक्षेत्र स्तर का पर्यावरण समाधान निर्धारण प्राधिकरण भी पर्यावरणीय अनापत्ति को सरकारी पोर्टल पर लोक क्षेत्र में रखेगा। (घ) परियोजना प्रस्तावकों द्वारा प्रस्तुत पर्यावरणीय अनापत्ति की प्रतियां स्थानीय निकायों, पंचायतों और नगरपालिका निकायों के प्रधानों को भी प्रस्तुत की जाएगी। इसके अतिरिक्त, सरकार के सुसंगत कार्यालय में प्राप्ति की तारीख से 30 दिन के भीतर उसे दर्शित करेगा”;

(ख) विद्यमान उपपैरा (ii) को उपपैरा (iii) के रूप में पुनःसंख्यांकित किया जाएगा ।

(V) अनुसूची में,-

(i) मद 1(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :—

(1)	(2)	(3)	(4)	(5)
“1(क)	<p>(i) खनिजों का खनन ।</p> <p>गैर कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का ≥ 50 है ।</p> <p>कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का >150 है ।</p> <p>खनन क्षेत्र पर ध्यान दिए बना एसवेस्टोज खनन ।</p> <p>सभी परियोजनाएं ।</p>	<p>गैर कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र <50 हैक्टेयर</p> <p>खनन पट्टा क्षेत्र का ≥ 5 हैक्टेयर</p> <p>कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का ≤ 150 हैक्टेयर ≥ 5 है ।</p>	<p>गैर कोयला खान पट्टे के संबंध में होगी ।</p> <p>टिप्पण : खनिज पूर्वक्षण को छूट दी जाती है ।</p>	<p>साधारण शर्त लागू</p>

(ii) मद 1(ग) के सामने स्तंभ (5) की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“साधारण शर्त लागू होगी ।

टिप्पण : जल मण्डता या अंतर्राजिक क्षेत्र वाली सिंचाई परियोजना अंतर्वलित नहीं है को एसईआईए द्वारा प्रवर्ग 'ख' परियोजनाओं के रूप में निर्धारित किया जाएगा ।'

(iii) मद 1(घ) के सामने,-

(क) स्तंभ (3) में प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“ ≥ 500 मेगावाट (कोयला/लिग्नाइट/नेपथ्य गैस आधारित) ;

≥ 50 मेगावाट (पेट कोक, डीजल और बायोमास के सिवाय परिशोधन संयंत्रों के सभी अपशिष्ट तेल के रूप में सभी अन्य ईंधन) ;

≥ 20 मेगावाट (ईंधन के रूप में बायोमास या गैर परिसंकटमय नगरपालिका ठोस अपशिष्ट पर आधारित) ;

(ख) स्तंभ (4) में, प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“ <500 मेगावाट (कोयला लिग्नाइट/नेपथ्य और गैस आधारित) ;

< 50 मेगावाट ≥ 5 मेगावाट (पेट कोक, डीजल और सभी अन्य ईंधन बायोमास के सिवाय परिशोधन संयंत्रों के सभी अपशिष्ट तेल के रूप में सभी अन्य ईंधन) ।’;

(ग) स्तंभ (5) में, प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“साधारण शर्त लागू होगी ।

टिप्पण :

(i) बायोमास और अतिरिक्त ईंधन जैसे कोयला/लिग्नाइट/ पेट्रोलियम उत्पाद जैसे ईंधन पर आधारित 15 मेगावाट तक के विद्युत संयंत्रों में 15% तक छूट प्राप्त है ।

(ii) गैर परिसंकटमय नगरपालिक अपशिष्ट और अतिरिक्त ईंधन जैसे कोयला/लिग्नाइट/ पेट्रोलियम उत्पाद ईंधन पर आधारित 15 मेगावाट तक विद्युत संयंत्र में 15% तक छूट प्राप्त हैं ।

(iii) किसी अतिरिक्त ईंधन के बिना अपशिष्ट ऊष्मा बायलर का उपयोग करने वाले विद्युत संयंत्र छूट प्राप्त हैं ।’;

[भाग II—खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

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(iv) मद 3(क) के सामने, स्तंभ (5) में प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“साधारण शर्त लागू होगी ।

टिप्पणि :

- (i) एचएसएम नियमों के अधीन आने वाली पुनःचक्रण औद्योगिक यूनिटें जिनके लिए रजिस्ट्रीकरण अपेक्षित हैं छूट प्राप्त हैं ।
- (ii) गौण धातुकर्म प्रसंस्करण औद्योगिक इकाईयों की दशा में केवल वे परियोजनाएं जिनमें भट्टियों का प्रचालन अंतर्वलित है जैसे कि प्रेरण और विद्युत आर्क भट्टी, सबमर्ज आर्क भट्टी और 30,000 टन प्रति वार्षिक उष्मता क्षमता वाली गुम्बदी भट्टी को पर्यावरणीय अनापत्ति अपेक्षित होगी ।
- (iii) नगरपालिक ठोस अपशिष्ट (अपरिसंकटमय) पर आधारित विद्युत संयंत्र से भिन्न (अनुसूची की प्रविष्टि सं. 1(घ) के सामने दिया गया है) संयंत्र/इकाईयां छूट प्राप्त हैं ।
- (v) मद 4(ख) के सामने, स्तंभ (5) में प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएंगी, अर्थात् :—

“साधारण शर्तें लागू होंगी ।”;

(vi) मद 4(घ) के सामने,-

(क) स्तंभ (4) में प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

- “(i) आकार पर ध्यान दिए बिना, सभी परियोजनाएं, यदि वे अधिसूचित औद्योगिक क्षेत्र/संपदा में अवस्थित हैं ।
- (ii) <300 (टन प्रतिदिन) और अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित ।”;
- (ख) स्तंभ (5) में, प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएंगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

किसी नए मरकरी सेल आधारित संयंत्र की अनुज्ञा नहीं दी जाएगी । मेंबरेन सेल प्रौद्योगिकी की संपरिवर्तित विद्यमान इकाई को अधिसूचना से छूट प्राप्त है ।”;

(vii) मद 4(च) के सामने स्तंभ (5) में विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

(viii) मद 5(क) के सामने,-

(क) स्तंभ (3) में, विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“एकल सुपर फास्फेट को छोड़कर सभी परियोजनाएं ।”;

(ख) स्तंभ (4) में, प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“एकल सुपर फास्फेट ।”;

(ix) मद 5(ड) के सामने स्तंभ (5) में विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण के साथ विनिर्दिष्ट शर्तें लागू होंगी ।”;

(x) मद 5(च) के सामने, स्तंभ (5) में विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

(xi) मद 5(ट) और उससे संबंधित प्रविष्टियों का लोप किया जाएगा ;

(xii) मद 7(क) के सामने,-

(क) स्तंभ (3) में, विद्यमान प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“सभी परियोजनाएं, जिनके अंतर्गत ऐसी वायु पटिटियां भी हैं जो वाणिज्यिक उपयोग के लिए हैं ।”;

(ख) स्तंभ (5) में, प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“टिप्पण :

ऐसी वायु पटिटयां जिनमें बंकर/पुनःईंधन भरण सुविधा सम्मिलित नहीं है और/या वायुमार्ग यातायात नियंत्रण छूट प्राप्त हैं।

(xiii) मद 7(ग) के सामने, स्तंभ (5) में प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी।

टिप्पण :

1. 500 हेक्टेएर से कम क्षेत्र वाली औद्योगिक संपदा जिसमें प्रवर्ग क या प्रवर्ग ख का कोई उद्योग स्थित नहीं है को अनापत्ति अपेक्षित नहीं है।
2. यदि क्षेत्र 500 हेक्टेएर से कम है किन्तु उसमें $>20,000$ वर्गमीटर के भवन और संनिर्माण परियोजनाएं और/या 50 हेक्टेएर से अधिक विकास क्षेत्र अंतर्विष्ट हैं तो उसे यथास्थिति अनुसूची में क्रम सं 8(क) या 8(ख) में सूचीबद्ध कार्यकलाप माना जाएगा।”

(xiv) मद 7(ड) के सामने,-

(क) स्तंभ (2) में, प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“पत्तन, बंदरगाह, तरंग रोध, तलकर्षण।”;

(ख) स्तंभ (5) में, प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी अर्थात् :—

“साधारण शर्त लागू होगी।

टिप्पण :

1. पत्तन या बंदरगाह और जलान्तराल के अंदर और बाहर मुख्य झमाई शामिल हैं।”

2. डामाई अनुरक्षण को छूट प्राप्त है परंतु यह उस मूल प्रस्ताव का भाग हो जिसके लिए पर्यावरण प्रबंधन योजना (ईएमपी) तैयार की गई थी और पर्यावरणीय अनापत्ति प्राप्त की गई थी।

(xv) मद 7 (च) के सामने,

(क) स्तंभ (4) की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी की जाएगी, अर्थात् :—

(i) सभी राज्य राजमार्ग परियोजनाएं ; और

(ii) पहाड़ी धरती में राज्य राजमार्ग विस्तार परियोजनाएं (1,000 मी. एम.एस.एल से ऊपर) और/या पारिस्थितिकी संवेदनशील क्षेत्र।”;

(ख) स्तंभ (5) में विद्यमान प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण शर्तें लागू होगी ।

टिप्पण :

राजमार्ग में एक्सप्रेस मार्ग सम्मिलित हैं ।”;

(xvi) मद संख्या 7 (छ) के सामने —

(क) स्तंभ (3), में प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“(i) 1000 फीटर और इससे ऊपर की ऊंचाई पर स्थित सभी परियोजनाएं;

(ii) अधिसूचित पारिस्थितिक क्षेत्रों में स्थित सभी परियोजना ।”;

(ख) स्तंभ (4) में प्रविष्टि के स्थान निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“स्तंभ (3), में आने वाली परियोजनाओं के सिवाय सभी परियोजनाएं ।”;

(xvii) अनुसूची के पश्चात् टिप्पण में साधारण शर्त (सा. श.) से संबंधित उपशीर्षक के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“साधारण शर्त (सा.श.) :

प्रवर्ग ‘ख’ में विनिर्दिष्ट कोई परियोजना या क्रियाकलाप प्रवर्ग ‘क’ के रूप में समझा जाएगा यदि वह : (i) वन्य जीव (संरक्षण) अधिनियम, 1972 के अधीन संरक्षित क्षेत्र अधिसूचित है; (ii) समय-समय पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथा पहचान किए गए गंभीर रूप से प्रदूषित क्षेत्र है ; (iii) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 के अधीन यथा अधिसूचित पारिस्थितिकी संवेदनशील क्षेत्र जैसे महाबलेश्वर, पंचगनी, मध्येरन, पंचमढ़ी दहानू, दून घाटी, आदि और (iv) अंतर्राज्यिक सीमाओं और अंतरराष्ट्रीय सीमाओं से 10 कि.मी. के भीतर पूर्ण रूप से या आंशिक रूप से अवस्थित हैं :

परंतु यदि उपरोक्त मद (i), मद (ii) और मद (iii) में उल्लिखित क्षेत्रों में 10 किमी के अंतर्गत के क्रियाकलाप नहीं आते हैं, अंतरराज्यीय सीमाओं की 10 कि.मी. की दूरी से संबंधित

अपेक्षा को, एक ही सीमा के संबद्ध राज्यों या संघ राज्यक्षेत्रों के बीच करार द्वारा कम किया जा सकता है या भूरी तरह से हटाया जा सकता है।

(VIII) परिशिष्ट 1 के प्ररूप 1 में, --

(क) आधारभूत जानकारी से संबंधित मद (I) के स्थान पर निम्नलिखित रखा जाएगा,
अर्थात् :--

“(I) आधारभूत जानकारी

क्रम संख्या	मद	बौरे
1.	परियोजना/परियोजनाओं का नाम	
2.	अनुसूची में क्रम संख्या	
3.	प्रस्तावित क्षमता/क्षेत्र/लंबाई /उपयोग किए जाने वाले टन/समादेश क्षेत्र/पट्टाक्षेत्र/निष्कर्षी कुओं की संख्या	
4.	नया/विस्तार/अधुनिकीकरण	
5.	विद्यमान क्षमता/क्षेत्र आदि	
6.	परियोजना का प्रवर्ग अर्थात् ‘क’ या ‘ख’	
7.	क्या इसे साधारण शर्त लागू होती है ? यदि हां, तो कृपया विनिर्दिष्ट करें।	
8.	क्या इसे विनिर्दिष्ट शर्त लागू होती है ? यदि हां, तो कृपया विनिर्दिष्ट करें।	
9.	स्थान प्लाट/सर्वे/ खसरा सं० ग्राम तहसील जिला राज्य	
10.	किलोमीटर में दूरी के साथ समीपस्थ रेलवे स्टेशन/ वायुपत्तन	
11.	किलोमीटर में दूरी के साथ निकटतम शहर, नगर, जिला मुख्यालय	
12.	ग्राम पंचायत, जिला परिषद्, नगरपालिक निगम, स्थानीय निकाय (टेलीफोन न. के साथ पूर्णकालिक पता दें)	
13.	आवेदक का नाम	

14.	रजिस्ट्रीकृत पता	
15.	पत्राचार का पता नाम पदनाम (स्वामी/भागीदार/सीई ओ) पता पिन कोड ई मेल दूरभाष सं. फैक्स सं०	
16.	जांच की गई अनुकूली स्थल, यदि कोई हो, के ब्यौरे। इन स्थलों की अस्थिति टापशीट पर दर्शाई जाए।	ग्राम-जिला-राज्य 1. 2. 3.
17.	जुड़ी परियोजनाएं	
18.	क्या जुड़ी परियोजना के लिए पृथक आवेदन किया गया है।	
19.	यदि हां, प्रस्तुतीकरण की तारीख	
20.	यदि नहीं, कारण	
21.	क्या प्रस्ताव के लिए : (क) वन (संरक्षण) अधिनियम, 1980 (ख) वन्य जीव (संरक्षण) अधिनियम, 1972 (ग) री.आर.जे.ड अधिसूचना, 1991 के अधीन अनुमोदन/अनापत्ति की आवश्यकता है : यदि हां तो, उनके ब्यौरे या उनकी प्रास्थिति दीजिए।	
22.	क्या स्थल से सुसंगत/संबद्ध कोई सरकारी आदेश/नीति है	
23.	अंतर्वलित वन भूमि (हैक्टेयर)	
24.	क्या परियोजना और/या भूमि जिसमें परियोजना का स्थापित किया जाना प्रस्तावित है के विरुद्ध कोई वाद लंबित है (क) न्यायालय का नाम (ख) वाद संख्या (ग) न्यायालय का आदेश/निदेश, यदि कोई है और प्रस्तावित परियोजना के लिए इसका महत्व	

(ख) अंत में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :-

“मैं यह बचन देता हूँ कि आवेदन और संलग्नकों में दिए गए आंकड़े और सूचना मेरे सर्वोत्तम ज्ञान और विश्वास में सही है और मुझे यह जानकारी है कि यदि प्रस्तुत आंकड़े और सूचना का कोई भाग किसी प्रक्रम पर असत्य या भ्रामक पाया जाता है तो परियोजना को अस्वीकार कर दिया जाएगा और परियोजना को दी गई अनापत्ति, यदि कोई है, हमारे जोखिम और लागत पर प्रतिसंहृत की जाएगी।

तारीख :

स्थान :

आवेदक का हस्ताक्षर
नाम और पूरा पता
(परियोजना प्रस्तावक/ प्राधिकृत हस्ताक्षरकर्ता)

टिप्पण :

1. तटीय विनियमन जोन अधिसूचना, 1991 के अधीन अनापत्ति वाली परियोजनाएं आवेदन के साथ परियोजना क्रिया कलाप, डब्लू आर टी, सी आर जैड (टी.ओ.आर.की अवस्था में) दर्शाते हुए एक प्राधिकृत अभिकरण द्वारा सम्यक रूप से रेखांकित सी आर जैड नक्शा और राज्य तटीय जोन प्रबंध प्राधिकरण (ई.सी. की अवस्था में) की सिफारिशों प्रस्तुत करेंगी। सी आर जैड में की जाने वाली क्रियाकलापों के लिए सी आर जैड अधिसूचना, 1991 के उपबंधों के अधीन अपेक्षित अनापत्ति अभिप्राप्त करने के लिए भी साथ साथ कारवाई की जाएगी।
2. राष्ट्रीय उद्यान अभ्यारण्य, जीव मंडल आरक्षित क्षेत्र वन्य पशुओं के प्रवासी कारीडोर की 10कि.मी. के भीतर स्थापित की जाने वाली परियोजनाओं के संबंध में परियोजना प्रस्तावक इन लक्षणों के साथ साथ परियोजना अवस्थिति दर्शाते हुए मुख्य वन प्राणी वार्डन द्वारा सम्यक रूप से अधिप्रमाणित नक्शा और उस पर मुख्य वन प्राणी वार्डन की सिफारिशों या टिप्पणियां प्रस्तुत करेगा।”;
3. टी.ओ.आर/पर्यावरणीय अनापत्ति के लिए आवेदन, पश्चात स्पष्टीकरण के प्रस्तुति करने सहित पर्यावरण और वन मन्त्रालय के साथ सभी पत्राचार समय-समय पर अपेक्षित हैं, परियोजना प्रस्तावक के निमित्त ई.ए.सी. में भागीदारी केवल प्राधिकृत हस्ताक्षरधारी द्वारा की जाएगी। प्राधिकृत हस्ताक्षरी, विनिर्दिष्ट परियोजना के लिए परियोजना के लिए प्राधिकृत हस्ताक्षरी के अपने दावे के समर्थन में दस्तावेज प्रस्तुत करेगा।”

(ix) परिशिष्ट 4 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :---

“परिशिष्ट 4
(पैरा 7 देखिए)

लोक सुनवाई को संचालित करने के लिए प्रक्रिया

1.0 लोक सुनवाई की, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा परियोजना स्थल (स्थलों) में या उसके निकटस्थ परिसर में जिला वार एक प्रणालीबद्ध समयबद्ध या पारदर्शी रीति में अधिकतम संभव लोक भागीदारी को सुनिश्चित करते हुए व्यवस्था की जाएगी ।

2.0 प्रक्रिया :

2.1 आवेदक, उस राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य सचिव को, जिसकी अधिकारिता में परियोजना अवस्थित है, विहित कानूनी अवधि के भीतर लोक सुनवाई की व्यवस्था करने के लिए एक सादा पत्र के माध्यम से अनुरोध करेगा । यदि परियोजना स्थल एक से अधिक जिले या राज्य या संघ राज्यक्षेत्र के अंतर्गत आता है तो प्रत्येक जिला, राज्य या संघ राज्यक्षेत्र में जिसमें परियोजना स्थित है, लोक सुनवाई आज्ञापक है और आवेदक, इस प्रक्रिया के अनुसार लोक सुनवाई करने के लिए प्रत्येक संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण समिति को पृथक अनुरोध करेगा ।

2.2 आवेदक, अनुरोध पत्र के साथ प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की कम से कम दस मुद्रित प्रतियां और उसी के बाबर इलैक्ट्रॉनिक प्रतियां, परिशिष्ट 3 में दी गई सामान्य संरचना सहित (जिसके अंतर्गत विस्तार/प्रक्रम 2) के पश्चात् संसूचित किए गए सौंपे गए कृत्यों के अनुसार निर्बाध रूप से अंग्रेजी और राज्य की राजभाषा/स्थानीय भाषा में तैयार की गई संक्षिप्त पर्यावरणीय समाधात निर्धारण रिपोर्ट सम्मिलित है) संलग्न की जाएगी । इसके साथ-साथ आवेदक संक्षिप्त पर्यावरणीय समाधात निर्धारण रिपोर्ट के साथ ऊपर प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की हार्ड प्रति और एक सॉफ्ट प्रति पर्यावरण और वन मंत्रालय तथा निम्नलिखित प्राधिकारियों या कार्यालयों को जिनकी अधिकारिता में परियोजना अवस्थित होगी, अग्रेषित करने की व्यवस्था करेगा :

- (क) जिला मणिस्ट्रेट/ जिला कलक्टर/उपायुक्त
- (ख) जिला परिषद या नगर निगम या पंचायत संघ
- (ग) जिला उद्योग कार्यालय
- (घ) शहरी स्थानीय निकाय /संबद्ध पी आर आई/विकास प्राधिकरण
- (ङ) पर्यावरण और वन मंत्रालय का संबंधित प्रादेशिक कार्यालय

2.3 ऊपर उल्लिखित प्राधिकारी, पर्यावरण और वन मंत्रालय के क्षेत्रीय कार्यालय के सिवाय, प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की प्राप्ति पर अपनी अधिकारिता के भीतर उसमें हितबद्ध व्यक्तियों से संबंधित विनियामक प्राधिकरणों को अपनी टीका-टिप्पणियां भेजने का अनुरोध करते हुए, विस्तृत प्रचार करने की व्यवस्था करेंगे । वे लोक सुनवाई होने तक सामान्य कार्यालय घंटों के

दौरान जनता को इलैक्ट्रॉनिक रूप से या अन्यथा निरीक्षण करने के लिए प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट भी उपलब्ध कराएंगे ।

2.4 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति भी राज्य/संघ राज्यक्षेत्र के भीतर परियोजना की बाबत प्रचार करने के लिए उसी प्रकार की व्यवस्था करेगी और चयनित कार्यालयों या लोक पुस्तकालयों या किसी अन्य उपयुक्त स्थानों आदि में निरीक्षण के लिए प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट (परिशिष्ट 3क) का संक्षिप्त सार उपलब्ध कराएगी । वे जैसा पैरा 2.2 में वर्णित है, उपर्युक्त पांच प्राधिकारियों/कार्यालयों, को अतिरिक्त रूप प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की एक प्रति से भी उपलब्ध कराएंगे ।

3.0 लोक सुनवाई की सूचना

3.1 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति का सदस्य सचिव परियोजना प्रस्तावक प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट की प्राप्ति की तारीख से सात दिनों के भीतर लोक सुनवाई संचालित करने के लिए तारीख, समय और निश्चित स्थान को अंतिम रूप देगा और उसको मुख्य राष्ट्रीय दैनिक में और एक प्रादेशिक भाषा /राज्य की राजभाषा के दैनिक समाचारपत्र में विज्ञापित करेगा । जनता को अपनी प्रतिक्रियाएं देने के लिए कम कम तीस दिनों की सूचना उपलब्ध कराई जाएगी ।

3.2 विज्ञापन, जनता को उन स्थानों या कार्यालयों की बाबत भी सूचित करेगा जहां प्रारूप पर्यावरणीय समाधात निर्धारण रिपोर्ट और पर्यावरणीय समाधात निर्धारण रिपोर्ट के संक्षिप्त सार तक सुनवाई से पूर्व जनता की पहुंच हो सके । ऐसे स्थानों को जहाँ समाचार पत्र नहीं पहुंचते हैं, वहां सक्षम प्राधिकारी को ढोल बजाकर और रेडियो/टेलीविजन पर विज्ञापन /घोषणा द्वारा जैसे अन्य माध्यमों से जनता को आम जानकारी उपलब्ध कराने की व्यवस्था करनी चाहिए ।

3.3 लोक सुनवाई की तारीख, समय और स्थान को तब तक आस्थगित नहीं किया जाएगा जब तक कोई अवांछित आपात स्थिति न आ जाए और केवल संबंधित जिला मजिस्ट्रेट/ जिला कलक्टर/ जिला उपायुक्त की सिफारिश पर किया आस्थगन को उन्हीं राष्ट्रीय और प्रादेशिक भाषा के समाचार पत्रों के माध्यम से अधिसूचित किया जाएगा तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा पहचान किए सभी कार्यालयों में मुख्य रूप से प्रदर्शित भी किया जाएगा ।

3.4 ऊपर आपवादिक परिस्थितियों में, केवल जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त के परामर्श से संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य - सचिव लोक परामर्श के लिए नई तारीख, समय और स्थान का विनिश्चय किया जाएगा और ऊपर 3.1 के अधीन प्रक्रिया के अनुसार नए सिरे से अधिसूचित किया जाएगा ।

4.0 पर्यवेक्षण और सुनवाई का पीठासीन अधिकारी

जिला मजिस्ट्रेट/जिला कलक्टर/उपायुक्त या किसी अपर जिला मजिस्ट्रेट से अन्यून की पंक्ति का उसका प्रतिनिधि, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि की सहायता से सम्पूर्ण लोक सुनवाई प्रक्रिया का पर्यवेक्षण करेगा और उसकी अध्यक्षता करेगा।

5.0 वीडियोग्राफी

राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, समस्त कार्यवाहियों की वीडियो फिल्म तैयार करने की व्यवस्था करेगी। संबंधित विनियामक प्राधिकरण को इसे अग्रेषित करते समय विडियो टेप की एक प्रति या एक सीडी लोक सुनवाई कार्रवाईयों के साथ संलग्न की जाएगी।

6.0 कार्यवाहियां

6.1 उन सभी व्यक्तियों की उपस्थिति को जो स्थल पर विद्यमान हैं, अंतिम कार्यवाहियों के साथ संलग्न किया जाएगा।

6.2 कार्यवाहियों को आरंभ करने के लिए उपस्थिति के लिए कोई गणपूर्ति अपेक्षित नहीं होगी।

6.3 आवेदक का कोई प्रतिनिधि, परियोजना और पर्यावरणीय समाधात निर्धारण रिपोर्ट के संक्षिप्त सार की प्रस्तुति के साथ कार्यवाहियां आरंभ करेगा।

6.4 स्थल पर उपस्थित व्यक्तियों को, आवेदक से परियोजना पर सूचना या स्पष्टीकरण मांगने का अवसर दिया जाएगा। लोक सुनवाई कार्यवाहियों का संक्षिप्त सार ठीक रूप से प्रदर्शित करते हुए अभिव्यक्त सभी विचारों और अभिव्यक्त विंताओं को राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि द्वारा अभिलिखित किया जाएगा और प्रांतीय भाषा में अंतर्वस्तुओं को स्पष्ट करते हुए कार्यवाहियों के अंत में श्रोताओं को स्थानीय/देशी भाषा में पढ़कर सुनाया जाएगा तथा करार पाए गए कार्यवृत्त पर उसी दिन जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त या उसके प्रतिनिधि द्वारा हस्ताक्षर किए जाएंगे तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड / संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति को अग्रेषित किया जाएगा।

6.5 जनता द्वारा उठाए गए मुद्दों का एक विवरण और आवेदक की टीका-टिप्पणियों को भी, यथास्थिति, स्थानीय भाषा या राज्य की राजभाषा में और अंग्रेजी भाषा में तैयार किया जाएगा तथा कार्यवाहियों के साथ संलग्न किया जाएगा।

6.6 लोक सुनवाई की कार्यवाहियों को उस पंचायत घर के कार्यालय पर, जिसकी अधिकारिता में परियोजना अवस्थित है, संबंधित जिला परिषद्, जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त और राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के कार्यालय में सहजदृश्य रूप से प्रदर्शित किया जाएगा। राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति

साधारण जानकारी के लिए अपने वेबसाइट पर कार्यवाहियों को प्रदर्शि भी करेगी । कार्यवाहियों पर टीका-टिप्पणियों को, यदि कोई हों, संबंधित विनियामक प्राधिकरणों और संबंधित आवेदक को प्रत्यक्षतः भेजी जा सकेगी ।

7.0 लोक सुनवाई को पूरा करने के लिए कालावधि

7.1 लोक सुनवाई आवेदक से अनुरोध पत्र की प्राप्ति की तारीख से पैंतालीस दिन की अवधि के भीतर पूरी की जाएगी । इसके पश्चात् संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति लोक सुनवाई के पूरा होने के आठ दिनों के भीतर संबंधित विनियामक प्राधिकरण को लोक सुनवाई की कार्यवाहियों को भेजेगी । उसी तरह एक प्रति परियोजना प्रस्तावक को भी भेजी जाएगी । आवेदक, उन समुद्धानों को संबोधित करते हुए कार्रवाई योजना और वित्तीय आबंटन मद-वाद के साथ लोक सुनवाई में व्यक्त चिंताओं को सम्मिलित करते हुए लोक सुनवाई और लोक परामर्श के पश्चात् तैयार की गई अंतिम पर्यावरणीय समाधात रिपोर्ट या प्रारूप पर्यावरण समाधात निर्धारण रिपोर्ट पर अनुपूरक रिपोर्ट की प्रति के साथ संबंधित विनियामक प्राधिकरण की, अनुमोदित लोक सुनवाई कार्यवाहियों की एक प्रति प्रत्यक्षतः भी अग्रेषित करेगा ।

7.2 यदि राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, नियत पैंतालीस दिनों के भीतर लोक सुनवाई करने में असफल रहती है तो केन्द्रीय सरकार, पर्यावरण और वन मंत्रालय, प्रवर्ग 'क' परियोजना या क्रियाकलाप के लिए और प्रवर्ग ख परियोजना या क्रियाकलाप के लिए और राज्य सरकार या संघ राज्यक्षेत्र प्रशासन, राज्य पर्यावरणीय समाधात निर्धारण प्राधिकरण के अनुरोध पर, किसी अन्य अभिकरण या प्राधिकरण को इस अधिसूचना में अधिकथित प्रक्रिया के अनुसार प्रक्रिया को पूरा करने के लिए नियोजित करेगी ।

VIII परिशिष्ट 5 के पैरा 3 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“3. जहां कोई लोक परामर्श आज्ञापक नहीं है वहां आकलन अनुसूची की मद 8 के अलावा सभी परियोजनाओं और क्रियाकलापों की दशा में विहित आवेदन प्ररूप 1 और ईआईए रिपोर्ट के आधार पर किया जाएगा । अनुसूची की मद 8 की दशा में इसके विलक्षण परियोजना चक्र को ध्यान में रखते हुए संबद्ध पर्यावरणीय निर्धारण समिति या राज्य पर्यावरणीय निर्धारण समिति प्ररूप 1 प्ररूप - 1क और धारणा योजना के आधार पर सभी प्रवर्ग ख परियोजनाओं या क्रियाकलापों का आकलन करेंगी और परियोजना के लिए पर्यावरणीय अनापत्ति देने या अन्यथा के अनुमोदन के बारे में सिफारिश करेंगी और पर्यावरणीय अनापत्ति के लिए शर्तों का भी अनुबंध करेंगी ।

[सं. जे-11013/56/2004-1 ए. II(1)]

जी. के. पाण्डेय, सलाहकार

टिप्पणि : मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और उनको का.आ. 1737 (अ) तारीख 11 अक्टूबर, 2007 द्वारा संशोधित किया गया ।

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 1st December, 2009

S.O. 3067(E).— Whereas, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment notification, 2006 issued vide no. S.O. 1533 (E), dated the 14th September, 2006, was published under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, vide number S.O. 195 (E), dated the 19th January, 2009, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of 60 days from the date of publication of the said notification in the Gazette of India;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, -

I in para 3, for sub-para (7), the following shall be substituted, namely:—

“(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and a copy thereof sent to MoEF.”

II in para 4, in sub-para (iii), for the words and letters “In the absence of a duly constituted SEIAA or SEAC, a Category ‘B’ project shall be treated as a Category ‘A’ project”, the words and letters “In the absence of a duly constituted SEIAA or SEAC, a Category ‘B’ project shall be considered at the Central Level as a Category ‘B’ project” shall be substituted.

III in para 7(i), in sub-para III relating to Stage (3) - Public Consultation, in clause (i),—

(i) after item (c), the following item shall be inserted, namely:—

“(cc) maintenance dredging provided the dredged material shall be disposed within port limits.”;

(ii) for item (d), the following item shall be substituted, namely:—

“(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification).”.

IV In para 10 relating to Post Environmental Clearance Monitoring,-

(a) the existing sub-para (i) shall be renumbered as sub-para (ii) and before sub-para (ii) as so re-numbered, the following sub-para shall be inserted namely;

“(i) (a) In respect of Category 'A' projects, it shall be mandatory for the project proponent to make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently. (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of MoEF website where it is displayed. (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Government portal. (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.”;

(b) existing sub-para (ii) shall be renumbered as sub-para (iii).

V in the Schedule,—

(i) for item 1(a) and the entries relating thereto, the following item and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
"1(a)	(i) Mining minerals. (ii) Slurry pipelines (coal, lignite and other ores) passing through national parks/ sanctuaries/ coral reefs, ecologically sensitive areas.	of ≥50 ha of mining lease area in respect of non-coal mine lease. >150 ha of mining lease area in respect of coal mine lease. Asbestos mining irrespective of mining area. All projects.	<50 ha ≥5 ha of mining lease area in respect of non-coal mine lease. ≤150 ha ≥5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply. Note: Mineral prospecting is exempted.";

(ii) against item 1(c), for the entries in column (5), the following entries shall be substituted, namely:—

"General Condition shall apply.

Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category 'B' Projects.";

(iii) against item 1(d),—

(a) in column (3), for the entries, the following entries shall be substituted, namely—

"≥ 500 MW (coal/lignite/naphtha and gas based);
≥ 50 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);

≥ 20 MW (based on biomass or non hazardous municipal solid waste as fuel).";

(b) in column (4), for the entries, the following entries shall be substituted, namely:—

"<500MW (coal/lignite/naphtha and gas based);

<50 MW ≥ 5 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);

<20MW > 15MW (based on biomass or non hazardous municipal solid waste as fuel).";

(c) in column (5), for the entries, the following entries shall be substituted, namely:—

"General Condition shall apply.

Note:

- (i) Power plants up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (ii) Power plants up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.";

(iv) against item 3(a), in column (5), for the entries, the following entries shall be substituted, namely:—

"General condition shall apply.

Note:

- (i) The recycling industrial units registered under the HSM Rules, are exempted.
- (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electric arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.
- (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted.".

- (v) against item 4(b), in column (5), for the entry, the following entry shall be substituted, namely:—**

"General conditions shall apply.";

- (vi) against item 4(d),—**

- (a) in column (4), for the entry, the following entry shall be substituted, namely:—**

"(i) All projects irrespective of the size, if it is located in a Notified Industrial Area/Estate.
 (ii) < 300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate.";

- (b) in column (5), for the entry, the following entry shall be substituted, namely:—**

"General as well as specific conditions shall apply.

No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the notification.";

- (vii) against item 4(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—**

"General as well as specific conditions shall apply.";

- (viii) against item 5(a),—**

- (a) in column (3), for the existing entry, the following entry shall be substituted, namely:—**

"All projects except Single Super Phosphate.";

- (b) in column (4), for the entry, the following entry shall be substituted, namely:—**

"Single Super Phosphate.";

(ix) against item 5(e), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.”;

(x) against item 5(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General and specific conditions shall apply.”;

(xi) item 5(k) and the entries relating thereto shall be omitted:.

(xii) against item 7(a),—

(a) in column (3), for the entry, the following entry shall be substituted, namely:—

“All projects including airstrips, which are for commercial use.”;

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

“Note:

Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted.”;

(xiii) against item 7(c), in column (5), for the entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.

Note:

1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance.
2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be.”;

(xiv) against item 7(e),—

(a) in column (2), for the entry, the following entry shall be substituted, namely:—

“Ports, harbours, break waters, dredging.”

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

“General Condition shall apply.

Note:

1. Capital dredging inside and outside the ports or harbors and channels are included;
2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained.”;

(xv) against item 7(f),

(a) in column (4), for the entry, the following entry shall be substituted namely:—

“(i) All State Highway Projects; and
(ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas.”;

(b) in column (5) for the existing entry, the following entry shall be substituted, namely:—

“General Condition shall apply.

Note:

Highways include expressways.”;

(xvi) against item 7(g),—

(a) in column (3), for the entry, the following entry shall be substituted, namely:—

- "(i) All projects located at altitude of 1,000 mtr. and above.
 (ii) All projects located in notified ecologically sensitive areas.";

(b) in column (4), for the entry, the following entry shall be substituted, namely:—

"All projects except those covered in column (3).";

(xvii) after the Schedule, in the 'Note', for sub-heading relating to 'General Condition (GC)', the following shall be substituted, namely:—

"General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category 'A', if located in whole or in part within 10 km from the boundary of: (i) Protected areas notified under the Wildlife (Protection) Act, 1972; (ii) Critically polluted areas as identified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

VI in the Appendix I, in Form I,—

(a) for item (I) relating to the Basic Information, the following shall be substituted, namely:—

"(I) Basic Information

Serial Number	Item	Details
1.	Name of the project/s	
2.	S. No. in the schedule	

3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If yes, please specify.	
8.	Does it attract the specific condition? If yes, please specify.	
9.	Location Plot/Survey/Khasra No. Village Tehsil District State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence : Name Designation (Owner/Partner/CEO) Address Pin Code E-mail Telephone No. Fax No.	
16.	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3. ";
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	
19.	If yes, date of submission	
20.	If no, reason	

21.	Whether the proposal involves approval/clearance under: if yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z Notification, 1991 ?	
22	Whether there is any Government Order/Policy relevant/relating to the site?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up? (a) Name of the Court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

(b) the following shall be inserted at the end, namely:—

"I hereby give undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance given, if any to the project will be revoked at our risk and cost.

Date: _____
Place: _____

Signature of the applicant
With Name and Full Address
(Project Proponent / Authorised Signatory)

NOTE:

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the

- recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project.".

VII for Appendix IV, the following shall be substituted, namely:—

"APPENDIX IV
(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District-wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and **in the official language of the state/local language**, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/**District collector/Deputy commissioner/s**
- (b) Zila Parishad or Municipal Corporation **or Panchayats Union**

- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned/**Development authorities**
- (e) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in **one** major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District

Magistrate/District Collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above.

4.0 Supervision and Presiding over the Hearing:

4.1 The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the **local/vernacular language** and the agreed minutes shall be signed by the **District Magistrate/District Collector/Deputy Commissioner** or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchayats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate / **District collector / Deputy Commissioner**, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings, may be sent directly to the concerned regulatory authorities and the applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of forty five days from date of receipt of the request letter from the applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within eight days of the completion of the public hearing.

Simultaneously, a copy will also be provided to the project proponent. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns.”

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45 (forty five) days, the Central government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this Notification.”

VIII in Appendix V, for para 3, the following para shall be substituted, namely:—

“3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance.”

[No. J-11013/56/2004-IA. II(I)]

G. K. PANDEY, Advisor

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E), dated the 11th October, 2007.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (II)

PART II—Section 3—Sub-section (II)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. ५८०।

नई दिल्ली, बुधवार, अप्रैल ६, २०११/बैत्र १६, १९३३

No. ५८०।

NEW DELHI, WEDNESDAY, APRIL 6, 2011/CHAITRA 16, 1933

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, ४ अप्रैल, २०११

का.आ. ६९५(अ).—केन्द्रीय सरकार ने, पर्यावरण (संरक्षण) नियम, १९८६ के नियम ५ के उपनियम (३) के खंड (८) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, १९८६ की धारा (३) की उपधारा (१) और उपधारा (२) के खंड (V) के अधीन जारी की गई भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्याक का०आ० १५३३(अ), तारीख १४ सितंबर, २००६, द्वारा निदेश दिया था कि उसके प्रकाशन की तारीख से ही, नई परियोजनाओं या क्रियाकलापों का अपेक्षित संनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, प्रक्रिया और या प्रौद्योगिकी में परिवर्तन सहित क्षमता में परिवर्धन करते हुए भारत के किसी भाग में, यथास्थिति, केन्द्रीय सरकार से या केन्द्रीय सरकार द्वारा इसमें विनिर्दिष्ट प्रक्रिया के अनुसार उक्त अधिनियम की धारा ३ की उपधारा (३) के अधीन गठित राज्य स्तर पर्यावरण समाधान निर्धारण प्राधिकरण द्वारा केवल पूर्व पर्यावरण अनापत्ति के पश्चात् ही किया जाएगा;

और उक्त अधिसूचना में प्रयुक्त “निर्मित क्षेत्र” पद के संबंध में स्पष्टीकरण का उपबंध करने और अधिसूचना के भिन्न-भिन्न पैराओं को पारस्परिक रूप से संगत बनाने के लिए भी तथा ऐसे अनाशयित परिवर्तनों को प्रत्यावर्तित करने के लिए जो राजमार्ग परियोजना से संबंधित पर्यावरणीय समाजात निर्धारण अधिसूचना, २००६ की अनुसूची में विशेषकर मद्द संख्या ७(च) के सामने प्रविष्टि में का.आ. ३०८७(अ), तारीख १ दिसंबर, २००९ द्वारा संशोधन करते समय अधिसूचना में किए गए थे और उक्त अधिसूचना में उपयुक्त संशोधन करने के इस प्रयोजन के लिए विनिश्चय किया गया है।

और उक्त पर्यावरण (संरक्षण) नियमों का नियम ५ का उपनियम (३) का खंड (क) यह उपबंधित करता है कि जब कभी केन्द्रीय सरकार यह विधार करती है कि किसी उद्योग पर या

किसी क्षेत्र में किन्हीं प्रक्रियाओं या प्रचालन को चलाने पर, प्रतिषेध या निर्बंधन अधिरोपित करना चाहिए तो वह ऐसा करने के लिए अपने आशय की सूचना देगी;

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (4) यह उपबंधित करता है कि उपनियम (3) में किसी बात के होते हुए भी, केन्द्रीय सरकार को जब कभी यह प्रतीत होता है कि ऐसा करना लोकहित में है, वह उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अधिमुक्ति दे सकेगी;

अतः, अब, केन्द्रीय सरकार, उक्त पर्यावरण (संरक्षण) नियमों के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में,-

(I) पैरा 6 में “सभी मामलों में पर्यावरणीय अनापत्ति मांगने के लिए कोई आवेदन,” शब्दों के पश्चात् “परियोजना प्रस्तावक द्वारा” किया जाएगा।

(II) पैरा 7, के खंड (i) के उप पैरा 11 क्रम (2) विस्तारण के उप पैरा (i) के अंतिम वाक्य में “अनुसूची की मद 8 में प्रवर्ग ख के रूप में सूचीबद्ध सभी परियोजनाओं और क्रियाकलापों (संनिर्माण, नगरी/ वाणिज्यिक, काम्पलैक्स/आवासन)” के स्थान निम्नलिखित शब्द रखे जाएंगे, अर्थात्:-

“अनुसूची की मद 8(क) में प्रवर्ग ख के रूप में सूचीबद्ध सभी परियोजनाओं और क्रियाकलापों (निर्माण और संनिर्माण परियोजना)”।

(III) अनुसूची में,-

(i) मद 1(क) के सामने,-

स्तंभ (5) में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् -
“ साधारण शर्तें लागू होंगी ।

टिप्पणः

(i) ऐसे खान पट्टे के नवीकरण के प्रक्रम पर पूर्व पर्यावरणीय अनापत्ति भी अपेक्षित है जिसके लिए आवेदन, नवीकरण की तारीख से एक वर्ष पूर्व किया जाना चाहिए।

(ii) खनिज पूर्वक्षण छूट प्राप्त है ।

(ii) मद 7(च) के सामने,-

स्तंभ (4) में की प्रविष्टि के स्थान पर “(i) सभी राज्य राजमार्ग परियोजनाएं; और” के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

“(i) सभी नई राज्य राजमार्ग परियोजनाएं”।

(iii) मद 8(क) के सामने,-

स्तंभ (5) में की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

“इस अधिसूचना के प्रयोजन के लिए निर्मित क्षेत्र को “बेसमेंट (बेसमेंटों) सहित, समस्त मंजिलें एक साथ रखे जाने पर निर्मित या आच्छादित क्षेत्र और अन्य सेवा क्षेत्र जो निर्माण/संनिर्माण परियोजनाओं में प्रस्तावित किए गए हैं” के रूप में परिभाषित है।”

(IV) परिशिष्ट 5 के पैरा 3 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात्:-

“3 जहां कोई लोक परामर्श आज्ञापक नहीं है वहां आकलन, विहित आवेदन प्ररूप-1 और पर्यावरणीय समाधात निर्धारण रिपोर्ट के आधार पर अनुसूची की मद 8 से भिन्न सभी परियोजनाओं और क्रियाकलापों की दशा में किया जाएगा। अनुसूची की मद 8 की दशा में इसके विलक्षण परियोजना चक्र को ध्यान में रखते हुए संबंधित पर्यावरणीय निर्धारण समिति या राज्य पर्यावरणीय निर्धारण समिति प्ररूप-1, प्ररूप-1क, धारणा योजना और पर्यावरणीय समाधात निर्धारण रिपोर्ट [केवल 8(ख) के अधीन सूचीबद्ध परियोजनाओं के लिए अपेक्षित] के आधार पर परियोजनाओं या क्रियाकलापों का आकलन करेंगी और पर्यावरणीय अनापत्ति को प्रदान करने के संबंध में परियोजना पर या अन्यथा सिफारिशें करेंगी तथा पर्यावरणीय अनापत्ति के लिए शर्तें भी नियत करेंगी।”

[फ. सं. 3-101/2010-आईए, III]

डा. नलिनी भट्ट, वैज्ञानिक ‘जी’

टिप्पणी: मूल नियम, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं. का0आ0 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और का0आ0 1737(अ), तारीख 11 अक्टूबर, 2007 और का0आ0 सं. 3067(अ), तारीख 1 दिसंबर, 2009 द्वारा संशोधित किए गए थे।

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 4th April, 2011

S.O. 695(E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on or from the dates of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act in accordance with the procedure specified therein;

And whereas, it has been decided to provide clarification with regard to the term "built up area" used in the said Notification and also to make various paras of the Notification mutually consistent and to restore the unintentional changes, which got into the Notification while making amendment vide S.O. 3067 (E) dated 1st December, 2009, in particular the entry against item no. 7(f) in the schedule to the EIA Notification, 2006 relating to highway projects and for this purpose to issue suitable amendments in the said Notification.

And whereas, clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules provides that, whenever the Central Government considers that

prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

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

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 Environment (Protection) Act, read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, the Central Government hereby makes the following amendments in the said Notification, namely:-

In the said notification, -

(I) In para 6, for the existing words "An application seeking prior environmental clearance in all cases shall be made", the following words shall be substituted, namely:-

"An application seeking prior environmental clearance in all cases shall be made by the project proponent".

(II) In para 7, in sub-para 7 in clause (i), sub para II, stage (2) – scoping, sub para (i), in the last sentence, for the words "activities listed as Category 'B' in item 8 of the schedule (Construction / Township / Commercial Complexes / Housing)", the following words shall be substituted, namely:-

"Activities listed as Category 'B' in item 8(a) of the schedule (building and construction projects)".

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(III) In the Schedule, -

(i) against item 1(a), -

in column (5), for the entries, the following entries shall be substituted, namely:-

"General conditions shall apply.

Note:

- (i) Prior environmental clearance is as well required at the stage of renewal of mine lease for which application should be made up to one year prior to date of renewal.
- (ii) Mineral prospecting is exempted."

(ii) against item 7(f), -

in column (4), for the entry "(i) All State Highway Projects; and" the following entry shall be substituted, namely:-

"(i) All New State Highway Projects".

(iii) against item 8(a), -

in column (5), for the entry, the following entry shall be substituted, namely:-

"The built up area for the purpose of this Notification is defined as "the built up or covered area on all the floors put together including basement(s) and other service areas, which are proposed in the building / construction projects".

(IV) In Appendix V, for para 3, the following para shall be substituted, namely:-

"3. where a public consultation is not mandatory, the appraisal shall be made on the basis of prescribed application Form-1 and EIA report, in the case of all projects and activities other than item 8 of the schedule. In the case of item 8 of the schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise projects or activities on the basis of Form-1, Form-1A, conceptual plan and the EIA report [required only for projects listed under 8(b)] and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance".

[F. No. 3-101/2010-IA. III]

Dr. NALINI BHAT, Scientist 'G'

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E), dated the 11th October, 2007 and S.O. No. 3067(E) dated 1st December, 2009.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2395।

नई दिल्ली, बृहस्पतिवार, दिसम्बर 13, 2012/अग्रहायण 22, 1934

No. 2395।

NEW DELHI, THURSDAY, DECEMBER 13, 2012/AGRAHAYANA 22, 1934

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 13 दिसम्बर, 2012

का.आ. 2896(अ).—केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियम, 1996 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) के अधीन जारी की गई भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 (पर्यावरण समाधात निर्धारण अधिसूचना, 2006) द्वारा निर्देश दिया था कि उसके प्रकाशन की तारीख से ही नई परियोजनाओं या क्रियाकलापों का अपेक्षित सर्वनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, प्रक्रिया और या प्रौद्योगिकी में परिवर्तन सहित क्षमता में परिवर्धन करते हुए भारत के किसी भाग में, यथास्थिति, केन्द्रीय सरकार से या केन्द्रीय सरकार द्वारा इसमें विनिर्दिष्ट प्रक्रिया के अनुसार उक्त अधिनियम की धारा 3 की उप-धारा (3) के अधीन गठित रूप्य स्तर पर्यावरण समाधात निर्धारण प्राधिकरण द्वारा केवल पूर्व पर्यावरणीय अनापत्ति के पश्चात् ही किया जाएगा।

और उक्त अधिसूचना में अधिसूचना संख्यांक 695(अ), तारीख 4 अप्रैल, 2011 द्वारा संशोधन किया गया था जिसमें अन्य बातों के साथ-साथ ऐसे खान पट्टे के, जिसके लिए परियोजना प्रस्तावक द्वारा नवीकरण की तारीख के एक वर्ष पूर्व पर्यावरणीय अनापत्ति के लिए आवेदन किया जाना अपेक्षित है, नवीकरण के स्तर पर खनन परियोजनाओं [संदर्भ: का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा मूल अधिसूचना की अनुसूची की मद (क)] की बाबत पूर्व पर्यावरणीय अनापत्ति अभिप्राप्त करने के लिए उपबंध किया गया है।

और यह विनिश्चय किया गया है कि पर्यावरणीय अनापत्ति के लिए आवेदन प्रस्तुत करने के लिए खान पट्टे के नवीकरण की देय तारीख के एक वर्ष पूर्व की विहित कालावधि को बढ़ाकर दो वर्ष किया जाना चाहिए और ऐसे सभी खान पट्टों के लिए जो आवश्यक विधिमान्य पर्यावरणीय अनापत्ति सहित 4 अप्रैल, 2011 को क्रियाशील थे और जिनका नवीकरण 4 अप्रैल, 2011 को या उसके पश्चात् देय है, पर्यावरणीय अनापत्ति अभिप्राप्त करने के लिए का.आ. 695(अ), तारीख 4 अप्रैल, 2011 द्वारा जारी अधिसूचना की तारीख से दो वर्ष की कालावधि दिए जाने का विनिश्चय भी किया गया है।

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उप-नियम (3) का खंड (क) यह उपबंधित करता है कि जब कभी केन्द्रीय सरकार यह विचार करती है कि किसी उद्योग पर या किसी क्षेत्र में किन्हीं प्रक्रियाओं या प्रचालन को चलाने पर प्रतिषेध या निर्बन्धन अधिरोपित करना चाहिए तो वह ऐसा करने के लिए अपने आशय की सूचना देगी।

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उप-नियम (4) यह उपबंधित करता है कि उप-नियम (3) में किसी बात के होते हुए भी, केन्द्रीय सरकार को जब कभी यह प्रतीत होता है कि ऐसा करना लोकहित में है, यह उप-नियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अधिमुक्ति दे सकेगी।

अतः, अब केन्द्रीय सरकार, उक्त पर्यावरण (संरक्षण) नियमों के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची में मद 1(क) के सामने, स्तंभ (5) में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात्:—

“साधारण शर्तें लागू होंगी।

टिप्पण :

(i) खान पट्टे के नवीकरण के प्रक्रम पर पूर्व पर्यावरणीय अनापत्ति अपेक्षित है जिसके लिए आवेदन नवीकरण की देय तारीख से दो वर्ष पूर्व किया जाएगा। इसके अतिरिक्त उन सभी खान पट्टों के लिए, जो आवश्यक विधिमान्य पर्यावरणीय अनापत्ति सहित 4 अप्रैल, 2011 को क्रियाशील थे और जिनका नवीकरण 4 नवम्बर, 2011 को या उसके पश्चात् देय हो गया है, पर्यावरणीय अनापत्ति अभिप्राप्त करने के लिए 4 अप्रैल, 2011 से दो वर्ष की कालावधि दी गई है।

(ii) खनिज पूर्वेक्षण छूट प्राप्त है।”

[फा. सं. 3-101/2010-आईए-III]

अजय त्यागी, संयुक्त सचिव

टिप्पण :—मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में अधिसूचना संख्यांक 1533(अ), तारीख 14 सितम्बर, 2006 द्वारा प्रकाशित किए गए थे और का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007, का.आ. सं. 3067(अ), तारीख 1 दिसम्बर, 2009 और का.आ. सं. 695(अ), तारीख 4 अप्रैल, 2011 द्वारा संशोधित किए गए।

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 13th December, 2012

S.O. 2896(E).—Whereas by notification of the Government of India in the Ministry of Environment and Forests *vide* number S.O. 1533(E), dated the 14th September, 2006 (Environment Impact Assessment Notification, 2006) issued under sub-section (1) and clause (v) of sub-section (2) of Section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government directed that on or from the dates of publication, the required construction of new project or activities or the expansion of modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environment clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of Section (3) of the said Act in accordance with the procedure specified therein;

And whereas the above said notification was amended *vide* notification number S.O. 695(E), dated 4th April, 2011 which, *inter-alia*, provided for obtaining prior environment clearance in respect of mining projects [ref.: item 1a of the schedule to the Principal Notification *vide* S.O. 1533(E), dated the 14th September, 2006] at the stage of renewal of mine lease for which the project proponent is

required to submit application for environmental clearance up to one year prior to the date of renewal.

And whereas, it has been decided that the prescribed period of one year prior to the date due for renewal of mine lease should be increased to two years for submitting application for environmental clearance. And whereas, it has been further decided to provide a period of two years from the date of issue of the notification *vide* S.O. 695(E), dated the 4th April, 2011 for obtaining environmental clearance for all such mine leases, which had been operating as on 4th April, 2011 with requisite valid environmental clearance, whose renewal fell due on or after 4th April, 2011.

And whereas, clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules provides that whenever the Central Government considers that prohibition or restriction of any industry or carrying on any processes or operation in any area should be imposed, it shall be given notice of its intention to do so.

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

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 Environmental (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule (5) of the said Environment (Protection) Rules, the Central Government hereby makes the following amendments in the said notification, namely :—

In the Schedule to the said notification against item 1(a), in column (5) for the entries, the following entries shall be substituted namely,

“General conditions shall apply.

Note :

(i) Prior environment clearance is required at the stage of renewal of mine lease for which an application shall be made up to two years prior to the date due for renewal. Further, a period of two years with effect from the 4th April, 2011 is provided for obtaining environmental clearance for all those mine leases, which were operating as on the 4th April, 2011 with requisite valid environmental clearance and which have fallen due for renewal on or after the 4th November, 2011.

(ii) Mineral prospecting is exempted.”

[F. No. 3-101/2010-IA-III]

AJAY TYAGI, Jt. Secy.

Note :— The Principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and amended *vide* S.O. 1737(E), dated the 11th October, 2007, S.O. No. 3067(E), dated 1st December, 2009 and S.O. No. 695(E), dated 4th April, 2011.



आरत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 587।
No. 587।नई दिल्ली, बुधवार, मार्च 13, 2013/फाल्गुन 22, 1934
NEW DELHI, WEDNESDAY, MARCH 13, 2013/PHALGUNA 22, 1934

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 13 मार्च, 2013

का.आ. 674(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम 5 के उप-नियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अधिसूचित के पश्चात् भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितम्बर, 2006 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की अनुसूची में संभ (5) के मद 1(क) में 'परियोजना और क्रियाकलाप' शीर्षक के अधीन टिप्पण (i) के नीचे निम्नलिखित प्रतंक अंतःस्थापित किया जाएगा अर्थात् "परन्तु यह कि ऐसे कोई खनन पट्टे के नवीकरण के समय खनन परियोजना या क्रियाकलाप के लिए नई पर्यावरण अनापत्ति अपेक्षित नहीं होगी जिसने इस अधिसूचना के अधीन पहले से ही पर्यावरण अनापत्ति अनिप्राप्त कर ली है।"

[सं. एल-11011/15/2012-आईए-2 (एम)]

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (ii) में अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितम्बर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधन किए गए :—

1. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ. 3067(अ), तारीख 1 दिसम्बर, 2009;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011; और
4. का.आ. 2896(अ), तारीख 13 दिसम्बर, 2012

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 13th March, 2013

S.O. 674(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section 2 of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely :—

In the said notification, in the Schedule, under the heading 'Project or Activity' in item 1(a) in column (5), under note (i) the following proviso shall be inserted, namely :—“provided that no fresh environment clearance shall be required for a mining project or activity at the time of renewal of mining lease, which has already obtained environment clearance, under this notification”.

[No. L-11011/15/2012-IA-II(M)]

AJAY TYAGI, Jt. Secy.

Note :—The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows :

1. S.O. 1737(E), dated the 11th October, 2007;
2. S.O. 3067(E), dated the 1st December, 2009;
3. S.O. 695(E), dated the 4th April, 2011; and
4. S.O. 2896(E), dated the 13th December, 2012.



भारत का राजपत्र

The Gazette of India

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1960]

नई दिल्ली, वृहस्पतिवार, अगस्त 22, 2013/श्रावण 31, 1935

No. 1960]

NEW DELHI, THURSDAY, AUGUST 22, 2013/SHRAVANA 31, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 22 अगस्त 2013

का.आ.2559(अ).—केन्द्रीय सरकार ने, भारत सरकार की पर्यावरण और वन मंत्रालय में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उप-धारा (1) के अधीन जारी अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 द्वारा निदेश दिया है कि इस अधिसूचना के प्रकाशन की तारीख से ही नई परियोजनाओं या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या कार्यकलापों के विस्तार या आधुनिकीकरण के लिए अपरिहार्य क्षमतावर्धन के लिए प्रक्रिया या प्रौद्योगिकी में परिवर्तन और या उत्पाद मिश्रण, भारत के किसी भी भाग में यथास्थिति केन्द्रीय सरकार या उक्त अधिनियम की धारा 3 की उप-धारा (3) के अधीन केन्द्रीय सरकार द्वारा सम्यक् रूप से गठित राज्य स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण की उसमें विनिर्दिष्ट प्रक्रिया के अनुसरण में पूर्व पर्यावरण निकासी के पश्चात् ही हाथ में लिया जाएगा;

और भारत सरकार ने पर्यावरण और वन मंत्रालय में राजमार्ग, भवनों और विशेष आर्थिक क्षेत्र परियोजनाओं के लिए पर्यावरणीय निकासी प्रदान करने से संबंधित पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उपबंधों का पुनर्विलोकन करने के लिए कार्यालय जापन सं. 21-270/2008-आई.ए.111, तारीख 11 दिसंबर, 2012 और पर्यावरण और वन मंत्रालय के गगनचुंबी भवनों के संबंध में कार्यालय जापन तारीख 7 फरवरी, 2011 द्वारा सदस्य, (पर्यावरण और वन तथा विज्ञान और प्रौद्योगिकी), योजना आयोग की अध्यक्षता में एक उच्च स्तरीय समिति का गठन किया था;

और समिति के संदर्भ के निबंधनों (टीओआर) में एक निबंधन पर्यावरण संघात निर्धारण अधिसूचना के अधीन 60 मीटर के मार्गाधिकार और 200 किलोमीटर लंबी राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण निकासी की अपेक्षाओं का पुनर्विलोकन करना था ;

और समिति ने मंत्रालय को अपनी रिपोर्ट प्रस्तुत कर दी है और इस टीओआर पर समिति ने राजमार्ग विस्तार परियोजनाओं को विस्तारण की अपेक्षा और पर्यावरण संघात निर्धारण से छूट देने की सिफारिश की है या राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण प्रबंधन परियोजना माडल टीओआर, जिसे मंत्रालय की वेबसाइट पर पोस्ट किया जाएगा के अनुसार तैयार किया जा सकता है और पर्यावरण निकासी की अपेक्षा के संबंध में समिति ने सिफारिश की है कि 100 किलोमीटर तक राष्ट्रीय राजमार्ग परियोजनाओं का विस्तार जिसमें अतिरिक्त मार्गाधिकार या विद्यमान संरेखणों पर 40 मीटर तक अर्जन और पुनर्संरेखण पर 60 मीटर या उप-मार्गों को अधिसूचना की परिधि से बाहर रखने की सिफारिश की है ;

और समिति की रिपोर्ट की पर्यावरण और वन मंत्रालय में जांच की गई है । पहले ही अधिसूचना सं. का. आ. 3067(अ) तारीख 1 दिसंबर, 2009 द्वारा सभी राज्य राजमार्ग विस्तार परियोजनाओं को सिवाय उन परियोजनाओं के जो पहाड़ी क्षेत्रों (1000 मीटर एमएसएल) और पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों में हैं, को पर्यावरण संघात निर्धारण अधिसूचना 2006 से छूट प्रदान कर दी गई है ।

और अन्य बातों के साथ पूर्वोक्त को ध्यान में रखते हुए पर्यावरण और वन मंत्रालय ने कार्यालय जापन सं. 21-270/2008-आईए.III, तारीख 11 दिसंबर, 2012 द्वारा गठित उच्च स्तरीय समिति की पूर्वोक्त सिफारिशों को स्वीकार करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के लिए निम्नलिखित और संशोधन करती है, अर्थात् :-

2. उक्त अधिसूचना में,-

(क) पैरा 7 के उपरैरा ॥ के मद (i) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात्:-

(i) "विस्तारण" उस प्रक्रिया को निर्दिष्ट करता है, जिसके द्वारा प्रवर्ग 'क' परियोजना क्रियाकलापों के मामले में विशेषज्ञ आंकलन समिति और प्रवर्ग 'ख' 1' परियोजनाओं या क्रियाकलापों के मामले में, राज्य स्तर विशेषज्ञ आंकलन समिति, जिसके अंतर्गत विद्यमान परियोजनाओं या क्रियाकलापों के विस्तार या आधुनिकीकरण या उत्पाद मिश्रण में परिवर्तन उस परियोजना या क्रियाकलाप, जिसके लिए पूर्व पर्यावरणीय अनापत्ति ईप्सिट की गई है, के संबंध में पर्यावरण समाधात निर्धारण रिपोर्ट (ईआईए) तैयार करने के लिए सभी सुसंगत पर्यावरणीय चिंताओं को संबोधित करते हुए विस्तुत और समग्र निर्देश के निबंधनों का अवधारण और विशेषज्ञ आंकलन समिति या संबोधित राज्य स्तर आंकलन समिति विहित आवेदन प्ररूप 1/प्ररूप1क में दी गई जानकारी के आधार पर जिसके अंतर्गत आवेदक द्वारा प्रस्तावित निर्देश के निबंधन हैं, किसी विशेषज्ञ आंकलन समिति या संबोधित राज्य स्तर आंकलन समिति के किसी उप समूह द्वारा स्थल भ्रमण यदि संबोधित विशेषज्ञ आंकलन समिति या संबोधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा आवश्यक समझा जाए, आवेदक द्वारा सुझाए गए निर्देश के निबंधन, यदि प्रस्तुत किए जाएं और अन्य सूचना जो विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति के पास उपलब्ध हों, सम्मिलित हैं:

परंतु निम्नलिखित को विस्तारण की आवश्यकता नहीं होगी-

(i) अनुसूची के मद 8 में प्रवर्ग ख के स्पष्ट में सूचीबद्ध सही परियोजनाएं और कार्यकलाप (नगरों या वाणिज्यिक परिसरों या आवासन का संनिर्माण) ;

(ii) अनुसूची के मद 7 की उपमद (च) के अधीन स्तंभ (3) और स्तंभ (4) की प्रविष्टि (ii) के अधीन आने वाली राजमार्ग विस्तार परियोजनाएं ;

परंतु यह और कि -

अ. खंड (i) में निर्दिष्ट परियोजनाएं और कार्यकलापों का अंकन प्रस्तुप 1 या प्रस्तुप 1क और अवधारणा योजना के आधार पर किया जाएगा ;

आ. खंड (ii) में निर्दिष्ट परियोजनाएं पर्यावरण और वन मंत्रालय द्वारा विनिर्दिष्ट माडल टीओआर के आधार पर ईआईए और ईएमपी रिपोर्ट तैयार करेंगी ;

(ख) अनुसूची में मद 7 की उप मद (च) के सामने स्तंभ (3) में प्रविष्टि (ii) के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

"(ii) राष्ट्रीय राजमार्गों का 100 किलोमीटर से अधिक विस्तार जिनमें अतिरिक्त 40 मीटर से अधिक विद्यमान संरेखणों पर और पुनः संरेखणों या उपमार्गों पर 60 मीटर क्षेत्राधिकार या भूमि अर्जन अंतर्वर्तित है।"

[फा.सं.21-270/2008-आई.111]

अजय त्यागी, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सिंतंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधित किए गए :

1. का.आ. 1733(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012; और
5. का.आ. 674(अ), तारीख 13 मार्च, 2013

MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION

New Delhi, the 22nd August, 2013

S.O. 2559(E).- Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas the Government of India in the Ministry of Environment and Forests had constituted a High Level Committee under the Chairmanship of Member (Environment and Forests and Science and Technology), Planning Commission, vide OM No.21-270/2008-1A.III dated the 11th December, 2012 to review the provisions of Environmental Impact Assessment Notification, 2006 relating to granting Environmental Clearances for Roads, Buildings and Special Economic Zone projects and provisions under the OM dated the 7th February, 2012 issued by the Ministry of Environment and Forests regarding guidelines for High Rise Buildings;

And whereas one of the terms of reference (ToR) of the Committee was to review the requirement of Environmental Clearance for highway expansion projects up to the right of way of 60 meters and length of 200 kms under Environmental Impact Assessment notification;

And whereas the Committee has submitted its report to the Ministry and on this ToR, the Committee has recommended exempting highway expansion projects from the requirement of scoping and that Environmental Impact Assessment or Environment Management Plan for highway expansion projects may be prepared on the basis of model ToRs to be posted on Ministry's website and in respect of requirement of environmental clearance, the Committee has recommended that expansion of National Highway projects up to 100 kms involving additional right of way or land acquisition up to 40 mts on existing alignments and 60 mts on re-alignments or by-passes may be exempted from the preview of the notification;

And whereas the report of the Committee has been examined in the Ministry of Environment and Forests. Earlier, vide notification S.O. 3067(E), dated the 1st December 2009 all State Highway expansion projects, except those in hilly terrain (above 1000 m AMSL) and ecologically sensitive areas, have already been exempted from the purview of the Environmental Impact Assessment notification, 2006.

And whereas, keeping inter-alia in view the foregoing, the Ministry of Environment and Forests has decided to accept the aforesaid recommendations of the High Level Committee constituted vide OM No.21-270/2008-IA.III, dated the 11th December 2012;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

2. In the said notification,—

(a) in paragraph 7, in sub-paragraph II, for item (i), the following item shall be substituted, namely:

(i) "Scoping" refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion or modernization or change in product mix of existing projects or activities, determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought and the Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the terms of reference on the basis of the information furnished in the prescribed application Form 1 or Form 1A including terms of reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned:

Provided that the following shall not require Scoping:—

- (i) all projects and activities listed as Category 'B' in item 8 of the Schedule (Construction or Township or Commercial Complexes or Housing);
- (ii) all Highway expansion projects covered under entry (ii) of column (3) and column (4) under sub-item (f) of item 7 of the Schedule:

Provided further that—

- A. the projects and activities referred to in clause (i) shall be apprised on the basis of Form 1 or Form 1A and the conceptual plan;
 - B. The projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of model TOR specified by Ministry of Environment and Forests;
- (b) in the Schedule, against sub-item (f) of item 7, in column (3), for the entry (ii), the following entry shall be substituted, namely:—

"(ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes."

[F. No. 21-270/2008-IA.III]

AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2116]

नई दिल्ली, मंगलवार, सितम्बर 10, 2013/भाद्र 19, 1935

No. 2116]

NEW DELHI, TUESDAY, SEPTEMBER 10, 2013/BHADRA 19, 1935

पर्यावरण और बन मंत्रालय

अधिसूचना

नई दिल्ली, 9 सितम्बर, 2013

का.आ. 2731(अ).—वेन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (2) के खंड (5) और उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन, लोक हित में सूचना की अपेक्षा में अभिमुकि देने के पश्चात, भारत सरकार की पर्यावरण और बन मंत्रालय में अधिसूचना संव्याका का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, अनुगृहीत में, मद 1(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जांगनी, अर्थात् :—

(1)	(2)	(3)	(4)	(5)
"1(क)	(i)खनिजों का खनन	गैर कोयला खनन पट्टा की वावत ≥ 50 हेक्टेयर खनन पट्टा क्षेत्र।	गैण खनिज खनन पट्टा के संबंध में <50 हेक्टेयर खनन पट्टा क्षेत्र; और	खनिजों के खनन के लिए पांच हेक्टेयर से कम खनन पट्टा क्षेत्र के लिए परियोजना या कार्यकलापों के मिवाय माध्यारण शर्तें लागू होंगी;

(1)	(2)	(3)	(4)	(5)
		खनन क्षेत्र पर विचार किए विना एस्वेसमेंट्स खनन।		<p>परियोजना या कार्यकलाप की परिधि में पांच सौ मीटर के भीतर अवस्थित हैं, के क्षेत्र का कुल योग, पांच हेक्टेयर के बराबर या उससे अधिक हैं।</p> <p>टिप्पणी:</p> <p>(i) खनन पट्टा के नवीकरण के स्तर पर पूर्व पर्यावरण निकासी अपेक्षित है जिसके नवीकरण के लिए नियत तारीख से दो वर्ष पूर्व आवेदन किया जाएगा। इसके अतिरिक्त 4 अप्रैल, 2011 के प्रभाव से उन सभी खनन पट्टों के लिए पर्यावरण निकासी अभिप्राप्त करने के लिए जो 4 अप्रैल, 2011 को अपेक्षित वैध पर्यावरणीय निकासी के साथ प्रचालन कर रहे थे और जो 4 नवंबर, 2011 के पश्चात् नवीकरण के लिए शोध हो गए हैं, के लिए दो वर्ष की अवधि का उपवंध किया गया है:</p> <p>परंतु यह कि विनी खनन परियोजना या कार्यकलाप के लिए, जिसने इस अधिसूचना के अधीन पहले ही पर्यावरणीय निकासी अभिप्राप्त कर ली है खनन पट्टे के नवीकरण के समय कोई नवीन पर्यावरण निकासी की अपेक्षा नहीं होगी।</p> <p>(ii) खनन पूर्वाधारण को छूट प्रदान की गई है।”।</p>
	(ii) राष्ट्रीय पार्कों या अन्यारण्यों या मूँगा चट्टानों, पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों से गुजरने वाली द्रव (कोयला, लिमनाइट और अन्य अयम्क) पाइप लाइन	सभी परियोजनाएं		

[फा. स. जैड-11013/271/2012-आईए-II(एम)]

अजय त्यागी, रायुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र असाधारण, भाग II, खंड 3, उप-खंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधित किए गए:—

- का.आ. 1733(अ), तारीख 11 अक्टूबर, 2007;
- का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;

3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012; और
5. का.आ. 674(अ), तारीख 13 मार्च, 2013

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 9th September, 2013

S.O. 2731(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

In the said notification, in the Schedule, for item 1(a) and entries relating thereto, the following item and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
"1(a)	(i) Mining of minerals.	<p>≥50 ha of mining lease area in respect of non-coal mine lease.</p> <p>>150 ha of mining lease area in respect of coal mine lease.</p> <p>Asbestos mining irrespective of mining area.</p>	<p><50 ha of mining lease area in respect of minor minerals mine lease; and</p> <p>≤ 50 ha ≥5 ha of mining lease area in respect of other non-coal mine lease.</p> <p>≤ 150 ha >5 ha of mining lease area in respect of coal mine lease.</p>	<p>General Conditions shall apply except for project or activity of less than 5 ha of mining lease area for minor minerals:</p> <p>Provided that the above exception shall not apply for project or activity if the sum total of the mining lease area of the said project or activity and that of existing operating mines and mining projects which were accorded environment clearance and are located within 500 metres from the periphery of such project or activity equals or exceeds 5 ha.</p> <p>Note:</p> <p>(i) Prior environmental clearance is required at the stage of renewal of mine lease for which an application shall be made up to two years prior to the date due for renewal. Further, a period of two years with effect from the 4th April, 2011 is provided for obtaining environmental clearance for all those mine leases, which were operating as on the 4th April, 2011 with requisite valid environmental clearance and which have fallen due for renewal on or after 4th November, 2011:</p>
				Provided that no fresh environmental clearance shall be required for a mining project or activity at the time of renewal of mining lease, which has already obtained

		All projects.		environmental clearance under this notification.
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas.			(ii) Mineral prospecting is exempted.”.

[No. Z-11013/271/2012-IA-II (M)]

AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:-

1. S.O. 1737 (E) dated the 11th October, 2007;
2. S.O. 3067 (E) dated the 1st December, 2009;
3. S.O. 695 (E) dated the 4th April, 2011;
4. S.O. 2896 (E) dated the 13th December, 2012; and
5. S.O. 674 (E) dated the 13th March, 2013.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 482।

नई दिल्ली, बुधवार, फरवरी 26, 2014/फाल्गुन 7, 1935

No. 482।

NEW DELHI, WEDNESDAY, FEBRUARY 26, 2014/PHALGUNA 7, 1935

पर्यावरण और बन मंत्रालय

अधिसूचना

नई दिल्ली, 26 फरवरी, 2014

का.आ. 562(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा (3) की उपधारा (1) और उपधारा (2) के खंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए लोक हित में उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अधिकृति के परचात् भारत सरकार के पर्यावरण और बन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्—

उक्त अधिसूचना में पैरा 7 के उपपैरा (2) में पहले परंतुक्त की मद (i) में मद (i) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात्—

“(i) अनुसूची की मद 8 (क) के सामने प्रवर्ग ‘ख’ के अधीन सूचीबद्ध सभी परियोजनाएं और क्रियाकलाप;”।

[फा. सं. 21-270/2008-आई ए. III]

अजय त्यागी, संयुक्त सचिव

टिप्पणी:—मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) अधिसूचना संख्यांक का.आ. 1533(अ) तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधित किए गए—

1. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007
2. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011
4. का.आ. 2896(अ), तारीख 13 दिसंबर, 2012
5. का.आ. 674(अ), तारीख 13 मार्च, 2013;
6. का.आ. 2559(अ), तारीख 22 अगस्त, 2013; और
7. का.आ. 2731(अ), तारीख 9 सितंबर, 2013

840 GI/2014

Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 26th February, 2014

S.O. 562(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby marks the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E) dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

In the said notification, in paragraph 7, in sub-paragraph II, in item (i), in the first proviso, for item (i), the following item shall be substituted, namely:—

“(i) all projects or activities listed under Category, ‘B’ against item 8(a) of the Schedule;”.

[F. No. 21-270/2008-IA.III]
AJAY TYAGI, Jt. Secy.

Note:—The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:—

1. S.O. 1737(E), dated the 11th October, 2007;
2. S.O. 3067(E), dated the 1st December, 2009;
3. S.O. 695(E), dated the 4th April, 2011;
4. S.O. 2896(E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559(E), dated the 22nd August, 2013; and
7. S.O. 2731(E), dated the 9th September, 2013.

अधिसूचना

नई दिल्ली, 25 जून, 2014

का.आ. 1599(अ), केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्या का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्:-

I. उक्त अधिसूचना की अनुसूची में-

() मद 1(ग) और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:-

"1(ग)	() नदी घाटी परियोजनाएं ii) सिंचाई परियोजनाएं	() \geq 50 मे.वा. जल विद्युत उत्पादन ii) \geq 10,000 हेक्टेटी योग्य प्रभावित क्षेत्र	() $<$ 50 \geq 25 मे.वा. जल विद्युत उत्पादन ii) $<$ 10,000 हेक्टेटी $>$ 2000 हेक्टेटी योग्य प्रभावित क्षेत्र	साधारण शर्त लागू होगी टिप्पण :- एक से अधिक राज्य में आने वाली प्रवर्ग 'ख' नदी घाटी परियोजनाओं का मूल्यांकन केन्द्रीय सरकार स्तर पर किया जाएगा ।"
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ii) मद 1(घ) और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:-

"1(घ)	तापीय विद्युत संयंत्र	\geq 500 मे.वा. (कोयला/लिंगाइट/नेप्या और गैस आधारित) ; \geq 50 मे.वा. (जैव द्रव्यमान के सिवाय सभी अन्य ईंधन)। \geq 20 मे.वा. (जिसमें गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट का ईंधन के रूप में उपयोग होता है)।	\geq 50 मे.वा. से $<$ 500 मे.वा. (कोयला/लिंगाइट/नेप्या और गैस आधारित) $<$ 50 मे.वा. और \geq 5 मे.वा. (जैव द्रव्यमान और गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट के सिवाय सभी अन्य ईंधन)। $<$ 20 मे.वा. $>$ 15 मे.वा. (जिसमें गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट का ईंधन के रूप में उपयोग होता है)। \geq 15 मे.वा. जैव द्रव्यमान पर आधारित संयंत्र	साधारण शर्त लागू होगी टिप्पण :- () जैव द्रव्यमान या गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट जिसमें कोयला, लिंगाइट/पेट्रोलियम उत्पाद पेट्रोलियम उत्पाद जैसे सहायक ईंधन का उपयोग होता है, पर अधारित 15 मे.वा. तक के तापीय विद्युत संयंत्रों को छूट प्राप्त है। () किसी सहायक ईंधन के बगैर अपशिष्ट ताप बायलरों का उपयोग करने वाले तापीय विद्युत संयंत्र छूट प्राप्त हैं।"
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(iii) मद 2(ख) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"2(ख)	खनिज सज्जीकरण	≥ 0.5 मिलियन टी पी ए का उत्पादन	> 0.5 मिलियन टी पी ए का उत्पादन	साधारण शर्त लागू होगी (अनापत्ति प्रदान करने के लिए खनन प्रस्ताव का खनिज सज्जीकरण के साथ मूल्यांकन किया जाएगा)।";
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(iv) मद 4(ख) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:-

"4(ख)	(i) कोक भट्टी संयंत्र	$\geq 2,50,000$ टन/प्रतिवर्ष	$< 2,50,000$ और $> 2,50,000$ टन/प्रतिवर्ष	साधारण शर्त लागू होगी।";
	(ii) कोलतार प्रसंस्करण इकाईयां	-	सभी परियोजनाएं	

(v) मद 4(घ) के स्तंभ (3) में की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

"उत्पादन क्षमता ≥ 300 यदि कोई इकाई अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित है।";

(vi) मद 4(घ) के स्तंभ (2) में, की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

"त्वचा/खाल प्रसंस्करण जिसके अंतर्गत चर्म शोधन उद्योग भी है।";

(vii) मद 5(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"5(क)	रासायनिक उर्वरक	रासायनिक उर्वरकों के दानों के सिवाय सभी परियोजनाएं जिसके अंतर्गत H_2SO_4 उत्पादन के साथ सभी एकल सुपर फोसफेट परियोजनाएं भी हैं।	H_2SO_4 उत्पादन और रासायनिक दानों के बगैर सभी एकल सुपर फोसफेट परियोजनाएं	साधारण शर्त लागू होगी सुपर फोसफेट पाउडर के दाने बनाने को छूट दी गई है।";
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(viii) मद 5(ड) में :-

(क) स्तंभ (2) में की प्रविष्टी के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

"पैट्रोलियम उत्पाद और पैट्रो रसायन आधारित कार्बन ब्लैक तथा इलेक्ट्रोड ग्रेड ग्रेफाइट के उत्पादन का प्रसंस्करण (भंजन से भिन्न अन्य प्रसंस्करण तथा सुधार और जो परिसरों के भीतर समाविष्ट नहीं है)।";

(xv) स्तंभ (5) में की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

"साधारण और विनिर्दिष्ट शर्त लागू होगी ।

टिप्पण—बहुलक दानों से उत्पादों के विनिर्माण को छूट प्राप्त होगी ।";

(ix) मद 5(च) और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"5(च)	संशिलष्ट कार्बनिक रसायन उद्योग (रंजक और रंजक मध्यक ; थोक औषधि और थोक विनिर्मितियों को छोड़कर मध्यक ; संशिलष्ट रबर मूल कार्बनिक रसायन और अन्य संशिलष्ट कार्बनिक रसायन मध्यक)	स्तंभ (5) में यथापरिभाषित इकाईयों के सिवाय अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित ।	(i) अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित । (ii) स्तंभ (5) में यथापरिभाषित इकाईयों के सिवाय अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित ।	साधारण और विनिर्दिष्ट शर्त लागू होगी लघु इकाइयां : < 25m ³ /दिन जल खपत, < 25टीपीडी ईधन खपत के साथ और जो परिसंकटमय रसायन का प्रबंधन, भंडारण और आयात नियम, 1989 के अनुसार एमएएच इकाइयों के प्रवर्ग में नहीं आती हैं ।";
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(x) मद 5(छ) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"5(छ)	आसवनी	(i) सभी शीरा आधारित आसवनी । (ii) गैर शीरा आधारित आसवनी ≥ 60 कि.ली.दैनिक	गैर शीरा आधारित आसवनी- < 60 कि.ली.दैनिक	साधारण शर्त लागू होगी ।";
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(xi) मद 5(झ) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"5(झ)	लुग्दी और कागज उद्योग	लुग्दी विनिर्माण तथा अपशिष्ट कागज से विनिर्माण के सिवाय लुग्दी तथा का कागज विनिर्माण उद्योग ।	अपशिष्ट कागज से लुग्दी विनिर्माण तथा अपशिष्ट कागज लुग्दी और अन्य तैयार लुग्दी से कागज विनिर्माण ।	साधारण शर्त लागू होगी टिप्पण : रंजन, विरंजन और रंगाई के बगैर अपशिष्ट कागज लुग्दी और तैयार लुग्दी से कागज विनिर्माण को छूट प्राप्त है ।";
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II. अनुसूची के पश्चात्, साधारण शर्त से संबंधित टिप्पण में निम्नलिखित साधारण शर्त रखी जाएगी, अर्थात् :-

"साधारण शर्त (सा.श.):

प्रवर्ग 'ख' विनिर्दिष्ट किसी परियोजना या क्रियाकलाप का केन्द्रीय स्तर पर प्रवर्ग 'क' के रूप में मूल्यांकन किया जाएगा, यदि वह पूर्ण रूप से या आंशिक रूप से : (i) वन्य जीव संरक्षण अधिनियम, 1972 (1972 का 53) के अधीन संरक्षित क्षेत्रों की ; (ii) जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 (1974 का 6) के अधीन गठित केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर पहचान किए गए गंभीर रूप से प्रदूषित क्षेत्रों की ; (iii) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (2) के अधीन यथाअधिसूचित पारिस्थितिकी संवेदनशील क्षेत्रों की और (iv) अंतर राज्यिक सीमाओं और अंतराष्ट्रीय सीमाओं से पांच किलोमीटर की सीमाओं के भीतर अवस्थित है ;

परंतु 1(ग) में विनिर्दिष्ट नदी घाटी परियोजनाएं, मद 1(घ) में विनिर्दिष्ट तापीय विद्युत संयंत्र, मद 7(ग) विनिर्दिष्ट औद्योगिक संपदा/पार्क/क्षेत्र/निर्यात प्रसंस्करण जौन, विशेष आर्थिक जौन, जैव प्रौद्योगिकी पार्क, चमड़ा परिसर और मद 7(घ) में विनिर्दिष्ट समान्य परिसंकटमय अपशिष्ट उपचार, भंडारण और निपटान सुविधाओं का मूल्यांकन केन्द्रीय स्तर पर किया जाएगा यदि वह 10 किलोमीटर के भीतर अवस्थित है ।

परंतु यह और कि उपरोक्त मद (i), मद (ii) और मद (iii) में वर्णित क्षेत्रों की, यथास्थिति, पांच किलोमीटर या दस किलोमीटर के भीतर कोई क्रियाकलाप न होने की दशा में अंतर राज्यिक सीमाओं की, यथास्थिति, पांच किलोमीटर या दस किलोमीटर की दूरी से संबंधित अपेक्षा को क्रमशः सामान्य सीमाओं वाले राज्यों या संघ राज्यक्षेत्रों की बीच करार द्वारा कम या पूर्ण रूप से समाप्त किया जा सकता है ।"

[फा. सं. जे- 11013/12/2013-आईए.॥(1)(भाग)]

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007, का.आ. 3067(अ), तारीख 1 दिसंबर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559(अ), तारीख 22 अगस्त, 2013, का.आ. 2731(अ), तारीख 9 सितंबर, 2013, का.आ. 562(अ), तारीख 26 फरवरी, 2014 और का.आ. 637(अ), तारीख 28 फरवरी, 2014 द्वारा संशोधित किए गए ।

NOTIFICATION

New Delhi, the 25th June, 2014

S.O. 1599(E).—In exercise of the powers conferred by Sub-section (1) and clause (v) of Sub-section (2) of Section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O.1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rule, in public interest, namely:-

I. In the said notification, in the Schedule,-

(i) for item 1(c) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“1(c)	(i) River Valley projects (ii) Irrigation projects	(i) ≥ 50 MW hydroelectric power generation; (ii) $\geq 10,000$ ha. of culturable command area.	(i) ≤ 50 MW ≥ 25 hydroelectric power generation; (ii) $< 10,000$ ha. > 2000 ha. of culturable command area.	General condition shall apply. Note:- Category ‘B’ river valley projects falling in more than one state shall be appraised at the central Government Level.”;
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(ii) for item 1(d) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“1(d)	Thermal Power Plants	≥ 500 MW (coal/lignite/naphtha and gas based); ≥ 50 MW (all other fuels except biomass). ≥ 20 MW (using municipal solid non hazardous waste, as fuel).	≥ 50 MW to <500 MW (coal/lignite/ naphtha and gas based); < 50 MW and ≥ 5 MW (all other fuels except biomass and municipal solid non hazardous waste). < 20 MW >15 MW (using municipal solid non hazardous waste, as fuel). ≥ 15 MW plants based on biomass fuel.	General condition shall apply Note:- (i) Thermal Power plants up to 15 MW based on biomass or non hazardous municipal solid waste using auxiliary fuel such as coal, lignite/ petroleum products upto 15% are exempt. (ii) Thermal power plants using waste heat boilers without any auxiliary fuel are exempt.”;
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(iii) for item 2(b) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“2 (b)	Mineral beneficiation	≥ 0.5 million TPA throughput	< 0.5 million TPA throughput	General condition shall apply (Mining proposal with mineral beneficiation shall be appraised together for grant of clearance).”;
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(iv) for Item 4(b) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“4(b)	(i) Coke oven plants (ii) Coal tar processing units	≥2,50,000 tonnes/annum -	<2,50,000 and ≥25,000 tonnes/annum All projects	General condition shall apply.”;
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(v) in item 4(d), in column (3), for the entry, the following entry shall be substituted, namely:-

“≥300 TPD production capacity if a unit located outside the notified industrial area/ estate.”;

(vi) in item 4(f), in column (2), for the entry, the following entry shall be substituted, namely:-

“Skin/hide processing including tanning industry.”;

(vii) for item 5(a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“5(a)	Chemical fertilizers	All projects including all single super phosphate with H_2SO_4 production except granulation of chemical fertilizers.	All Single Phosphate without H_2SO_4 production and granulation of chemical fertilizers.	General condition shall apply. Granulation of single super phosphate powder is exempt.”;
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(viii) in item 5(e):-

(a) in column (2), for the entry, the following entry shall be substituted, namely:-

“Petroleum products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking and reformation and not covered under the complexes).”;

(b) in column (5), for the entry, the following entry shall be substituted, namely:-

“General as well as specific condition shall apply.

Note- Manufacturing of products from polymer granules is exempt.”;

(ix) for item 5(f) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“5(f)	Synthetic organic chemicals industry (dyes and dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/ estate except small units as defined in column (5).	(i) Located in a notified industrial area/ estate. (ii) Small units as defined in column (5).	General as well as specific condition shall apply. Small units: with water consumption <25m ³ /day, fuel consumption <25TPD and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989.”;
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(x) for item 5(g) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“5(g)	Distilleries	(i) All Molasses based distilleries (ii) Non-molasses based distilleries $\geq 60\text{KLD}$	Non-molasses based distilleries – $<60\text{ KLD}$	General condition shall apply.”;
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(xi) for item 5(i) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“5(i)	Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing from waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General condition shall apply Note: Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and colouring is exempt.”;
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II. After the Schedule, in the Note relating to General Condition(GC), the following General Condition shall be substituted, namely:-

General Condition(GC):

Any project or activity specified in category 'B' will be appraised at the Central level as Category 'A', if located in whole or in part within 5 km. from the boundary of : (i) Protected areas notified under the Wildlife (Protection) Act, 1972 (53 of 1972); (ii) Critically polluted areas as identified by the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986, and (iv) inter-State boundaries and international boundaries; provided that for River Valley Projects specified in item 1(c), Thermal Power Plants specified in item 1(d), Industrial estates/parks/complexes/areas, export processing zones (EPZs), Special Economic Zones (SEZs), biotech parks, leather complexes specified in item 7(c) and common hazardous waste treatment, storage and disposal facilities (TSDFs) specified in item 7(d), the appraisal shall be made at Central level even if located within 10km.

Provided further that the requirement regarding distance of 5 km or 10 km, as the case may be, of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or the Union Territories sharing the common boundary in case the activity does not fall within 5km or 10 km, as the case may be of the areas mentioned at item (i), (ii) and (iii) above.”

[F. No. J-11013/12/2013-IA-II (1) (part)]

AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O. 2896(E) dated the 13th December, 2012, S.O. 674(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 and S.O. 637(E) dated the 28th February, 2014.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2057।

नई दिल्ली, बृहस्पतिवार, अक्टूबर 9, 2014/आश्विन 17, 1936

No. 2057।

NEW DELHI, THURSDAY, OCTOBER 9, 2014/ASVINA 17, 1936

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 7 अक्टूबर, 2014

का.आ. 2601(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में, उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना देने की अपेक्षा से अभिमुक्ति प्रदान करने के पश्चात्, निम्नलिखित और संशोधन करती है, अर्थात्:—

2. उक्त अधिसूचना की अनुसूची में मद संख्या 1(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:—

(1)	(2)	(3)	(4)	(5)
"1(क)	(i) खनिजों का खनन	गैर कोयला खनन पट्टा की बाबत >50 हेक्टेयर खनन पट्टा क्षेत्र।	गैर कोयला खनन पट्टा की बाबत <50 हेक्टेयर खनन पट्टा क्षेत्र।	खनिजों के खनन के लिए पांच हेक्टेयर से कम खनन पट्टा क्षेत्र के लिए परियोजना या कार्यकलापों के सिवाय साधारण शर्तें लागू होंगी
		कोयला खनन पट्टा की बाबत >150 हेक्टेयर खनन पट्टा क्षेत्र।	कोयला खनन पट्टा की बाबत >150 हेक्टेयर खनन पट्टा क्षेत्र।	परंतु यह कि पूर्वोक्त अपवाद उस परियोजना या कार्यकलाप के लिए लागू नहीं

				होगा यदि उक्त परियोजना या कार्यकलाप के खनन पट्टा क्षेत्र और विद्यमान प्रचालन कर रही खानों और खनन परियोजनाओं जिन्हें पर्यावरणीय निकासी प्रदान की गई थी और जो ऐसी परियोजना या कार्यकलाप की परिधि से पांच सौ मीटर के भीतर अवस्थित हैं, के क्षेत्र का कुल योग, पांच हेक्टेयर के बराबर या उससे अधिक हैं।
	खनन क्षेत्र पर विचार किए बिना एस्बेस्टस खनन।			<p>टिप्पणी:</p> <p>(i) खनन पट्टा के नवीकरण के स्तर पर, पूर्व पर्यावरण निकासी अपेक्षित है जिसके नवीकरण के लिए नियत तारीख से दो वर्ष पूर्व आवेदन किया जाएगा। परंतु यह कि किसी खनन परियोजना या कार्यकलाप के लिए, जिसने इस अधिसूचना के अधीन पहले ही पर्यावरणीय निकासी अभिप्राप्त कर ली है खनन पट्टे के नवीकरण के समय कोई नवीन पर्यावरण निकासी की अपेक्षा नहीं होगी।</p>
	(ii) राष्ट्रीय पार्कों या अभ्यारण्यों या मूँगा चट्टानों, पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों से गुजरने वाली द्रव (कोयला, लिग्नाइट और अन्य अयस्क)पाईप लाइनें	सभी परियोजनाएं		(ii) खनन पूर्वेक्षण को छूट प्रदान की गई है।

[फा.सं. जैड-11013/271/2012-1ए-II(एम)]

अजय त्यागी, संयुक्त सचिव

पाद टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. सं. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्वश्चात निम्नानुसार संशोधित की गई :—

1. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ. 2896(अ), तारीख 13 दिसंबर, 2012;
5. का.आ. 674(अ), तारीख 13 मार्च, 2013;
6. का.आ. 2559(अ), तारीख 22 अगस्त, 2013;
7. का.आ. 2731(अ), तारीख 9 सितंबर, 2013;
8. का.आ. 562(अ), तारीख 26 फरवरी, 2014;
9. का.आ. 637(अ), तारीख 28 फरवरी, 2014; और
10. का.आ. 1599(अ), तारीख 25 जून, 2014

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 7th October, 2014

S.O. 2601(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E) dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely :—

In the said notification, in the Schedule, for item 1(a) and entries relating thereto, the following item and entries shall be substituted, namely :—

(1)	(2)	(3)	(4)	(5)
“1(a)	(i) Mining of minerals.	<p>≥50 ha of mining lease area in respect of non-coal mine lease.</p> <p>>150 ha of mining lease area in respect of coal mine lease.</p>	<p><50 ha of mining lease area in respect of non-coal mine lease.</p> <p>≤ 150 ha of mining lease area in respect of coal mine lease.</p>	<p>General Conditions shall apply except for project or activity of less than 5 ha of mining lease area:</p> <p>Provided that the above exception shall not apply for project or activity if the sum total of the mining lease area of the said project or activity and that of existing operating mines and mining projects which were accorded environment clearance and are located within 500 metres from the periphery of such project or activity equals or exceeds 5 ha.</p> <p>Note:</p> <p>(i) Prior environmental clearance is required at the stage of renewal of mine lease for which an application shall be made up to two years prior to the date due for renewal.</p>

		Asbestos mining irrespective of mining area.		Provided that no fresh environmental clearance shall be required for a mining project or activity at the time of renewal of mining lease, which has already obtained environmental clearance under this notification.
(ii)	Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas.	All projects.		(ii) Mineral prospecting is exempted. "

[F. No. Z-11013/271/2012-IA-II (M)]

AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended as follows:—

1. S.O. 1737(E), dated the 11th October, 2007;
2. S.O. 3067(E), dated the 1st December, 2009;
3. S.O. 695(E), dated the 4th April, 2011;
4. S.O. 2896(E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559(E), dated the 22nd August, 2013;
7. S.O. 2731(E), dated the 9th September, 2013;
8. S.O. 562(E), dated the 26th February, 2014;
9. S.O. 637(E), dated the 28th February, 2014; and
10. S.O. 1599(E), dated the 25th June, 2014



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 19।

नई दिल्ली, बृहस्पतिवार, जनवरी 6, 2011/पौष 16, 1932

No. 19।

NEW DELHI, THURSDAY, JANUARY 6, 2011/PAUSH 16, 1932

पर्यावरण एवं वन मंत्रालय

(पर्यावरण, वन और वन्यजीव विभाग)

तटीय विनियमन क्षेत्र अधिसूचना

नई दिल्ली, 6 जनवरी, 2011

का.आ. 19(अ).—जबकि तटीय विनियमन क्षेत्र के रूप में तटीय क्षेत्रों की घोषणा हेतु आपत्तियां और सुझाव आमंत्रित करते हुए तथा तटीय विनियमन क्षेत्र में उद्योगों, प्रचालनों और प्रक्रियाओं पर प्रतिबंध लगाते हुए पर्यावरण (संरक्षण) अधिनियम, 1986 के अंतर्गत दिनांक 15 सितंबर, 2010 के सां. आ. सं. 2291 (अ) द्वारा अधिसूचना का प्रारूप जारी किया गया था;

और जबकि, उक्त राजपत्र की प्रतियां 15 सितम्बर, 2010 को जनता के लिए उपलब्ध कराई गई थीं;

और जबकि, जनता से प्राप्त सुझावों और आपत्तियों पर केन्द्र सरकार द्वारा विचार किया गया है;

अतः, अब, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) की उपधारा (1) और खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार ने तटीय क्षेत्रों में निवास करने वाले स्थानीय समुदायों की आजीविका सुनिश्चित करने, तटीय क्षेत्रों का संरक्षण और इसके विशिष्ट पर्यावरण व समुद्री क्षेत्र की सुरक्षा व संरक्षण करने तथा तटीय क्षेत्रों में होने वाली प्राकृतिक आपदाओं व ग्लोबल वार्मिंग के कारण समुद्री जल स्तर में वृद्धि जैसी घटनाओं को ध्यान में रखते हुए वैज्ञानिक सिद्धान्तों पर आधारित सतत रूप से होने वाले विकास को बढ़ावा देने के उद्देश्य से देश के तटीय विस्तार व आसपास के जल क्षेत्रों, अंडमान एवं निकोबार द्वीपसमूहों तथा लक्ष्मीप तथा समुद्री क्षेत्र जो इन द्वीपों को चारों ओर से घेरे रहती हैं को छोड़कर, तटीय विनियमन क्षेत्र (यहां इसके बाद सीआरजेड के रूप में संदर्भित) के रूप में घोषित करती है और उक्त सीआरजेड में किसी भी प्रकार के उद्योग, प्रचालनों या प्रक्रियाओं की स्थापना और विस्तार तथा परिसंकटमय पदार्थ (हथालन, प्रबंधन और सीमापारीय संचलन) नियम, 2009 में विनिर्दिष्ट परिसंकटमय पदार्थों के विनिर्माण या हथालन या भंडारण या निस्तारण को प्रतिबंधित करती है; और

पर्यावरण (संरक्षण) अधिनियम, 1986 के खंड (घ) और नियम 5 के उपनियम (3) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए तथा पर्यावरण एवं वन मंत्रालय में भारत सरकार की अधिसूचना सं. सां.आ. 114 (अ) दिनांक 19 फरवरी, 1991 (पैराग्राफ 2, 3, पैराग्राफ 6 के उप-पैराग्राफ (i) और (ii), पैराग्राफ 7 से संबंधित उपबंधों को छोड़कर) का अधिक्रमण करते हुए, ऐसे अधिक्रमण से पहले की गई अथवा करने के लिए छोड़ दी गई बातों के अलावा, केन्द्र सरकार एततद्वारा निम्नलिखित क्षेत्रों को सीआरजेड के रूप में घोषित करती है और इस अधिसूचना की तिथि से सीआरजेड में उद्योगों, प्रक्रियाओं और ऐसे कार्यकलापों की स्थापना और विस्तार करने पर निम्नलिखित प्रतिबंध लागू करती है, —

- (i) उच्च ज्वार रेखा (यहां इसके बाद एचटीएल के रूप में संदर्भित) से लेकर समुद्र की ओर अभियुक्त 500 मीटर का भू-क्षेत्र।
- (ii) सी.आर.जेड, उन क्षेत्रों पर भी लागू होगा जो एचटीएल से लेकर 100 मीटर या क्रीक की चौड़ाई, जो भी कम हो, ज्वार से प्रभावित जलाशयों, जोकि समुद्र से जुड़े हुए हैं, के मध्य स्थित वह दूरी जहां तक ज्वार से प्रभावित जलाशयों के आसपास विकासात्मक गतिविधियों को विनियमित किया जाना है और इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स प्रति हजार (पी.पी.टी.) को आधार मानकर किया जाएगा तथा ज्वार से प्रभावित होने वाली दूरी को तटीय जोन प्रबंधन योजनाओं (यहां इसके बाद सीजेडएमपी के रूप में संदर्भित) के अनुसार पहचान कर उसका निर्धारण किया जाएगा।
- स्पष्टीकरण :— इस उप पैराग्राफ के प्रयोजनार्थ ज्वार से प्रभावित जलाशयों का अर्थ है खाड़ी, एश्च्यूरी, झील, बैकवाटर, लगून, समुद्र या क्रीक से समुद्री ज्वार से प्रभावित जलाशय इत्यादि।
- (iii) समुद्री अग्रभाग के मामले में जोखिम रेखा और तट की ओर के एच.टी.एल. से 500 मीटर तक के क्षेत्र के मध्य स्थित भू-क्षेत्र, और समुद्री ज्वार से प्रभावित जलाशयों के मामले में जोखिम और 100 मीटर रेखा के मध्य 'जोखिम रेखा' का अर्थ है पर्यावरण एवं वन मंत्रालय द्वारा भारतीय सर्वेक्षण के माध्यम से ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि एवं तटीय रेखाओं के परिवर्तन संबंधी घटनाओं को ध्यान में रखते हुए किया गया सीमांकन।
- (iv) एच.टी.एल. एवं निम्न ज्वारीय रेखा (यहां इसके बाद एलटीएल के रूप में संदर्भित) के मध्य स्थित भू-क्षेत्र को शामिल किया गया है, जिसे अंतरज्वारीय क्षेत्र कहा जाएगा।
- (v) ज्वार से प्रभावित जलाशयों के लिए समुद्र और जल के मामले में एल.टी.एल. एवं क्षेत्रीय जल सीमा (12 नॉटिकल मील) के मध्य स्थित भू-क्षेत्र व किनारे की विपरीत दिशा में किनारे पर एल.टी.एल. से एल.टी.एल. के बीच के क्षेत्र।

2. इस अधिसूचना के उद्देश्य के लिए, एच.टी.एल. का अर्थ है वह भू-क्षेत्र जहां तक वसंत ऋतु में होने वाले ज्वार प्रक्रियाओं के कारण जल अधिकतम ऊँचाई तक पहुँचता है और इसका निर्धारण संलग्नक-1 में दिए गए दिशा-निर्देशों के अनुसार पर्यावरण एवं वन मंत्रालय द्वारा प्राधिकृत सीमांकन प्राधिकरण/प्राधिकरणों द्वारा इस अधिसूचना की तिथि से एक वर्ष के भीतर पूरे देश के सभी भागों में एकसमान निर्धारण किया जाएगा।
3. सीआरजेड के अंतर्गत प्रतिबंधित गतिविधियां—सी.आर.जेड. के अंतर्गत निम्न गतिविधियों को प्रतिबंधित किया गया हैं—

(i) नए उद्योगों को स्थापित करने व उसके विस्तार से संबंधित गतिविधियां, निम्न को छोड़कर,—

(अ) वे उद्योग जिन्हें वाटरफ्रॉन्ट अथवा किनारे संबंधी सुविधाओं की प्रत्यक्ष आवश्यकता होती है;

स्पष्टीकरण : इस खंड के प्रयोजनार्थ “किनारे संबंधी सुविधाओं” का अर्थ है इस अधिसूचना के अंतर्गत अनुमेय सुविधाएं और उनके लिए प्रचालन हेतु वाटर फंट जैसे पत्तन और बंदरगाह, जेटी, वेस, वहार्स, क्षरण नियंत्रण उपाय, ब्रेक वाटर, पाइप लाइनें, लाइट हाउस, समुद्री सुरक्षा सुविधाएं, तटीय पुलिस थानों आदि की आवश्यकता होती है।

(ब) परमाणु ऊर्जा विभाग की परियोजनाएं;

(स) सामाजिक प्रभावों सहित एक प्रभाव आकलन अध्ययन के आधार पर गैर पारंपरिक ऊर्जा स्रोतों द्वारा शक्ति उत्पादन की सुविधाएं तथा सी.आर.जेड.—। (i) के अंतर्गत आने वाले क्षेत्रों में डिसेलिनेशन संयंत्रों की स्थापना;

(द) ग्रीन फील्ड हवाईअड्डे की केवल नवी मुम्बई में निर्माण की अनुमति;

(य) स्थानीय टाउन और कंट्री प्लानिंग विनियमों के अनुसार मछुआरों सहित स्थानीय समुदायों के मकानों का पुर्णनिर्माण, मरम्मत कार्य।

(ii) तैलीय उत्पादों के निर्माण या संग्रहण अथवा परिसंकटमय वस्तुओं के निस्तारण की प्रक्रिया जैसों कि पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्या सां.आ. 594(अ) दिनांक 28 जुलाई 1989, संख्या सां.आ. 966(अ) दिनांक 27.11.1989 एवं जी.एस.आर. 1037(अ) दिनांक 5 दिसम्बर 1989 में विर्निदिष्ट है, निम्न को छोड़कर,—

(अ) परिसंकटमय वस्तुओं का जहाजों से बंदरगाह, टर्मिनल एवं रिफाइनरी इत्यादि स्थानों को लाना—लेजाना;

(ब) इस अधिसूचना के संलग्नक-II में दिए गए दिशा-निर्देशों के अनुसार पेट्रोलियम उत्पादों व तरल प्राकृतिक गैस (यहां इसके बाद एलएनजी के रूप में संदर्भित) के आवागमन व भंडारण संबंधी सुविधाएं तथा सीआरजेड—I (i) के अंतर्गत न आने वाले क्षेत्रों में तरल प्राकृतिक गैसों के पुनःगैसीकरण से संबंधित सुविधाएं। इन क्षेत्रों को निर्धारित करने से पहले पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय के तैल उद्योग

सुरक्षा निदेशालय व पर्यावरण एवं वन मंत्रालय द्वारा जारी किए गए दिशा-निर्देशों के अनुसार सुरक्षा संबंधी नियमों के क्रियान्वयन के अध्यधीन ।

बर्शते की उर्वरकों तथा इसके निर्माण में अमोनिया, फॉस्फोरिक अम्ल, सल्फर, सल्फ्यूरिक अम्ल, नाइट्रिक अम्ल इत्यादि जैसे कच्चे माल को प्राप्त करने व उसके भण्डारण से संबंधित सुविधाओं की अनुमति केवल सी.आर.जे.ड.-I (i) के अंतर्गत न आने वाले क्षेत्रों में ही दी जाएगी ।

(iii) मत्त्य प्रसंस्करण इकाईयों, जिसमें हैचरी और मछलियों को प्राकृतिक रूप से सुखाने की प्रक्रिया को छोड़कर, वेयरहाउसिंग शामिल है, की अनुमति वाले क्षेत्रों में स्थापना तथा उसका विस्तार :

(iv) भू-सुधार, समुद्री जल को बांधना या उसके प्राकृतिक प्रवाह को बिगाड़ने से संबंधित गतिविधियां, निम्न को छोड़कर,—

(अ) अग्रतट सुविधाओं में सुधार करने के लिए की जा रही निर्माण प्रक्रिया के लिए आवश्यक गतिविधियां, जैसे पत्तन, बंदरगाह, जेटटी, घाट, तटबंध या स्लिपवे, पुल, सीलिंग इत्यादि एवं अन्य सुविधाएं जोकि अत्यंत आवश्यक है एवं अधिसूचना के अधीन अनुमेद हैं ।

(ब) क्षरण को राकर्ने के लिए किए जा रहे कार्य, जोकि वैज्ञानिक अध्ययनों पर आधारित हो जिसमें पर्यावरण प्रभाव आकलन (यहां इसके बाद ई.आई.ए. के रूप में संदर्भित) अध्ययन शामिल हैं;

(स) जलमार्ग, चैनलों एवं बंदरगाहों की देखरेख या उनकी साफ-सफाई जोकि ई.आई.ए. अध्ययनों पर आधारित हो;

(द) पर्यावरण एवं वन मंत्रालय द्वारा विनिर्दिष्ट की जाने वाली किसी एजेंसी द्वारा किए गए बलुई टीलों को बनने से रोकने, ज्वार नियंत्रकों के प्रतिस्थापन, तेज जल प्रवाह नालियां को स्थापित करने तथा रखच्छ जलाशयों में लवणीय जल के सम्मिश्रण को रोकने व रखच्छजल के रिचार्ज संबंधी गतिविधियों पर आधारित उपाय ।

(v) अपशिष्ट एवं उत्प्रवाहों के निस्तारण से संबंधित इकाईयों या प्रणालियों की स्थापना एवं विस्तार संबंधी गतिविधियां, निम्न को छोड़कर जहां इस सुविधा की आवश्यकता होती है,—

(अ) जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 (1974 का 6) के अंतर्गत दिए गए दिशा-निर्देशों के अनुसार जिसमें उपचारित उत्प्रवाह को जलाशयों में छोड़ा जाना;

(ब) तूफानी जल निकासी और पम्पिंग हेतु सहायक संरचना;

(स) सी.आर.जे.ड.-I के अंतर्गत न आने वाले क्षेत्रों अर्थात् सी.आर.जे.ड. से संबंधित क्षेत्रों में स्थित होटलों व समुद्र तट रिसॉर्टों से निकलने वाले अपशिष्टों एवं उत्प्रवाहों का उपचार व उपचारित अपशिष्टों एवं उत्प्रवाहों का निस्तारण;

(vi) उद्योगों, शहरों व कर्सों तथा अन्य बस्तियों से निकलने वाले अनुपचारित अपशिष्टों एवं उत्प्रवाहों का निस्तारण। यदि ऐसी कोई गतिविधियां चल रही हैं तो उन्हें रोकने के लिए संबंधित प्राधिकरण इस अधिसूचना के जारी होने से अधिकतम दो वर्षों में योजनाएं लागू करेंगे ।

(vii) भू—भरण के उद्देश्य से शहर व कस्बे से निकलने वाले अपशिष्टों तथा औद्योगिक ठोस अपशिष्ट, प्लाई ऐश का निस्तारण और संबंधित प्राधिकरण यदि ऐसी कोई गतिविधियां चल रही हैं तो उन्हें रोकने के लिए इस अधिसूचना के लागू होने से एक वर्ष की अवधि में इसे बंद करने के लिए योजनाएं लागू करेंगे ।

टिप्पणी :—पर्यावरण एवं वन मंत्रालय पेरा (v), (vi) और (vii) के संबंध में कार्य योजनाएं तैयार करने और उनके क्रियान्वयन तथा उसकी समय—सीमा सहित मॉनीटरिंग के संबंध में राज्य सरकारों और संघ राज्य क्षेत्र प्रशासन को अलग से अनुदेश जारी करेगा ।

(viii) तट के अधिक अपरदन वाले स्थलों में पत्तन और बंदरगाह परियोजनाएं, उन परियोजनाओं के अलावा जिन्हें पर्यावरण एवं वन मंत्रालय द्वारा वैज्ञानिक अध्ययनों तथा राज्य सरकार/संघ राज्य क्षेत्र प्रशासन से परामर्श करते हुए ईआईए अधिसूचना, 2006 के अनुसार कार्यनीतिक और रक्षा संबंधी परियोजना के रूप में वर्गीकृत होने के रूप में पहचान की गई है ।

(ix) शॉपिंग एवं आवासीय भवनों, होटलों एवं मनोरंजन संबंधी गतिविधियों इत्यादि के द्वारा तटीय क्षेत्रों का सौन्दर्योक्ति,

(x) बालू, चट्टानों एवं अन्य वस्तुओं के लिए की जा रही खनन प्रक्रिया, निम्न को छोड़कर,—

(अ) ऐसे पोशक तत्वों का खनन जोकि सी.आर.जे.ड. क्षेत्र के अलावा कहीं भी उपलब्ध नहीं है,

(ब) तेल एवं प्राकृतिक गैस का निष्कर्षण एवं संदोहन,

(xi) एच.टी.एल. के अंतर्गत 200 मीटर तक के क्षेत्र में भू—गर्भीय जल का निष्कर्षण एवं इससे संबंधित निर्माण, निम्नलिखित के अलावा:—

(क) उन क्षेत्रों में जहां स्थानीय समुदाय निवास करते हैं और जो केवल उनके उपयोग के लिए हैं ।

(ख) इस प्रकार की गतिविधि की अनुमति 200—500 मीटर के क्षेत्र के अंतर्गत तभी दी जा सकती है जब यह गतिविधि पेयजल, बागवानी, कृषि एवं मत्स्य पालन के लिए शारीरिक श्रम द्वारा किया जा रहा हो और जल का कोई अन्य स्रोत उपलब्ध न हो ।

टिप्पणी :— समुद्री जल के प्रवेश कर जाने से प्रभावित क्षेत्रों में ऐसे निष्कर्षण के संबंध में राज्य सरकार और संघ राज्य क्षेत्र द्वारा निर्धारित प्राधिकरण द्वारा प्रतिबंध लगाए जा सकते हैं ।

(xii) इस अधिसूचना के पेरा 8 में विनिर्दिष्ट कार्यकलापों के अलावा सीआरजे.ड—I में निर्माण कार्यकलाप ।

(xiii) सौन्दर्योक्ति या अन्य उद्देश्य के लिए बलुई टीलों, पहाड़ियों, प्राकृतिक भू—दृश्यों में परिवर्तन करने संबंधी गतिविधियां और ऐसे अन्य प्रयोजन ।

(xiv) समुद्री/तटीय पुलिस स्टेशनों के गश्त और सतर्कता कार्यकलापों हेतु अपेक्षित सुविधाएं ।

4. सीआरजे.ड क्षेत्र में अनुमति प्राप्त गतिविधियों का नियंत्रण—पैराग्राफ 3 में प्रतिबंधित की गई गतिविधियों को छोड़कर, निम्नलिखित गतिविधियों का विनियमन किया जाएगा—

(i)(अ) ऐसी गतिविधियों, जिनके लिए वाटरफ्रंट या किनारे संबंधी सुविधाओं की आवश्यकता होती है, को सुचारू रूप से चलाने के लिए अनुमति दी जाएगी ।

- (ब) ऐसी परियोजनाएं जोकि इस अधिसूचना में सूचीबद्ध हैं एवं जिनके लिए पर्यावरणीय प्रभाव मूल्यांकन (ई.आई.ए.) अधिसूचना, 2006 आदेश संख्या 1533 (ई), दिनांक 14 सितम्बर, 2006 की आवश्यकता है तो इन परियोजनाओं को मंजूरी प्राप्त करने की आवश्यकता तभी है जब राज्य/केन्द्र शासित प्रदेश के तटीय जौन प्रबंधन प्राधिकरण (यहां इसके बाद सी.जे.ड.एम.ए. के रूप में संदर्भित) द्वारा संस्तुत हो।
- (स) इस अधिसूचना के पैराग्राफ 8 में वर्णित तटीय विनियमन जौन में विनिर्दिष्ट आवासीय योजनाएं।
- (द) सीआरजेड-II में 20,000 वर्ग मीटर से अधिक निर्मित क्षेत्र वाले निर्माण पर ई.आई.ए. अधिसूचना, 2006 के अनुसार विचार किया जाएगा। 20,000 वर्ग मीटर से कम निर्मित क्षेत्र वाली परियोजनाओं के मामले में तटीय जौन प्रबंधन प्राधिकरण (सी.जे.ड.एम.ए.) से प्राप्त संस्तुति के बाद इस अधिसूचना के अनुसार संबंधित राज्य/संघ राज्य क्षेत्र नियोजन प्राधिकरण द्वारा अनुमोदन किया जाएगा। ईआईए अधिसूचना, 2006 के अंतर्गत पर्यावरणीय अनुमति प्रदान करने या संबंधित नियोजन प्राधिकरण द्वारा अनुमोदन प्रदान करने पर विचार करने हेतु संबंधित सी.जे.ड.एम.ए. पूर्व—संस्तुतियां अनिवार्य होंगी। (य) पर्यावरण एवं वन मंत्रालय किसी विशिष्ट या सामान्य आदेश के अधीन परियोजनाओं को विनिर्दिष्ट कर सकता है, जिनके लिए परियोजना से प्रभावित लोगों की पूर्व—जनसुनवाई अपेक्षित होगी। (र) पत्तनों और बंदरगाहों, जेटटी, घाटों, क्वेज, स्लिपवेज, पोत निर्माण यार्डों, ब्रेकवाटर, तटबंधों हेतु निर्माण और प्रचालन, क्षरण नियंत्रण उपाय;
- (ii) पर्यावरण एवं वन मंत्रालय, से निम्नलिखित गतिविधियों के लिए मंजूरी अपेक्षित होगी अर्थात्—
- (अ) वे गतिविधियां जो ई.आई.ए. अधिसूचना, 2006 में सूचीबद्ध नहीं हैं।
- (ब) परमाणु ऊर्जा विभाग या रक्षा संबंधी मामलों से संबंधित निर्माणात्मक गतिविधियां जिसके लिए किनारे संबंधी सुविधाओं की आवश्यकता है जैसे स्लिपवे, जेटटी, तटबंध, इत्यादि। रक्षा परियोजनाओं के क्रियात्मक अवयवों को छोड़कर। ऐसी परियोजनाओं के लिए एक अलग प्रकार की प्रक्रिया की आवश्यकता है जिसे मंत्रालय द्वारा अलग से अधिसूचित किया जाना चाहिए। ई.आई.ए. अधिसूचना, 2006 के अनुसार आवासीय भवन, कार्यालयी भवन, अस्पताल परिसर, कार्यनीतिक और रक्षा परियोजनाओं की वर्कशॉप;
- (स) लाइटहाउस का निर्माण एवं संचालन;
- (द) संचार प्रणाली, पाइपलाइन एवं ट्रांसमिशन लाइन की व्यवस्था संबंधी गतिविधियां;
- (य) तेल एवं प्राकृतिक गैस का निष्कर्षण तथा इससे जुड़ी हुई अन्य गतिविधियां एवं सुविधाएं आदि;
- (र) ऐसी गतिविधियां जिसके लिए किनारे संबंधी सुविधाओं की आवश्यकता होती है जैसे कच्चे माल का परिवहन, शीतलन हेतु जल का उपयोग एवं उपचारित वाहित मल/थर्मल पावर स्टेशन से निकलने वाला शीतलन जल। पर्यावरण एवं वन मंत्रालय पैरा 4 के (र), (ल) और (व) पर परियोजनाओं की श्रेणी विनिर्दिष्ट कर सकता है;
- (ल) परमाणु ऊर्जा विभाग द्वारा सूचीबद्ध दुर्लभ पदार्थों का खनन;
- (व) गैर पारंपरिक ऊर्जा स्रोतों द्वारा शक्ति उत्पादन करने, डिसैलिनेशन संयंत्र एवं मौसमीय रेडार जैसी

सुविधाएः;

- (i) कुछ भवनों की मरम्मत एवं निर्माण (अ) पुरातात्त्विक या ऐतिहासिक इमारतों का निर्माण, (ii) धरोहर एवं सार्वजनिक उपयोग वाले भवन अर्थात् धार्मिक स्थल, शैक्षणिक भवन, चिकित्सा एवं सांस्कृतिक कार्यक्रम संबंधी भवन;
- 4.2 अनुमति प्राप्त गतिविधियों के लिए मंजूरी प्राप्त करने संबंधी प्रक्रिया:—इस अधिसूचना से संबंधित सभी परियोजनाओं के लिए सीआरजेड मंजूरी हेतु निम्न प्रक्रिया के अनुसार विचार किया जाएगा, अर्थात् :—
- (i) परियोजना प्राधिकरण को मंजूरी करने के लिए, संबंधित सी.जेड.एम.ए. से सी.आर.जेड. अधिसूचना के अनुसार पूर्व में ही निम्नलिखित दस्तावेजों को प्रस्तुत करना चाहिए:—
- (अ) फॉर्म—1 (अधिसूचना का अनुबंध— IV);
- (ब) 4(ग) और (घ) के अंतर्गत सूचीबद्ध निर्माण परियोजनाओं के अलावा समुद्री और स्थलीय घटक सहित त्वरित ई.आई.ए. रिपोर्ट;
- (स) पर्यावरण एवं वन मंत्रालय द्वारा वैज्ञानिक अध्ययनों के आधार पर और राज्य सरकारों तथा संघ राज्य क्षेत्र प्रशासनों से परामर्श करते हुए न्यून और मध्यम अपरदनकारी के रूप में वर्गीकृत स्थानों में परियोजनाओं हेतु संचयी अध्ययनों सहित व्यापक ई.आई.ए.;
- (द) आपदा प्रबंधन रिपोर्ट एवं जोखिम प्रबंधन रिपोर्ट;
- (य) सी.आर.जेड. नक्शा जिसमें किसी प्राधिकृत एजेन्सी (जैसाकि पैरा 2 में इंगित है) द्वारा एच.टी.एल. एवं एल.टी.एल. का 1:4000 स्केल में सीमांकन;
- (र) परियोजना का लेआउट जोकि उपर्युक्त (य) में वर्णित मैप में स्पष्ट रूप से दिखाया गया हो।
- (ल) सी.आर.जेड. नक्शे में परियोजना स्थल का 7 किमी. व्यास का क्षेत्र;
- (व) पर्यावरणीय रूप से संवेदनशील अन्य अधिसूचित क्षेत्रों सहित सी.आर.जेड.—I, II, III एवं IV क्षेत्रों को दर्शाते हुए सी.आर.जेड. नक्शा;
- (i) बहिस्थावों को डालने, ठोस अपशिष्टों, सीवेज इत्यादि से संबंधित परियोजनाओं हेतु संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या केन्द्र शासित क्षेत्र प्रदूषण नियंत्रण समितियों से मंजूरी पत्र;
- (ii) संबंधित सी.जेड.एम.ए. अनुमोदित सी.जेड.एम.पी. के अनुसार और सी.आर.जेड. अधिसूचना के

(iii) एम.ओ.ई.एफ. या राज्य सरकार को संबंधित सी.जेड.एम.ए. से प्राप्त संस्तुतियों के आधार पर साठ दिनों के भीतर इन परियोजनाओं को मंजूरी देनी है या नहीं इस पर विचार करना होगा।

(iv) सी.आर.जेड. अधिसूचना के अंतर्गत परियोजनाओं को दी गई मंजूरी निर्माण और प्रचालन हेतु जारी की गई मंजूरी की तिथि से पांच वर्षों की अवधि के लिए वैध होगी।

परियोजना की समयसीमा—

(v) मंजूरी प्राप्त करने के बाद की मॉनीटरिंग हेतु—(अ) यदि परियोजना प्रस्तावक के लिए यह अनिवार्य होगा कि पर्यावरणीय मंजूरी में निर्दिष्ट शर्तों एवं परिस्थितियों के अनुसार एक अद्वार्षिक रिपोर्ट को, संबंधित प्राधिकरण के समक्ष, हार्ड एवं सॉफ्ट कॉपी में प्रत्येक कैलेण्डर वर्ष में 1 जून एवं 31 दिसम्बर को प्रस्तुत करे। परियोजना प्रस्तावक द्वारा प्रस्तुत की गई ऐसी सभी अनुपालन रिपोर्टें सार्वजनिक की जाएगी; और इसकी प्रतियां किसी भी व्यक्ति को संबंधित सी.जेड.एम.ए. को आवेदन करने पर दी जाएगी।

(ब) ऐसी अनुपालन रिपोर्ट संबंधित विनियामक प्राधिकरण की वेबसाइट पर भी प्रदर्शित की जाएगी।

(vi) सी.जेड.एम.ए. की कार्यप्रणाली में पारदर्शिता को बनाए रखने के लिए सी.जेड.एम.ए. का यह उत्तरदायित्व होगा कि वह इसके लिए एक वेबसाइट का निर्माण करे और इस पर माननीय न्यायालय के आदेशों तथा संबंधित राज्य/संघ राज्य क्षेत्र के अनुमोदित सी.जेड.एम.पी. सहित कार्यसूची, कार्यवृत्त, लिए गए निर्णय, मंजूरी से संबंधित पत्र, उल्लंघन, उल्लंघनों पर की गई कार्रवाई और न्यायालय मामलों को प्रदर्शित करे।

5. तटीय क्षेत्र प्रबंधन योजनाएं तैयार करना ।

- (i) पर्यावरण एवं वन मंत्रालय संबंधित राज्य सरकार या संघ राज्य क्षेत्र की सरकारों द्वारा सी.जेड.एम.पी तैयार करवायेगा;
- (ii) पर्यावरण एवं वन मंत्रालय के नेशनल इन्स्टीट्यूट फॉर स्टेनेबल कोस्टल जोन मैनेजमेन्ट (एन.आई.एस. सी.जेड.एम.) को शामिल करते हुए तथा संबंधित हितधारकों के साथ परामर्श करके तटीय राज्य सरकार अथवा संघ राज्य क्षेत्र सरकार द्वारा ख्यातिप्राप्त और अनुभवी वैज्ञानिक संस्थाओं/एजेंसियों द्वारा सी.जेड.एम.पी. तैयार कराई जाएगी;
- (iii) जोखिम रेखा का निर्धारण पर्यावरण एवं वन मंत्रालय द्वारा भारतीय सर्वेक्षण के माध्यम से किया जाएगा। जोखिम रेखा के निर्धारण के दौरान ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि एवं तटीय रेखाओं के परिवर्तन संबंधी घटनाओं को शामिल किया जाएगा;
- (iv) ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि के कारण बाढ़ की घटनाओं का पूर्वानुमान लगाने के उद्देश्य से तटीय विस्तार की कन्ट्रू मैपिंग भी करना अत्यंत आवश्यक है, जोकि एच.टी.एल. से 0.5 मीटर से लेकर 7 किमी. के मध्य किया जाना चाहिए। तटीय रेखाओं के परिवर्तन संबंधी घटनाओं से संबंधित रेखा का निर्धारण, पुराने आंकड़ों को आधार मानकर, पूर्व के सैटेलाइट चित्रों की तुलना वर्तमान

के सैटेलाइट चित्रों से करके किया जाना चाहिए;

- (v) मैकरो स्तरीय मैपिंग हेतु, खतरे की रेखा के निर्धारण से संबंधित मैपिंग के लिए 1:25,000 स्केल तथा स्थानीय स्तर की मैपिंग के लिए 1:10,000 स्केल का प्रयोग करना चाहिए और तटीय क्षेत्रों की भूमि उपयोग योजना तैयार करते समय जोखिम रेखा का ध्यान रखा जाएगा ;
- (vi) तटीय राज्यों एवं केन्द्र शासित प्रदेशों को इस अधिसूचना के लागू होने से चौबीस महीने के भीतर ही अधिसूचना के संलग्नक-1 जिसमें जन परामर्श भी शमिल हैं में दिए गए दिशा-निर्देशों के अनुसार, संबंधित क्षेत्रों में स्थित सी.आर.जेड. क्षेत्रों को पहचान कर एवं उसे विभिन्न श्रेणियों में विभक्त करके, एक सी.जेड.एम.पी. 1:25,000 स्केल प्रारूप का निर्माण किया जाएगा ।;
- (vii) पर्यावरण (संरक्षण) अधिनियम, 1986 में दी गई प्रक्रिया के अनुसार उचित परामर्शों और सिफारिशों सहित सी.जेड.एम.पी. प्रारूप राज्य सरकार या संघ राज्य क्षेत्र सरकार द्वारा संबंधित सी.जेड.एम.ए. को प्रस्तुत किया जाएगा ।
- (viii) सुझावों पर अमल शुरू करने और स्टेकहोल्डरों से प्राप्त आपत्तियों के पश्चात छह माह के भीतर राज्य सरकार या संघ राज्य क्षेत्र सी.जेड.एम.ए. अपनी सिफारिशों सहित जी.जैड.एम.पी. का प्रारूप पर्यावरण एवं वन मंत्रालय को प्रस्तुत करेंगे ।
- (ix) एम.ओ.ई.एफ. इस तटीय जौन प्रबंधन योजना के अंतिम स्वरूप को प्राप्त करने के चार महीने की अवधि के अंदर ही इसका भलीभांति निरीक्षण करेंगा और उसे मंजूरी देगा ।
- (x) अधिसूचना में वर्णित समस्त विकासात्मक गतिविधियों का नियंत्रण इस अधिसूचना के उपबंधों के अनुसार जैसा भी मामला हो, राज्य सरकार एवं केन्द्र शासित प्रदेश के प्रशासन, स्थानीय प्राधिकरण या संबंधित सी.जेड.एम.ए. द्वारा नियंत्रित किया जाएगा ।
- (xi) सामान्यतः सी.जेड.एम.पी. को पांच वर्ष की अवधि से पहले संशोधित नहीं किया जाएगा उसके पश्चात संबंधित राज्य सरकार अथवा संघ राज्य क्षेत्र सरकार उपर्युक्त प्रक्रिया का अनुकरण करते हुए नक्शों में संशोधन पर विचार करेगी ।
- (xii) तटीय विनियमन क्षेत्र अधिसूचना, 1991 के अंतर्गत पहले से अनुमोदित सी.जेड.एम.पी. चौबीस महीने की अवधि के लिए वैध रहेगी जब तक कि पर्यावरण एवं वन मंत्रालय द्वारा उसमें दी गई ऐसी शर्तों के अधीन विशिष्ट अधिसूचना द्वारा उपर्युक्त अवधि बढ़ाई न गई हो ।

6. तटीय विनियमन क्षेत्र अधिसूचना, का क्रियान्वयन—

(i) तटीय विनियमन क्षेत्र अधिसूचना, का क्रियान्वयन-2011

- (अ) इस अधिसूचना में दिए गए उपबंधों के कार्यान्वयन और लागू करने के लिए और उसमें दी गई शर्तों के अनुपालन के लिए मौलिक रूप से या प्रदत्त शक्तियां पर्यावरण एवं वन मंत्रालय, राज्य सरकार या संघ राज्य क्षेत्र प्रशासन, एनसीजेडएमए और एससीजेडएमए सहित पर्यावरण (संरक्षण) अधिनियम,

1986 में छपलाल्डा हैं ।

(ब) पर्यावरण एवं वन मंत्रालय द्वारा माननीय उच्चतम न्यायालय ने 1993 की रिट याचिका 664 के आदेशों के संदर्भ में एनसीजेडएमए और राज्य अथवा संघ राज्य क्षेत्र सीजेडएमए के संघटन, अवधि और अधिदेश पहले ही अधिसूचित किए जा चुके हैं ।

(स) इस अधिसूचना को लागू करने और उसकी मानीटरी के लिए राज्य सरकार अथवा संघ राज्य क्षेत्र सीजेडएमए मुख्य रूप से जिम्मेदार होंगे, इस कार्य में सहायता के लिए राज्य और संघ राज्य क्षेत्र सरकार संबंधित जिला अधिकारी की अध्यक्षता में एक जिला स्तरीय समिति गठित करेंगी जिसमें मछुआरा समुदाय सहित तीन प्रतिनिधि स्थानीय परम्परागत तटीय समुदायों से होंगे ;

(ii) सी.आर.जेड. अधिसूचना, 1991

(अ) सी.आर.जेड. अधिसूचना, 1991 जो इस अधिसूचना की जारी होने की तारीख से लागू हो चुकी है के किसी उल्लंघन के किसी विनियमितीकरण को लागू करने के लिए इस अधिसूचना का कोई अर्थ नहीं लगाया जाएगा ।

(ब) राज्य अथवा संघ, राज्य क्षेत्र सीजेडएमए इस अधिसूचना के जारी होने की तारीख से चार माह की अवधि के भीतर नवीनतम समुचित मानचित्रों, सेटेलाइट इमेजरी और सूचना प्रौद्योगिकी का उपयोग करते हुए जी.आर.जेड. अधिसूचना 1991 के पैरा 2, 3 पैरा 6 और 7 के उप पैरा (i) और (ii) के उपबंधों के उल्लंघनों की पहचान करेंगे और उसके पश्चात चार माह की अवधि के भीतर पर्यावरण (संरक्षण) अधिनियम, 1986 के अनुसार आवश्यक कार्रवाई करेंगे ।

(स) सी.आर.जेड अधिसूचना, 1991 के अंतर्गत हुए ऐसे समस्त उल्लंघनों व इसके विरुद्ध की गई कार्रवाईयों को पर्यावरण और सी.जेड.एम.ए से संबंधित राज्य सरकार या संघ राज्य क्षेत्र के विभाग द्वारा विशेष रूप से तैयार किए गए वेबसाइट पर डाला जाएगा ।

(द) मछुआरा समुदाय, टोडी टैपर्स सहित परंपरागत तटीय समुदायों की आवासीय इकाइयां जैसीकि सीआरजेड अधिसूचना 1991 के उपबंधों के अंतर्गत स्वीकार्य थीं परंतु उसे उपर्युक्त अधिसूचना के अंतर्गत संबंधित प्राधिकारियों से औपचारिक स्वीकृति नहीं मिली है, संबंधित सीजेडएमए द्वारा उन पर विचार किया जाएगा आवासीय इकाइयों को निम्नलिखित शर्तों के अधीन विनियमित किया जाएगा, अर्थात् :-

(i) किसी प्रकार के वाणिज्यिक कार्यों के लिए उनका उपयोग नहीं किया जाएगा ;

(ii) इन्हें गैर- परम्परागत तटीय समुदाय को बेचा या हस्तांतरित नहीं किया जाएगा ;

7. सी.आर.जेड. क्षेत्र का वर्गीकरण-तटीय क्षेत्रों एवं समुद्री जल के संरक्षण एवं सुरक्षा के उद्देश्य से, सी.आर.जेड. क्षेत्र को निम्न प्रकार से वर्गीकृत कर सकते हैं अर्थात् :-

(i) सी.आर.जेड.-I,-

[भग ॥—खण्ड 3(॥)]

भारत का राजपत्र : असाधारण

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- अ. ऐसे क्षेत्र जो पारिस्थितिक तथा से संबंधित हैं एवं ऐसी भू-आकृति प्रकार विस्तार जोकि ताड़ों की अखण्डता को बनाए रखने में आवश्यक है;
- (क) मैन्योब शेत्र। यदि मैन्योब क्षेत्र का विस्तार 1000 वर्ग नी. से अधिक है तो मैन्योब के किनारे 50 मीटर के क्षेत्र को बफर क्षेत्र के रूप में उपलब्ध कराना चाहिए;
- (ख) प्रवाल एवं प्रवाल भिति तथा इससे चुड़ी जैवविविधता;
- (ग) बलुर्ह दील;
- (घ) तटीय नदीभूमि (नजफस्तैट) जहां पौधिक विविधता हो;
- (ङ) वन्यजीव (सुरक्षा) अधिनियम, 1972 (1972 का 53), वन (संरक्षण) अधिनियम, 1980 (1980 का 69) या पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) के अंतर्गत सूचीबद्ध राष्ट्रीय उद्यान, समुद्री उद्यान, वन्यजीव विहार, संरक्षित वन, वन्यजीव पर्यावास एवं अन्य संरक्षित क्षेत्र;
- (छ) नमकीन दलदल;
- (ज) कम्फुआ प्रजनन स्थल;
- (झ) हॉर्स शू केकड़े का पर्यावास;
- (ट) समुद्री धास का मैदान;
- (ठ) पक्षियों के प्रजनन का स्थान;
- (ड) पुरातात्त्विक महत्ता वाला क्षेत्र/संरक्षना तथा धरोहर स्थल;
- ब. ऐसे क्षेत्र जो निम्न उचार रेखा एवं उच्च उचार रेखा के मध्य स्थित हैं।
- (ii) सी.आर.जे.ड.-II,-
- ऐसे क्षेत्र जो तटीय रेखा के एकदम निकट विकसित या स्थित हो।

व्यष्टीकरण : अभिकरित के प्रयोजनार्थ क्षेत्रों को 'विकसित क्षेत्र' कहते हैं यह क्षेत्र नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पर्यावरण से निर्भित हो चुका है तथा जहां उचित जलनिकास प्रणाली एवं सड़कें एवं अन्य आधारभूत ढांचे जैसे जलापूति एवं वाहितमल निकास प्रणाली मौजूद हैं।

(iii) सी.आर.जे.ड.-III,-

ऐसे क्षेत्र जोकि अभी तक अव्यवस्थित नहीं है तथा शिल्प ही श्रेणी- I एवं II में शामिल नहीं होता यह है। इसके अंतर्गत वह तटीय क्षेत्र आता है जो ग्रामीण इलाकों (विकसित एवं अविकसित)में स्थित है और ऐसे क्षेत्र जो नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पहले से निर्भित न हुआ हो।

(iv) सी.आर.जे.ड.-IV,-

- अ. समुद्र की ओर उच्च ज्वार रेखा से बारह नॉटिकल मील दूरी का जलीय क्षेत्र;
- ब. ज्वार से प्रभावित जलाशयों के आसपास का जलीय क्षेत्र जोकि समुद्र की ओर स्थित जलाशय के मुख से ज्वार से प्रभावित क्षेत्र के मध्य आता है। इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स पर थाउजेण्ड (पी.पी.टी.) को आधार मानकर किया जाना चाहिए।
- (v) संवेदनशील तटीय पर्यावरण की सुरक्षा और स्थानीय समुदायों द्वारा सामना की गई कठिनाईयों के लिए क्षेत्र जिनका विशेष ध्यान देना आवश्यक है,—
- अ.(i) सी.आर.जेड. क्षेत्र जो ग्रेटर मुम्बई एवं नवी मुम्बई के नगरपालिका के अधिकार क्षेत्र में आता है;
- (ii) केरल राज्य का सी.आर.जेड. क्षेत्र जिसमें बैकवाटर एवं बैकवाटर द्वीप स्थित है;
- (iii) गोवा का सी.आर.जेड. क्षेत्र।
- ब. पश्चिम बंगाल के अत्याधिक संवेदनशील क्षेत्रों (सीवीसीए) और पारिस्थितिकीय रूप से संवेदनशील अन्य क्षेत्रों जिनकी पहचान पर्यावरण (संरक्षण) अधिनियम, 1986 के अंतर्गत की गई है और जिनका प्रबंधन मधुआरा समुदाय सहित तटीय समुदाय द्वारा किया जाता है ;
8. इस अधिसूचना के अंतर्गत स्वीकार्य गतिविधियों के संचालन से संबंधित मानक,—
- (i) विभिन्न श्रेणियों के सीआरजेड में संबंधित सीजेडएमए द्वारा विकास या निर्माण कार्यकलाप निम्नलिखित मानकों के अनुसार विनियमित किए जाएंगे, अर्थात् :—
- टिप्पणी :— विभिन्न विशेषताओं की मौजूदगी या विनियमन या मानकों के संबंध में इसके पश्चात 'मौजूदा उपयोग' शब्द का आशय 19.2.1991 को इन विशेषताओं या विनियमनों या मानकों की मौजूदगी होगा जिस समय सीआरजेड अधिसूचना, अधिसूचित की गई थी ।
- I. सी.आर.जेड.— I.—
- (i) निम्न को छोड़कर किसी प्रकार की नई निर्माण प्रक्रिया की अनुमति नहीं दी जाएगी :—
- (अ) परमाणु ऊर्जा विभाग से संबंधित परियोजना;
- (ब) पाइपलाइन, संप्रेषण प्रणाली जिसमें ट्रांसमिशन लाइन भी सम्मिलित है;
- (स) सी.आर.जेड.—I में अनुमति प्राप्त गतिविधियों के लिए आवध्यक सुविधाएं;
- (द) भारतीय मौसम विभाग द्वारा चक्रवातों एवं तूफानों की गति तथा पूर्वानुमान प्राप्त करने के लिए स्थापित मौसमीय राडार;
- (य) एल.टी.एल. एवं एच.टी.एल. के मध्य, ज्वारीय प्रवाह को नुकसान पहुंचाए बिना, अवरत्तंभ या खम्भों पर ट्रांसहार्डर समुद्री मार्ग या सड़क का निर्माण;
- (र) नवी मुम्बई में ग्रीन फील्ड हवाई अड्डे का विकास एवं इससे जुड़ी निर्माण संबंधी गतिविधियां;
- (ii) एल.टी.एल. एवं एच.टी.एल. के मध्य के ऐसे क्षेत्र, जो पारिस्थितिक रूप से संवेदनशील न हो तथा

महत्वपूर्ण हो, में निम्न गतिविधियों को करने की अनुमति है अर्थात्—

- (अ) प्राकृतिक गैस का उत्खनन एवं निष्कर्षण;
- (ब) संबंधित सी.जे.ड.ए.म.ए. से अनुमति प्राप्त करने के पश्चात् संरक्षित बायोस्फियर में निवास करने वाले पारंपरिक समुदाय की आवश्यकता हेतु चिकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, पुल, सड़क, जेटी, जलापूर्ति व्यवस्था, जलनिकास प्रणाली, वाहित मल के निकास की व्यवस्था इत्यादि का निर्माण ।
- (स) यदि ऐसे क्षेत्र खतरनाक क्षेत्र के अंतर्गत आते हैं तो ऐसे विकासात्मक गतिविधियों की अनुमति देने से पहले आवश्यक सुरक्षा की व्यवस्था करनी चाहिए;
- (द) समुद्री जल का वाष्पीकरण करके नमक बनाने की विधि;
- (य) डिसेलिनेशन संयंत्र;
- (र) पूर्वनिर्धारित बंदरगाहों पर खाद्य तैल, उर्वरकों एवं खाद्य सामग्री जैसे खतरे से रहित पदार्थों का भण्डारण;
- (ल) ज्वारीय प्रवाह को नुकसान पहुंचाए बिना, अवस्तुंभ या खम्भों पर ट्रांसहार्बर समुद्री मार्ग या सड़क का निर्माण;

II. सी.आर.जे.ड.—II,—

- (i) पहले से निर्मित सड़कों के भूमि की ओर या किसी प्राधिकरण से संबंधित भवनों की भूमि की ओर ही भवन बनाने की अनुमति दी जाएगी ।
- (ii) वे भवन जिन्हें, पहले से निर्मित या प्रस्तावित सड़कों और पहले से निर्मित किसी प्राधिकरण से संबंधित भवनों के भूमि की ओर, बनाए जाने की अनुमति देना स्थानीय शहरी या देश के नियोजन, जिसके अंतर्गत फ्लोर एप्पेस इण्डेक्स/फ्लोर एरिया रेशियो से संबंधित 'पूर्वनिर्धारित' नियम भी शामिल है, के अधिकार क्षेत्र में होगा ।
बशर्ते कि समुद्र की ओर पहले से निर्मित सड़क पर बनी किसी नई सड़क की ओर की भूमि पर किसी भी प्रकार के भवनों के निर्माण की अनुमति नहीं दी जाएगी ।
- (iii) नए भवनों का निर्माण एवं उसकी संरचना आसपास के भूआकारिकी एवं स्थानीय अवसंरचना की तरह होनी चाहिए;
- (iv) अधिसूचना के संलग्नक—II में वर्णित नियमों के अनुसार ही पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस के परिवहन एवं भण्डारण के साथ-साथ तरल पैरा 2 (ii) में दिए गए नियम के अनुसार प्राकृतिक गैस के पुनः गैसीकरण की सुविधाएं;
- (v) डिसेलिनेशन संयंत्र एवं इससे जुड़ी अन्य सुविधाएं;
- (vi) पूर्वनिर्धारित बंदरगाहों पर खाद्य तैल, उर्वरकों एवं खाद्य सामग्री जैसे खतरे से रहित पदार्थों का

भण्डारण;

(vii) गैर पारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन करने व इससे जुड़ी सुविधाएं;

III. सी.आर.जे.ड. - III,-

अ. समुद्र के सामने और ज्वारीय लहरों से प्रभावित जलाशयों या खाड़ी की चौड़ाई, जो भी कम हो, के किनारे 100 मी. और एच.टी.एल. से 200 मीटर तक भूमि की ओर के क्षेत्र को "नो डेवेलपमेन्ट जोन (एनडीजे.ड)"; के रूप में घिनित किया जाएगा।

(i) किसी अधिसूचित बंदरगाह सीमाओं में आने वाले ऐसे क्षेत्रों में एनडीजे.ड लागू नहीं होगा।

(ii) पूर्व में निर्मित प्राधिकृत संरचनाओं में पूर्वनिर्धारित फ्लोर स्पेस इण्डेक्स, प्लन्थ एरिया एवं घनत्व में बिना परिवर्तन किए, उनकी मरम्मत या पुर्ननिर्माण तथा इस अधिसूचना में लिखित आवश्यक गतिविधियों से संबंधित सुविधाओं के निर्माण सी फ्रंट के साथ-साथ एचटीएल से 100 और 200 मीटर के बीच मधुआरा समुदायों सहित परंपरागत तटीय समुदायों की आवासीय इकाइयों के निर्माण/पुनर्निर्माण की अनुमति होगी जिसे मधुआरा समुदाय सहित परंपरागत तटीय समुदायों के साथ परामर्श कर और आवश्यक आपदा प्रबंधन प्रावधान, स्वच्छता तथा पर्यावरण एवं वन मंत्रालय द्वारा अनुमोदन के लिए संबंधित राज्य या संघ राज्य क्षेत्र सीजेडएमए से एनसीजेडएमए की सिफारिश पर शुरू किया जाएगा।

(iii) हालांकि एनडीजे.ड में निम्न गतिविधियों को संचालित करने की अनुमति प्रदान की जा सकती है: -

(क) वृषि, शाक-भाजी उत्पादन, बगीचे की व्यवस्था, धरागाह, पार्क खेलने का मैदान, बन;

(ख) परमाणु ऊर्जा विभाग की परियोजनाएं;

(ग) दुर्लभ पोषक तत्वों का खनन;

(घ) समुद्री जल से नमक बनाना;

(ड) अधिसूचना के संलग्नक-II में वर्णित नियमों के अनुसार ही पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस के परिवहन एवं भण्डारण;

(च) पैरा 2 के उप पैरा (ii) में दिए गए नियम के अनुसार प्राकृतिक गैस के पुनः गैसीकरण की सुविधाएं;

(छ) गैर पारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन करने की सुविधाएं;

(ज) डिसैलिनेशन संयंत्र एवं इससे जुड़ी सुविधाएं;

(झ) मौसमीय रडार की स्थापना;

(ञ) संबंधित सी.जे.ड.ए.से अनुमति प्राप्त स्थानीय समुदाय की आवश्यकता हेतु विकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, पुल, सड़क, जेटी, जलापूर्ति व्यवस्था, जलनिकास प्रणाली, वाहित मल के निकास की व्यवस्था इत्यादि का निर्माण एवं विकास की

अनुमति दी जाएगी ।

- (ट) घरेलू वाहित मल, उपचार एवं निस्तारण के लिए बनाए जाने वाली इकाइयों या संबंधित निकायों हेतु प्रदूषण नियंत्रण परिषद्/समिति की ओर से मंजूरी प्रमाण पत्र अवश्य होना चाहिए;
- (ठ) स्थानीय मछुआरा समुदाय के लिए आवश्यक सुविधाएं जैसे मछलियों को सुखाने के लिए प्रांगण, नीलामी के लिए एक हॉल, पारंपरिक नौका निर्माण संबंधी प्रांगण, बर्फ संयंत्र बर्फ तोड़ने की इकाइ, मछलियों के उपचार से संबंधित सुविधाएं इत्यादि ।

(ज) पहले से अनुमित ग्रीन फील्ड हवाई अड्डे का विकास केवल नवी मुंबई में ।

ब. 200 मीटर से 500 मीटर तक का क्षेत्र:

उपरोक्त क्षेत्रों में निम्नलिखित गतिविधियां अनुमित होंगी;

- (i) अनुबंध-III के दिशा-निर्देशों में यथाविर्दिष्ट शर्तों के अध्यधीन, नामोदिदस्त् क्षेत्रों में पर्यटकों/आगन्तुकों हेतु होटल/समुद्र तटीय रिसॉर्ट इत्यादि के निर्माण हेतु खाली प्लाटों का विकास ;
- (ii) संलग्नक-II में वर्णित नियमों के अनुसार ही पेट्रोलियम उत्पादों तथा द्रवित प्राकृतिक गैस की प्राप्ति और उसके भण्डारण हेतु सुविधाएं;
- (iii) अनुच्छेद 2 (ii) के उप-अनुच्छेद (ii) में यथावर्णित शर्तों के अनुसार द्रवित प्राकृतिक गैस के पुनः गैसीकरण की सुविधाएं;
- (iv) अधिसूचित बंदरगाहों पर खाद्य तेल, उर्वरकों एवं खाद्य सामग्री जैसे खतरे से रहित पदार्थों का भण्डारण;
- (v) डिसेलिनेशन संयंत्र एवं इससे जुड़ी सुविधाओं हेतु तटाग्र सुविधाएं;
- (vi) गैर पारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन करने के लिए सुविधाएं;
- (vii) आवासीय इकाईयों का निर्माण अथवा पुनर्निर्माण जबतक कि वह पारंपरिक अधिकारों और उपयोगों जैसे मौजूदा गांवों और गोथान्स की परिधि के अंदर हैं । ऐसे निर्माण अथवा पुनः निर्माण हेतु निर्माण अनुमति, दो तलों (भूतल+ एक तल) सहित 9 मीटर तक अधिकतम ऊंचाई के निर्माण की समग्र ऊंचाई सहित स्थानीय नगर और शहर आयोजना नियमावली की शर्तों के अध्ययधीन होगी;
- (viii) सी जेड एम ए द्वारा वर्षा से बचने के लिए सार्वजनिक स्थलों, सामुदायिक शौचालयों, जलापूर्ति व्यवस्था, वाहितमल निस्तारण संबंधी व्यवस्था, सड़क एवं पुलों का निर्माण । यह प्राधिकरण, यदि निर्माण हेतु अन्य स्थान उपलब्ध नहीं है तो सी.आर.जेड. के अंतर्गत आने वाले अधिकतर पंचायतों में निवास करने वाले स्थानीय लोगों के लिए स्कूल एवं चिकित्सालय के निर्माण की भी अनुमति प्रदान कर सकता है;
- (ix) उप-अनुच्छेद (vii), (vii) के अध्यधीन मौजूदा प्राधिकृत भवन का पुनः निर्माण अथवा उसमें परिवर्तन ;
- (x) पहले से अनुमित ग्रीन फील्ड हवाई अड्डे का विकास केवल नवी मुंबई में;

IV. सी.आर.जे.ड.—IV के में,—

स्थानीय समुदायों द्वारा की गई पारंपरिक मत्स्यन और संबंधित गतिविधियों को छोड़कर निम्नवत समुद्र और ज्वारीय प्रभावित जलाशयों पर आरोपित गतिविधियों को विनियमित किया जाएगा ;

अ. एक्वाकल्वर प्रचालनों सहित सभी गतिविधियों से उत्पन्न अशोधित मल जल, बहिस्राव, बैलास्ट वाटर शिप वाशेज, फ्लाई ऐश अथवा ठोस अपशिष्ट को डालना या फेंकना नहीं चाहिए । पारंपरिक तटीय समुदायों, पारंपरिक मछुआरा समुदायों सहित पणधारियों से परामर्श में एक वर्ष की अवधि के अंदर तटीय करबों और शहरों में उत्पन्न हो रहे मल जल के शोधन हेतु वृहत् योजना तैयार और कार्यान्वित की जाएगी;

ब. तेल और गैस अन्वेषण और ड्रिलिंग, खनन, बोट हाऊस और पोत—परिवहन से प्रदूषण;

स. स्थानीय समुदायों द्वारा पारंपरिक मत्स्य और संबंधित गतिविधियों पर कोई प्रतिबंध नहीं होगा ।

V. ऐसे क्षेत्र जिनपर विशेष ध्यान देने की आवश्यकता है,—

1. ऐसे सी.आर.जे.ड. क्षेत्र जो ग्रेटर मुंबई के नगरपालिका के अधिकार क्षेत्र में आता है ।

(i) अशोधित बहिस्रावों के निस्तारण और ठोस अपशिष्ट के निपटान के कारण कच्छ वनस्पति वनों का अवक्षण, संकरी खाड़ी और तटीय जलों का प्रदूषण से संबंधित पर्यावरणीय मुददों के कारण ग्रेटर मुंबई के सी आर जे.ड. क्षेत्र में विकासात्मक गतिविधियां, समाज के निर्धन वर्ग को बेहतर आवासीय सुविधा प्रदान करने की आवश्यकता और ग्रेटर मुंबई के अंतः संयोजित द्वीपों में उपयुक्त विकल्पों की कमी को निम्नवत विनियमित किया जाएगा, अर्थात्—

अ. मार्गों का निर्माण— अधिसूचना के पैरा 7 के उप—पैरा (i) में दर्शाए गए अनुसार सी आर जे.ड.—I क्षेत्रों में केवल निम्नलिखित गतिविधियां आरंभ की जा सकती है :—

अ. ग्रेटर मुंबई के विकासात्मक योजना में मार्गों, एप्रोच मार्गों और मिसिंग लिंक मार्गों का निर्माण, यह सुनिश्चित करते हुए कि ज्वारीय जल का मुक्त प्रवाह प्रभावित न हो, ऐसे निर्मित मार्गों अथवा एप्रोच मार्गों के भू क्षेत्र पर सी आर जे.ड.—II को प्राप्त किसी लाभ के बिना निम्नलिखित शर्तों के अध्यधीन होगा :—

(i) सभी मैंग्रोव क्षेत्रों का मापन किया जाएगा और सुरक्षित वनों के रूप में अधिसूचित किया जाएगा तथा पहचान किए गए मैंग्रोव क्षेत्रों में आवश्यक सुरक्षा और संरक्षण उपाय शुरू किए जाएंगे ।

(ii) सी आर जे.ड. क्षेत्र के बाहर ठोस अपशिष्ट स्थलों की पहचान की जाएगी और उसके पश्चात दो साल के भीतर मौजूदा कन्वेंशन ठोस अपशिष्ट स्थलों को सी आर जे.ड. क्षेत्र के बाहर ले जाया जाएगा ।

(iii) निर्माण प्रक्रिया के दौरान नष्ट किए गए/काटे गए कच्छ वनस्पति वनों का पांच गुणा रोपण किया जाएगा ।

(iii) सी आर जे.ड.—II क्षेत्रों में—

अ. नगर और शहर योजना विनियम जैसे कि तारीख 19.2.1991 की अधिसूचना जारी होने की तारीख

को थे, में दिए गए मानकों के अनुसार विकास और जीर्णोद्धार तबतक निरंतर जारी रहेगा, जब तक कि त्वरित अधिसूचना में इसे अन्यथा विनिर्दिष्ट न किया गया हो ।

ब. झुग्गी पुनर्वास स्कीमें, —

1. ग्रेटर मुंबई क्षेत्र में बड़ी संख्या में झुग्गी बस्तियां हैं जिनमें लाखों परिवार रहते हैं। इन झुग्गी बस्तियों की जीवन दशाएं बहुत खराब हैं और नागरिक अभिकरण यहां पेयजल, बिजली, सड़कों, नालियों आदि जैसी आधारभूत अवसंरचना उपलब्ध कराने में असमर्थ है। झुग्गी अनियोजित और घनी बसी हैं। इसके अतिरिक्त बचाव राहत और खाली करने की दृष्टि से होने वाली परेशानियों के मद्देनजर तटीय क्षेत्रों की झुग्गी बस्तियों को चकवात, तूफान अथवा सुनामी का बहुत खतरा है।
2. इसलिए झुग्गी बस्ती के निवासियों को सुरक्षित और उपयुक्त निवास स्थान उपलब्ध कराने के लिए राज्य सरकार सीधे या अपनी सहायक एजेंसियों जैसे महाराष्ट्र हाउसिंग एंड एरिया डेवलपमेंट अथॉरिटी (एम एच ए डी ए), शिवशाही पुनर्वासन प्रकल्प लिमिटेड (एस पी पी एल), मुंबई मेट्रोपोलिटन रीजन डेवलपमेंट अथॉरिटी (एम एम आर डी ए) आदि के माध्यम से झुग्गी बस्ती पुनर्विकास स्कीमें कार्यान्वित कर सकती हैं:

बशर्ते कि :-

- (i) ऐसी पुनर्विकास स्कीमें यह सुनिश्चित करते हुए कि इसमें राज्य सरकारों या उनके सहायक निकायों का अंश 51% से कम न हो, सीधे या संयुक्त रूप से या सार्वजनिक निजी हिस्सेदारी अथवा ऐसे समान मॉड्यूल से शुरू की जाएंगी।
- (ii) ऐसी जीर्णोद्धार स्कीमों के लिए फ्लोर स्पेस इन्डेक्स या फ्लोर एरिया अनुपात सक्षम प्राधिकारी द्वारा परियोजना को दी गई मंजूरी की तारीख को मौजूद नगर और शहर योजना विनियम के अनुसार होगा।
- (iii) शर्त (1) (i) के माध्यम से राज्य सरकार सहित यहां सुनिश्चित करने के लिए कि कानूनी रूप से विनियमित सभी किरायेदारों को अपने स्थान पर अथवा इस संबंध में राज्य सरकार द्वारा दिए गए मानकों के अनुसार मकान उपलब्ध कराए गए हैं, उनके साथ पुनर्विकास शुरू करना परियोजना प्रस्तावक की जिम्मेदारी होगी।

स. जीर्ण-शीर्ण, उपकर आधारित और असुरक्षित भवनों का पुनर्निर्माण :

1. ग्रेटर मुंबई में भी सी आर जेड क्षेत्रों में जीर्ण-शीर्ण, उपकर आधारित और असुरक्षित भवन हैं और अपनी स्थिति के कारण ये ढांचे अत्यंत असुरक्षित और आपदा की संभावना वाले हैं इसलिए इन अभिनिर्धारित भवनों का जीर्णोद्धार/पुनर्निर्माण अत्यंत आवश्यक है।
2. ये परियोजनाएं निम्नलिखित शर्तों और सुरक्षा उपायों के अध्याधीन शुरू की जाएंगी :

- (i) इस अधिसूचना के जारी होने की तारीख पर यथा अभिज्ञात ऐसी पुनर्विकास / पुनर्निर्माण परियोजनाएं इन भवनों के मालिकों या निजी डेवलपर्स को शामिल करते हुए मौजूदा विनियम के अनुसार सीधे या संयुक्त रूप से या अन्य समान मॉड्यूल्स के माध्यम से शुरू करने की अनुमति दी जाएगी ।
- (ii) ऐसी जीर्णोद्धार स्कीमों के लिए फ्लोर स्पेस इन्डेक्स या फ्लोर एरिया अनुपात सक्षम प्राधिकारी द्वारा परियोजना को दी गई मंजूरी की तारीख को मौजूद नगर और शहर योजना विनियम के अनुसार होगा ।
- (iii) उपर्युक्त शर्त (1) के माध्यम से पुनर्निर्माण शुरू करते समय परियोजना प्रस्तावकों द्वारा भवनों के जीर्णोद्धार/पुनर्निर्माण के दौरान विशिष्ट भवनों के वास्तविक किराएदारों के लिए उचित आवास सुनिश्चित किया जाएगा ।
- द. इस अधिसूचना में कहीं भी, कुछ भी शामिल होने के बावजूद उपर्युक्त पैरा ब और स में विशिष्ट रूप से दी गई झुग्गी बस्तियों और जीर्ण-शीर्ण, उपकर आधारित और असुरक्षित भवनों के लिए विकासात्मक कार्य परियोजना प्रस्तावकों द्वारा उसमें बताए गए जवाबदेह और पारदर्शी ढंग से पूरे किए जाएंगे, जिसमें जहां भी लागू हो, निम्नलिखित शर्त-पूर्व उपाय शामिल होंगे :-
- 1(i). सक्षम प्राधिकारी द्वारा मंजूरी दी गई सभी जीर्णोद्धार/पुनर्निर्माण परियोजनाओं के लिए आर टी आई अधिनियम, 2005 की अनुप्रयोज्यता ।
- (ii). पर्यावरण एवं वन मंत्रालय सी पी आई ओ और महाराष्ट्र सरकार के परामर्श से उपयुक्त रैंक के प्रथम अपीलीय प्राधिकरण के गठन हेतु आदेश जारी करेगा ।
- (iii). इसे अनुमोदित करने से पहले एक महीने के अंदर महाराष्ट्र सरकार में उपयुक्त प्राधिकरण द्वारा सूचना का अधिकार अधिनियम, 2005 के अनुपालन की धारा 4 की आवश्यकता के रूप में पूर्ण प्रस्ताव और पात्र झुग्गी वासियों के नामों सहित झुग्गी बस्ती पुनर्वास योजना का ब्यौरा, स्वप्ररेणा से घोषित किया जाएगा;
- (iv) उप अनुच्छेद V के खंड (iii) के उप खंडों (ब) और (स) में दर्शायी गई परियोजनाओं के संबंध में राज्य सरकार में कार्यान्वयन अथवा कार्यकारी अभिकरण, स्थल और कार्यान्वयन अथवा कार्यकारी अभिकरण के कार्यालय में बड़े नोटिस बोर्डों पर पात्र भवन-निर्माता, बनाई जा रही कोठरियों की कुल संख्या, पात्र झुग्गी वासियों के नाम जिन्हें आवासीय इकाइयां प्रदान की जानी हैं और खुले बाजार में बिक्री के लिए उपलब्ध अतिरिक्त क्षेत्र दर्शाए जाएंगे ।
- (v) यदि परियोजना प्रस्तावक सूचना अधिकार अधिनियम, 2005 के अंतर्गत शामिल किए जाने हेतु सहमत होते हैं केवल तभी उप-अनुच्छेद V के खंड (iii) के उपखंडों (ब) और (स) के अंतर्गत विकसित की जा रही परियोजनाओं को अनुमति दी जाएगी ।
2. पर्यावरण एवं वन मंत्रालय सांविधिक परीक्षकों को नियुक्त करे, जो नियंत्रक और लेखा परीक्षक (इसमें इसके पश्चात् नि. और ले.प. के रूप में मैं उल्लिखित) द्वारा जीर्ण-शीर्ण, उपकर आधारित और असुरक्षित भवनों के पुनर्विकास से संबंधित परियोजनाओं के संबंध में कार्य-निष्पादन और वित्तीय लेखा-परीक्षा करने के लिए रखे गए हैं और झुग्गी बस्तियों के पुनर्वास स्कीम से संबंधित परियोजनाओं की लेखा-परीक्षा, नि. और ले.प. द्वारा की जाएगी ।

3. महाराष्ट्र सरकार द्वारा V(iii)(ख) और (ग) के कार्यान्वयन की आवधिक समीक्षा के लिए उच्च स्तरीय पर्यावरण समिति की स्थापना करना, जिसमें स्थानीय शहरीनिकायों, राज्य सरकार और केंद्र सरकार के विभिन्न स्टेक हॉल्डरों, वास्तुविदों, शहरी योजनाकारों, इंजीनियरों और नागरिक समाज के व्याप्ति प्राप्त प्रतिनिधि शामिल होंगे ।
4. V(iii)(ख) और (ग) के अंतर्गत वैयक्तिक परियोजनाएं केवल जन परामर्श के बाद शुरू की जाए जिसमें केवल कानूनी रूप से अधिकृत झुग्गी वासी अथवा विधांस/बंद भवन के कानूनी रूप से अधिकृत किरायेदारों से ईआईए अधिसूचना 2006 में निर्धारित प्रक्रियाओं के अनुसार विचार प्राप्त किए जाएं ।

- (य) ग्रेटर मुंबई क्षेत्र के 'ग्रीनलंग' की सुरक्षा और परिरक्षा के लिए सभी खुले स्थानों, पार्कों, उद्यानों, सी आर जेड-II के अंदर की विकास योजनाओं में निर्धारित क्रीड़ास्थलों को सी आर जेड-III, जोकि 'नो डेवलपमेंट जोन' है, के रूप में वर्गीकृत किया जाएगा ।
- (र) नागरिक सुविधाओं, मनोरंजन और खेलकूद से संबंधित कार्यों के लिए स्टेडियम, जिम्नाजियम आदि निर्माण के लिए ही 15% फ्लोर स्पेस इंडेक्स की अनुमति होगी । ऐसे खुले स्थानों के आवासीय या वाणिज्यिक उपयोग की अनुमति नहीं होगी ।
- (ल) 1981 की विकास योजना और महाराष्ट्र सरकार के संबंधित रिकार्डों में अभिनिर्धारित मछुआरा बस्ती क्षेत्र नामतः कोलीवाड़ा सीआरजेड III के रूप में मानचित्रित और घोषित किए जाए जिसमें इन बस्तियों का निर्माण और पुनर्निर्माण स्थानीय नगर और शहर योजना विनियमों के अनुसार किया जाए ।
- (व) राज्य सरकार द्वारा पहचान किए गए मछुआरा समुदायों और अन्य स्थानीय समुदायों से संबंधित आवासीय ईकाइयों के पुनर्निर्माण और मरम्मत कार्यों के बारे में सक्षम प्राधिकारियों द्वारा प्राथमिकता के आधार पर विचार किया जाएगा और उपयुक्त नगर और शहर योजना विनियमों के अनुसार अनुमति दी जाएगी ।

2. केरल का सी.आर.जेड

केरल के तटीय क्षेत्रों में मौजूद स्थान सीमा सहित बैकवाटर और बैकवाटर द्वीप समूह के अद्वितीय तटीय व्यवस्था के परिप्रेक्ष्य में सी.आर.जेड. में निम्नलिखित कार्यकलाप विनियमित किए जाएं नामतः

- (i) केरल के बैकवाटर में स्थित समस्त द्वीप सी.आर.जेड. अधिसूचना के अंतर्गत आने चाहिए ।
- (ii) बैकवाटर में मौजूद द्वीप के पास भूमि की ओर उच्च ज्वार रेखा से लेकर 50 मीटर तक का सी.आर.जेड. क्षेत्र होना चाहिए ।
- (iii) एच.टी.एल. से 50 मीटर के अंतर्गत स्थित स्थानीय समुदायों के आवासीय स्थल की

मरम्मत या इसका पुर्ण निर्माण किया जा सकता है। किसी प्रकार का नवीन निर्माण इस क्षेत्र में नहीं होगा।

(iv) भूमि की ओर एच.टी.एल. से 50 मीटर दूरी के बाद स्थित स्थानीय समुदायों के आवासीय स्थल का निर्माण स्थानीय पंचायत की आज्ञा के बिना नहीं किया जा सकता।

(v) फोरशोर सुविधाएं जैसे मछली पकड़ने के लिए जेट्टी, मछली सुखाने के लिए निश्चित स्थान का निर्माण, पारंपरिक तरीके से किया जाने वाला मत्स्य प्रसंस्करण, नौका निर्माण के लिए स्थान, नौका की मरम्मत इत्यादि कार्य इस बैकवाटर द्वीप समूहों के एचटीएल से 0-50 मीटर के अंदर ही हो सकते हैं।

3. गोवा का सी.आर.जेड.

गोवा राज्य के पूर्व इतिहास और अन्य विकासों सहित विशिष्ट परिस्थितियों के परिप्रेक्ष्य में विशेष कार्यकलाप विनियमित किए जाएं और निम्नलिखित विभिन्न उपाय किए जाएं।

(i) गोवा सरकार मछुआरा गांवों को अधिसूचित करेगी जहां सी आर जेड में मत्स्य पालन एवं इससे संबंधित गतिविधियों के लिए आवश्यक अन्य प्रकार की सुविधाएं जैसे पारंपरिक तरीके से किया जाने वाले मत्स्य प्रसंस्करण की प्रक्रिया संबंधी स्थान, नौका निर्माण/मरम्मत के लिए स्थान, बर्फ को संग्रह करने का स्थान, निलामी संबंधी हॉल, जेट्टी इत्यादि ग्राम पंचायत द्वारा अनुमति किया जा सकता है।

(ii) सी.आर.जेड. में स्थानीय समुदायिक संरचनाओं के निर्माण एवं मरम्मत की गतिविधि की अनुमति दी जानी चाहिए।

(iii) सितम्बर से मई माह के बीच परंपरागत रूप से पूर्णतः अस्थाई और मौसमी निर्माण;

(iv) ऐसे इको संवेदनशील निचले क्षेत्रों, जोकि ज्वार से प्रभावित होते हैं तथा जिन्हें खलान भूमि भी कहते हैं का नक्शा बनाना चाहिए।

(v) इस खलान भूमि के आसपास स्थित मैनूव वनों की सुरक्षा की जानी चाहिए तथा इन क्षेत्रों के प्रबंधन से संबंधित एक योजना का विकास भी किया जाना चाहिए। इन क्षेत्रों में किसी भी प्रकार की विकासात्मक गतिविधियों को अनुमति नहीं दी जानी चाहिए।

(vi) खाड़ियों एवं झीलों के आसपास स्थित बलुई टीलों व तटीय विस्तारों का सर्वेक्षण कर नक्शा तैयार किया जाना चाहिए। किसी भी प्रकार की गतिविधियों की अनुमति इस क्षेत्र में नहीं दी जानी चाहिए।

(vii) मैंड्रेम, मोरीजिम, गालगिया और अगोडा जैसे तटीय क्षेत्रों के कछुओं के निवास स्थान के रूप में अभिनिर्धारित किया गया है और वन्यजीव संरक्षण अधिनियम, 1972 के अंतर्गत उन्हें सुरक्षा प्रदान की गई है। इन क्षेत्रों का सर्वेक्षण किया जाएगा और कछुओं के निवास स्थान गाले इन स्थानों की सुरक्षा के लिए प्रबंधन योजना तैयार की जाएगी।

(viii) उप-अनुच्छेद (vi) में उल्लिखित कछुआ प्रजनन क्षेत्रों में विकासात्मक कार्यकलाप की अनुमति नहीं दी जाएगी।

4. (अ) अत्यंत संवेदनशील तटीय क्षेत्र नगर और शहर योजना (सी वी सी ए) जिसमें सुन्दरबन तथा अन्य पारिस्थितिक रूप से संवेदनशील क्षेत्र शामिल हैं जिन्हें मछुआरों सहित स्थानीय तटीय समुदायों की भागीदारी के साथ प्रबंधित किया जाए।

(ब) समस्त सुन्दरबन कच्छवनस्पति क्षेत्र एवं अन्य अभिनिर्धारित पारिस्थितिकीय रूप से महत्वपूर्ण क्षेत्र जैसे गुजरात में खम्बाट की खाड़ी एवं कच्छ की खाड़ी, मलवन, महाराष्ट्र में अचरा-रत्नागिरी, कर्नाटक में करवर एवं कुण्डापुर, केरल में वेम्बानाद, उड़ीसा में भैतरकनिका, आन्ध्र प्रदेश में कोरिन्ना, पूर्व गोदावरी एवं कृष्णा के स्थानीय मछुआरों और क्षेत्र में रहने वाले अन्य समुदाय जो कि अपनी आजीविका के लिए इसके संसाधनों पर निर्भर करते हैं, के साथ विचार-विमर्श के द्वारा और तटीय संसाधनों और पर्यावासों के संरक्षण और सतत उपयोग को बढ़ावा देने के उद्देश्य से अत्यंत संवेदनशील तटीय क्षेत्र (सीवीसीए) घोषित किया जाना चाहिए।

(स) सी वी सी ए की आयोजना, अधिसूचना, करने और कार्यान्वयन के अभिज्ञान की प्रक्रिया उन दिशानिर्देशों में वर्णन की जाएगी जो राज्य सरकार, स्थानीय तटीय समुदायों और क्षेत्र में बसे मछुआरों जैसे पण्धारियों के परामर्श से पर्यावरण एवं वन मंत्रालय द्वारा विकसित एवं अधिसूचित किए जाएंगे।

(द) ऐसे सी वी सी ए के लिए तैयार किए गए एकीकृत प्रबंधन योजनाएं (आई एम पी) अन्य बातों के साथ-साथ कच्छ वनस्पति के संरक्षण एवं प्रबंधन, औषधालयों, स्कूलों, वर्षा से बचने के लिए सार्वजनिक शरण स्थल, सामुदायिक शौचालय, पुल, सड़क जैटटी, जलापूर्ति जलनिकास प्रणाली, सीवरेज जैसी स्थानीय समुदायों की आवश्यकताओं तथा समुद्री जल स्तर में वृद्धि होने और अन्य प्राकृतिक आपदाओं से होने वाले प्रभावों का भी ध्यान रखेंगी।

आई एम पी को सी जेड एम पी की तैयारी के लिए उपर्युक्त पैरा 5 के अनुरूप तैयार किया जाएगा।

(य) मछुआरों सहित तटीय समुदायों के विचारों के दृष्टिगत सी जेड एम ए द्वारा जब तक आई एम वी अनुमोदित और अधिसूचित किया जाता है, तब तक पारंपरिक निवासियों के लिए अपेक्षित स्वास्थ्य केंद्र, विद्यालय, वर्षा से बचाव के आश्रय स्थल, सामुदायिक शौचालय, पुल, सड़क, जेटटी, जलापूर्ति, जल निकाय प्रणाली, सीवरेज की मामला दर मामला आधार पर मंजूरी दी जा सकेगी ।

[फा. सं. 11-83/2005-आईए-III]

ज. मो. माऊसकर, अपर सचिव

संलग्नक I

तटीय जोन प्रबंधन योजना को तैयार करने हेतु दिशा—निर्देश

I. उच्च ज्वार रेखा का चिन्हांकन

- नेशनल सेन्टर फॉर स्टेनेबल कोस्टल (एन. सी. एस. सी. एम.) की संस्तुतियों के आधार पर पर्यावरण एवं वन मंत्रालय द्वारा मान्यता प्राप्त संस्थाओं में से किसी एक संस्था को उच्च ज्वार रेखा (एच.टी.एल.) और निम्न ज्वार रेखा (एल.टी.एल.) को चिन्हांकित करना होगा।
- एच.टी.एल. / एल.टी.एल. का चिन्हांकन पर्यावरण एवं वन मंत्रालय द्वारा चयनित संस्थाओं द्वारा निर्मित तटीय जोन प्रबंधन (सी.जेड.एम.) मानचित्र जोकि 1:25,000 पैमाने के माप के अनुसार है, पर करना होगा।
- स्थानीय निकायों के अधिकारियों द्वारा सी.आर.जेड. को चिन्हांकित करने के लिए स्थानीय स्तर पर सी.एम. जेड. मानचित्र का निर्माण करना होगा।
- केन्द्र सरकार द्वारा मान्यता दिये गये सी.जेड.एम. मैप के अनुसार ही कैडेस्ट्रल पैमाने पर स्थानीय सी.जेड.एम. मानचित्र तैयार किये जायेंगे।
- सी.जेड.एम. मानचित्र का निर्माण:

- 1:25,000 पैमाने का आधार मानचित्र सर्वे ऑफ इण्डिया (एस.ओ.आई.) से लिया जायेगा। यदि 1:25,000 पैमाने का मानचित्र उपलब्ध नहीं है तो ऐसी स्थिति में आधार मानचित्र के रूप में 1:50,000 पैमाने का मानचित्र को 1:25,000 तक बड़ा करके प्रयोग किया जायेगा। इन मानचित्रों के विशिष्ट मानक निम्नांकित मानकों के अनुरूप होंगे।

ईकाई : 7.5 मिनट x 7.5 मिनट

अंकन : सर्वे ऑफ इण्डिया की सीट के साख्यांकन के अनुसार

क्षेत्रिज : एवरेस्ट या डब्ल्यू.जी.एस. 84

ऊर्ध्वाधर : मीन सी लेवल (एम.एस.एल.)

स्थलाकृति : एस.ओ.आई मानचित्र की स्थलाकृति को आधुनिक सेटलाइट इमेजेनरी एरियल फोटोग्राफ्स उपयोग करते हुए अद्यतन बनाना

- आधार मानचित्र पर चिन्हांकित उच्च जल स्तर (एच.डब्ल्यू.एल.) तथा निम्न जल स्तर (एल.डब्ल्यू.एल.) को सी.जेड.एम. मानचित्र पर हस्तांतरित किया जायेगा।

7. सी.आर.जेड. अधिसूचना के अनुसार एच.टी.एल./एल.टी.एल. को चिन्हांकित करने के लिए एच.डब्ल्यू.एल./एल.डब्ल्यू.एल. में उचित समायोजन हेतु फील्ड/सेटेलाइट इमेजनरी/एरियल फोटोग्राफ में तटीय भू-आकृतिकीय चिन्हों का प्रयोग किया जायेगा।

8. एच.टी.एल./एल.टी.एल. को चिन्हांकित करते समय निम्नांकित भू-आकृतिकीय विशेषताओं को ध्यान में रखा जायेगा।

बलुई समुद्री तट के संदर्भ में स्थल की ओर (मानसूनी) का शिरा

पथर, समुद्रगत भूमि, खड़ी चट्टानें

समुद्र तटबंध/रिवीटमेन्ट/तटबंध

9. एच.टी.एल. के लिए 500 मी. और 200 मी. की रेखा को चिन्हांकित किया जायेगा।

10. एच.टी.एल. (जैसाकि सी.आर.जेड. अधिसूचना में परिभाषित है) और एल.टी.एल. को भी सी.जेड.एम. मानचित्र में भू-आकृतिकीय विज्ञान चिन्हों/विशेषताओं के माध्यम से ज्वार द्वारा प्रभावित होने वाले अन्तर्स्थलीय जल स्रोतों के किनारों के चारों ओर चिन्हांकित किया जायेगा।

11. सी.आर.जेड. अधिसूचना के अनुसार विभिन्न समुद्रतटीय क्षेत्रों का वर्गीकरण किया जायेगा।

12. आंकड़ों के उप-वर्गीकरण को प्रकट करने के लिए मानक राष्ट्रीय/अन्तर्राष्ट्रीय रंग कोडों को प्रयोग किया जायेगा।

स. स्थानीय सी.जेड.एम. मानचित्र:

स्थानीय सी.जेड.एम. मानचित्र, तटीय क्षेत्र प्रबंधन योजना को क्रियान्वित करने के लिए स्थानीय निकायों तथा अन्य संस्थाओं के प्रयोग हेतु है।

13. भूकर (ग्रामीण) मानचित्र जोकि 1:3960 या इसके नजदीकी ऐमाने पर होंगे, को आधार मानचित्रों के रूप में प्रयोग किया जायेगा।

14. ये मानचित्र राजस्व प्राधिकरणों के पास उपलब्ध होते हैं और मानकों के अनुरूप तैयार किये जाते हैं।

15. एच.टी.एल. (जैसाकि सी.आर.जेड. अधिसूचना में परिभाषित है) और एल.टी.एल. को भी भूकर मानचित्र में विस्तृत भौतिक सत्यापन के आधार पर चिन्हांकित किया जायेगा। इसके लिए केन्द्र सरकार द्वारा मान्यता प्राप्त सी.जेड.एम. मानचित्रों के अनुसार तटीय भू-आकृतिकीय विज्ञान चिन्हों/विशेषताओं का प्रयोग किया जायेगा।

16. एच.टी.एल. चिन्ह के अनुसार 500 मी. और 200 मी. की सीमा रेखा का चिन्हांकन किया जायेगा।

17. एच.टी.एल. (जैसाकि सी.आर.जेड. अधिसूचना 1991 में परिभाषित है) और एल.टी.एल. को भी भू-आकृतिकीय चिन्हों/विशेषताओं के माध्यम से ज्वार द्वारा प्रभावित होने वाले अन्तर्स्थलीय जल स्रोतों के किनारों के चारों ओर चिन्हांकित किया जायेगा।

18. परिभाषाओं को सी.जेड.एम. मानचित्रों से स्थानीय सी.जेड.एम. मानचित्रों में स्थानांतरित किया जायेगा।

19. सी.जेड.एम. मानचित्र से सूचकों को लिया जायेगा।

20. सी.जेड.एम. मानचित्र में दिये गये रंग संकेतकों (कोडों) का प्रयोग किया जायेगा।
21. केन्द्र सरकार द्वारा मान्यता प्राप्त स्थानीय संस्थाओं के माध्यम से भूकर मानचित्र का सत्यापन किया जायेगा। स्थानीय संस्थायें संबंधित राज्य/केन्द्रशासित तटीय क्षेत्र प्रबंधन प्राधिकरणों के दिशा-निर्देशन में कार्य करेंगी।

द. जोखिम सापन:

II. सी.आर.जेड. क्षेत्रों का वर्गीकरण

1. सी.जेड.एम. मानचित्र को सी.आर.जेड. अधिसूचना के पैरा 5 जिसमें सी.आर.जेड. I, II, III, IV और V को चिन्हित किया गया है, के अनुसार तैयार किया जायेगा।
2. सी.जेड.एम. मानचित्र, क्षेत्र की भू-उपयोग योजना और सी.आर.जेड. 1 क्षेत्रों की सूची को स्पष्ट रूप से चिन्हांकित करेगा। पैरा 7(1) ए और बी के तहत सूचीबद्ध सभी सी.आर.जेड.-1 क्षेत्रों को स्पष्ट रूप से चिन्हांकित, और रंग कोड निर्धारित किये जायेंगे ताकि सभी सी.आर.जेड. क्षेत्रों की स्पष्ट रूप से पहचान की जा सके।
3. लगभग 1000 वर्ग किमी. से अधिक मैंगूव क्षेत्रों के चारों ओर बफर क्षेत्र को अलग रंग से चिन्हांकित किया जायेगा।
4. बफर क्षेत्र को भी सी.आर.जेड.-1 क्षेत्र के रूप में वर्गीकृत किया जायेगा।
5. जोखिम रेखा पर्यावरण एवं वन मंत्रालय द्वारा तय की जायेगी और इसे 1:25000 पैमाने के सी.जेड. एम. मानचित्र और भूकर पैमाने के मानचित्र पर चिन्हांकित किया जायेगा।
6. सी.आर.जेड.-1 क्षेत्र वे क्षेत्र होंगे जिन्हें कि इस प्रकार निर्मित किया गया होगा कि कुल प्लॉट में बने हुए निर्मित प्लॉट का अनुपात 50 प्रतिशत से ज्यादा होगा।
7. सी.आर.जेड. क्षेत्रों में, मछुआरा समुदाय के गाँव, उनकी साझा संपत्तियां, मछली पकड़ने के घाट, मछली सुखाने के प्लेटफार्म/क्षेत्र, मछुआरा और स्थानीय समुदाय की ढांचागत सुविधाओं जैसे दवाखाना, सड़कें, विद्यालय इत्यादि को अधिकशत पैमाने के मानचित्र पर प्रदर्शित किया जायेगा। राज्य, विस्तार और अन्य जलरतों, साफ-सफाई, सुरक्षा और आपदा तैयारी सहित मूल सेवाओं के प्रावधान हेतु तटीय मछुआरे समुदायों की दीर्घकालीन आवासीय जलरतों के लिए विस्तृत जलरते तैयार करेगा।
8. उपर्युक्त सूचीबद्ध के अलावा कोई विकासात्मक कार्यकलाप जोखिम रेखा और 500 मी. अथवा 100 मी. अथवा भूमि की तरफ क्रीक की चौड़ाई पर अनुमेय नहीं किए जाएंगे। मछुआरों सहित स्थानीय समुदायों की आवासीय इकाई का पुनर्वास नहीं किया जायेगा यदि आवासीय इकाई जोखिम रेखा के समुद्र वाली तरफ स्थित है। राज्य सरकार ऐसे स्थानीय समुदायों को प्राकृतिक आपदा से आवश्यक सुरक्षा उपलब्ध करायेगी।
9. सी.आर.जेड.-IV के जल क्षेत्र जैसे समुद्र, लगून, बैकवॉटर, क्रीक, खाड़ी, इस्तुअरी आदि को स्पष्ट

रूप से चिन्हित किया जायेगा। जल क्षेत्रों के इस प्रकार के वर्गीकरण के लिए नैवल-हाइड्रोग्रैफिक ऑफिस द्वारा प्रयोग की जाने वाली शब्दावली को इस्तेमाल किया जायेगा।

10. जल क्षेत्रों में मछली पकड़ने के स्थानों तथा मछली प्रजनन क्षेत्र को स्पष्ट रूप से चिन्हित किया जायेगा।
11. जल क्षेत्रों में, केन्द्रीय प्रदूषण नियंत्रण बोर्ड के जल गुणवत्ता के मानकों के आधार पर, प्रदूषण स्तर को प्रदर्शित किया जायेगा।
12. सी.आर.जेड.-V क्षेत्रों में, भू-उपयोग मानविक्रों को तटीय क्षेत्र प्रबंधन योजना में अध्यारोपित किया जायेगा और इसमें सी.आर.जेड. I,II,III,IV को स्पष्ट रूप से दर्शाया जायेगा।
13. समुद्र की ओर के क्षेत्र में मौजूदा प्रमाणीकृत विकास को स्पष्ट रूप से दर्शाया जायेगा।
14. चक्रवात, तूफान और सूनामी के समय बद्धाव कार्य में सुविधा हेतु चक्रवात से बचने के स्थानों, हवाई पटिटयों और अन्य ढांचागत संरचनाओं जैसे सड़क नेटवर्क को भी सी.जेड.एम. मानविक्र पर स्पष्ट रूप से दर्शाया जायेगा।

III. तटीय क्षेत्र प्रबंधन योजना 1991 के अनुसार पर्यावरण एवं वन मंत्रालय द्वारा अनुमोदित सी.जेड.एम.पी

1. सी.आर.जेड.अधिसूचना 2011 के तहत सी.जेड.एम.पी तैयार करते समय, सी.आर.जेड.अधिसूचना 1991 के तहत अनुमोदित सी.जेड.एम.पी की तुलना की जाएगी। यदि सी.आर.जेड.अधिसूचना के तहत तैयार किए गए सी.जेड.एम.पी के मामले में यदि यह सी.आर.जेड.अधिसूचना 1991 के तहत तैयार की गई अनुमोदित सी.जेड.एम.पी से भिन्न हो तो, संबंधित सी.जेड.एम.पी द्वारा स्पष्टीकरण दिया जाएगा।

IV सी.जेड.एम.पी पर जन सुनवाई

IV. सी.जेड.एम.पी. पर जनसमुदाय के मत

- अ. ड्राफ्ट सी.जेड.एम.पी. का, पर्यावरण (संरक्षण) अधिनियम 1986 के तहत लोगों के सुझावों और आपत्तियों को प्राप्त करने के लिए बड़े स्तर पर प्रचार किया जायेगा। ड्राफ्ट सी.जेड.एम.पी. पर जन सुनवाई संबंधित सी.जेड.एम.ए. द्वारा जिला स्तर पर की जाएगी।
- ब. लोगों के सुझावों और आपत्तियों के आधार पर सी.जेड.एम.पी. का पुनरीक्षण किया जायेगा पर्यावरण एवं वन मंत्रालय का अनुमोदन प्राप्त किया जाएगा।
- स. अनुमोदित सी.जेड.एम.पी. को पर्यावरण एवं वन मंत्रालय, की वेबसाइट, संबंधित राज्य/केन्द्र शासित सी.जेड.एम.पी. की वेबसाइटों पर डाला जायेगा और इसकी मूल प्रति (हार्ड कॉपी) को पंचायत कार्यालय, जिला अधिकारी के कार्यालय आदि में उपलब्ध कराया जायेगा।

V. तटीय जोन प्रबंधन योजनाओं का सुधार

1. जब कभी संदेह उत्पन्न हो, संबंधित राज्य अथवा संघ शासित तटीय जोन प्रबंधन प्राधिकरण मामले को राष्ट्रीय सतत तटीय जोन केंद्र को भिजवाएगा, जो अद्यतन उपग्रह बिम्बी तथा आधारभूत सत्यता के आधार पर सी जेड एम पी की जांच करेगा ।
2. इसके संशोधित मानवित्र पर्यावरण एवं वन मंत्रालय को इसके रिकार्ड हेतु भिजवाएं जाएंगे ।

संलग्नक II

पेट्रोलियम व रसायन उत्पादों की सूची जिनके भण्डारण की (सी आर जेड (i) के बजाय सी आर जेड-II(i) अनुमति है

- (i) कच्चा तेल;
- (ii) लिक्विफाइड पेट्रोलियम गैस;
- (iii) मोटर स्प्रिट;
- (iv) कैरोसिन;
- (v) विमान ईंधन;
- (vi) हाई स्पीड डीजल;
- (vii) लुब्रीकेटिंग ऑयल;
- (viii) ब्यूटेन;
- (ix) प्रोपेन;
- (x) कम्प्रेसर नेचुरल गैस;
- (xi) नेपथा;
- (xii) फर्नेस ऑयल;
- (xiii) लो सल्फर हैवी स्टॉक;
- (xiv) लिक्विफाइड नेचुरल गैस;
- (xv) खाद व खाद के उत्पादन हेतु कच्चा माल ।

संलग्नक III

सी. आर.जे.ड.—१॥ और सी आर जे.ड ॥ के निर्धारित क्षेत्रों में तट रिसोर्ट/ होटल के निर्माण तथा एस.पी.सी. जे.ड.—॥ में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के बाद सैलानियों/ यात्रियों के अस्थाई रूप से ठहरने संबंधी दिशानिर्देश ।

१. सैलानियों/ यात्रियों के अस्थाई निवास हेतु सी. आर. जे.ड.— ॥ और ॥ के निर्धारित क्षेत्रों में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के पश्चात् तट रिसोर्ट/ होटलों के निर्माण निम्नांकित परिस्थितियों से संदर्भित होंगे:

- क. परियोजना प्रस्तावक, समुद्र की ओर की जोखिम रेखा के 200 मीटर के भीतर और निम्न ज्वार रेखा तथा उच्च ज्वार रेखा के बीच किसी भी प्रकार का निर्माण कार्य नहीं करेगा।
- ख. जोखिम रेखा अथवा उच्च ज्वार रेखा से 200 मीटर से आगे जो भी अधिक हो, प्रस्तावित निर्माण होगा।
- ग. निजी संपत्तियों के चारों ओर पौधों और काटेदार तारों द्वारा चारदीवारी के निर्माण की अनुमति इस शर्त पर दी जा सकती है कि इनके कारण लोगों की समुद्री किनारे तक पहुँच में कोई व्यवधान न हो।
- घ. रेत के टीलों को समतल नहीं किया जायेगा;
- च. खेल सुविधाओं के लिए, गोल पोस्ट, नेट पोस्ट और लैम्प पोस्ट के अतिरिक्त किसी भी प्रकार के स्थाई निर्माण की अनुमति नहीं होगी।
- छ. तहखाने के निर्माण की अनुमति इस आधार पर दी जा सकती है कि प्रस्तावक राज्य भूगर्भ जल प्राधिकरण से इस बात का अनापत्ति प्रमाण पत्र प्राप्त करेगा कि निर्माण उस क्षेत्र में भू-गर्भीय जल के मुक्त प्रवाह को प्रभावित नहीं करेगा।
- ज. राज्य भूगर्भ जल प्राधिकरण इस प्रकार के अनापत्ति प्रमाण पत्र जारी करने से पहले केन्द्र सरकार द्वारा जारी किये गये दिशा-निर्देशों का संदर्भ लेगा।
- झ. यद्यपि विकास रहित क्षेत्र में फ्लोर स्पेस इण्डेक्स की गणना के लिए किसी भी प्रकार के निर्माण की अनुमति नहीं है, सम्पूर्ण भू-खण्ड का क्षेत्रफल जिसमें वह भाग भी शामिल होगा जो विकास रहित क्षेत्र के अन्तर्गत आता है को भी ध्यान में रखा जायेगा।
- ज. भू-खण्ड का कुल क्षेत्रफल 0.4 हेक्टेयर से कम नहीं होना चाहिए तथा सभी मालों (फ्लोर) का कुल ढका हुआ क्षेत्र भूखण्ड के कुल आकार के 33 प्रतिशत से अधिक नहीं होना चाहिए अर्थात् फ्लोर स्पेश इण्डेक्स 0.33 से अधिक नहीं होना चाहिए। खुला क्षेत्र समतल होगा और उचित वनस्पतियों से आच्छादित होगा;
- ट. निर्माण कार्य आस-पास की स्थलाकृति एवं स्थानीय वास्तुकला शैली के अनुरूप होगा;

- ठ. निर्माण कार्य में छत की कुल ऊँचाई 9 मीटर से ज्यादा नहीं होगी व दो तल से ज्यादा (नीचे का तल व उसके ऊपर का तल) का निर्माण नहीं होगा;
- ड. भूगर्भ जल को उच्च ज्वार रेखा में 200 मी. के नीचे से नहीं लिया जायेगा; 200–500 मी. के जोन में केन्द्रीय/राज्य भू-जल बोर्ड की सहमति से लिया जा सकता है;
- ढ. उच्च ज्वार रेखा के 500 मीटर की दूरी में बालू का खनन, समतल करना या बालू को खोदना केवल बिल्डिंग की बुनियाद, स्वीमिंग पुल को छोड़कर अनुमत नहीं होगा;
- त. परियोजना क्षेत्र में उपचारित उत्प्रवाह, ठोस कचरे, धुंआ तथा शोर के स्तर आदि की गुणवत्ता को सक्षम प्राधिकरण द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 के तहत तथा केन्द्रीय/राज्य प्रदूषण नियंत्रण बोर्ड के द्वारा बनाये गये मानकों के अनुसार होगा;
- थ. बहिस्थावों तथा ठोस कचरे के उपचार हेतु आवश्यक व्यवस्थायें अवश्य की जानी चाहिए; अशोधित बहिस्थाव तथा ठोस कचरे को पानी में या तट पर फेंका या छोड़ा न जाय; तथा कोई भी बहिस्थाव/ठोस कचरा समुद्र तट पर छोड़ा नहीं जायेगा इस बात को सुनिश्चित करना चाहिए;
- द. समुद्र तट पर लोगों की पहुंच को अनुमति देने हेतु किन्हीं दो होटलों/बीच रिसोर्टों के मध्य कम से कम 20 मीटर की चौड़ाई का अन्तराल होना चाहिए। किसी भी स्थिति में कुल अन्तराल 500 मी. से कम नहीं होगा; तथा
- ध. यदि परियोजना में वन भूमि को अपवर्तन उददेश्यों के लिए शामिल किया जाना है तो वन (संरक्षण) अधिनियम, 1980 के तहत, सहमति प्राप्त करना आवश्यक होगा। इसके अलावा केन्द्र व राज्य कानूनों के लागू होने वाली सभी आवश्यकताओं को परियोजना द्वारा पूर्ण किया जायेगा;
- न. राज्य/केन्द्र शासित प्रदेश के पर्यटन विभाग से अनुमति प्राप्त करनी होगी।

II. पारिस्थितिकीय संवेदनशील क्षेत्रों (जैसेकि समुद्री पार्क, मैग्नूव, प्रवालभित्ति, मछलियों का जनन व पालने का क्षेत्र, वन्यजीव पर्यावास तथा ऐसे अन्य क्षेत्र जिन्हें केन्द्र/राज्य सरकार/केन्द्रशासित प्रदेश द्वारा अधिसूचित किया गया हो) समुद्रतटीय रिसोर्ट/होटलों के निर्माण की अनुमति नहीं होगी।

सी.आर.जे.ड. अधिसूचना के अन्तर्गत आने वाली परियोजनाओं को अनुमति प्रदान करने हेतु फार्म I

प्रमुख जानकारी:

परियोजना का नाम:

विचार किया जाने वाला स्थान या उसका विकल्प:

परियोजना का आकार (कुल क्षेत्रफल के आधार पर):

क्षेत्र का सी.आर.जे.ड. वर्गीकरण:

परियोजना की अनुमानित लागत:

संपर्क संबंधी जानकारी:

(II) गतिविधि:

- निर्माण, संचालन या किसी और को परियोजना संबंधी कार्य में शामिल करना जिससे कि उस स्थान (स्थलाकृति, भूउपयोग, जलाशयों में बदलाव आदि) पर भौतिक परिवर्तन हो सकते हैं।

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यारे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
1.1 भूउपयोग, भू आवरण अथवा स्थलाकृति में स्थायी या अस्थायी बदलाव जिसमें भूमि उपयोग में बढ़ने वाली तीव्रता भी शामिल है (स्थानीय भूमि उपयोग योजना के आधार पर)		
1.2 अनुमोदित तटीय जोन प्रबंधन योजना के अनुसार सी.आर.जे.ड. वर्गीकरण का विवरण ?		
1.3 यदि सी.आर.जे.ड.—। क्षेत्र में स्थित है?		
1.4 सी.आर.जे.ड.—। क्षेत्रों से दूरी।		
1.5 यदि पर्यावरण एवं वन मंत्रालय द्वारा मानविक्रित जोखिम क्षेत्र में स्थित है?		
1.6 यदि क्षेत्र तूफान, सुनामी, ऊँची ज्वार लहरें, सबुडक्षण, भूकंप आदि के लिए संवेदनशील है।		
1.7 यदि क्षेत्र नमकीन पानी के प्रवेश करने के प्रति संवेदनशील है?		
1.8 वर्तमान भूमि हरित क्षेत्र एवं बिल्डिंगों के लिए अनुमति है?		
1.9 भूमि के नये उपयोग हेतु तैयार करना?		

- 1.10 पूर्व निर्माण जांच जैसे बोरहोल, मृदा परीक्षण?
- 1.11 निर्माण कार्य?
- 1.12 ढहाने संबंधी कार्य?
- 1.13 निर्माण कार्य हेतु स्थायी क्षेत्र या निर्माण कार्य के मजदूरों हेतु निवास स्थान?
- 1.14 भूमि के ऊपर की भवन, संरचनाएं या मिट्टी का काम जैसे सीधी आकृतियाँ, कटाई-भराई या खुदाई
- 1.15 भूगर्भीय कार्य जिसमें खनन् या सुरंग बनाना शामिल है?
- 1.16 सुधार (रिक्लेमेशन) संबंधी कार्य?
- 1.17 मिट्टी निकालना/सुधार कार्य/भू-भराव/खुदाई में निकली मिट्टी आदि?
- 1.18 तट से दूरी पर (ऑफशोर) आकृतियाँ?
- 1.19 उत्पादन एवं निर्माण प्रक्रियायें?
- 1.20 वस्तुओं या सामानों के भण्डारण के लिए सुविधायें?
- 1.21 ठोस कचरा या द्रवीय उत्प्रवाह के उपचार या निस्तारण के लिए सुविधायें?
- 1.22 निर्माण कार्य से जुड़े मजदूरों के लिए लम्बे समय तक निवास संबंधी सुविधायें?
- 1.23 निर्माण या संचालन के दौरान नई सड़क, रेल या समुद्री ट्रैफिक?
- 1.24 नई रोड, रेल, हवा-जल संबंधी या अन्य परिवहन ढांचे जिसमें नये या बदले हुए मार्ग तथा स्टेशन, पत्तन, हवाई अड्डे आदि शामिल हैं ?
- 1.25 वर्तमान परिवहन मार्गों के बन्द होने या बदले जाने अथवा ऐसे ढांचे जिसके कारण यातायात के संचालन में बदलाव हुआ है ?
- 1.26 नई या परिवर्तित संचार लाइनें या पाईप लाइनें?
- 1.27 अवरोधन, बांध निर्माण, पुलिया बनाना, पुनः सरेखण अथवा जल बहाव या एक्वेफर के जल तंत्र में बदलाव?
- 1.28 धारा या नदी के पार?
- 1.29 जल को भूगर्भीय अथवा सतही जल स्रोतों से निकाला जाना या स्थानान्तरण?

- 1.30 भू—सतह या जलाशयों में परिवर्तन जिससे जल निकास या बहाव प्रभावित होगा?
- 1.31 निर्माण, संचालन या कार्य ठेके पर देने हेतु लोगों या वस्तुओं का परिवहन?
- 1.32 दीर्घकालिक विखण्डन या ठेके पर कार्य या पुनरोद्धार कार्य?
- 1.33 गतिविधियों के जारी रहने के दौरान पर्यावरण पर पड़ सकने वाले प्रभाव?
- 1.34 एक क्षेत्र में अस्थायी या स्थायी रूप से लोगों का आना?
- 1.35 वाहय या विदेशी प्रजातियों को क्षेत्र में लाना?
- 1.36 स्थानीय प्रजातियों या आनुवंशिक विविधता की हानि?
- 1.37 कोई अन्य कार्य?

2. परियोजना के संचालन या निर्माण के लिए उपयोग होने वाले प्राकृतिक संसाधन (जैसे कि भूमि, जल, वस्तुएं या ऊर्जा विशेषतः ऐसा कोई संसाधन जोकि अनवीनीकरण या कम आपूर्ति में उपलब्ध हो)

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यारे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
2.1 भूमि विशेषतः अविकसित या कृषि योग्य जमीन (है)		
2.2 जल (अनुमानित स्रोत एवं प्रतियोगी उपयोगकर्ता)		
यूनिटः के एल.डी.		
2.3 खनिज (एम.टी.)		
2.4 निर्माण सामग्री—पत्थर, कुल सामान, बालू/मिट्टी (अनुमानित स्रोत—एम.टी.)		
2.5 वन एवं इमारती लकड़ी (स्रोत—एम.टी.)		
2.6 ऊर्जा के अन्तर्गत विद्युत एवं ईंधन (स्रोत एवं प्रतियोगी उपयोगकर्ता) यूनिटः ईंधन (एम.टी.), ऊर्जा (एम.डब्ल्यू.)		
2.7 कोई अन्य प्राकृतिक संसाधन (उपयुक्त मानक इकाईयों का प्रयोग)		

3. पदार्थों या सामग्रियों का उपयोग, संग्रहण, परिवहन, हथालन या उत्पादन, जोकि मानव स्वास्थ्य या पर्यावरण के प्रति हानिकारक हो सकता है या मानव स्वास्थ्य से जुड़ा वास्तविक या संभावित खतरा पैदा कर सकता है।

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
3.1 पदार्थों या सामग्रियों का उपयोग जोकि मानव स्वास्थ्य या पर्यावरण (पौधे, जीव व जलापूर्ति) के लिए खतरनाक (एम.एस.आई.एच.सी. नियमों के अनुसार) हो		
3.2 रोगों के होने या रोगों के वाहकों (उदाहरण के लिए कीट या जलजनित रोग) के प्रभावों में परिवर्तन		
3.3 लोगों के हित को प्रभावित करता है उदाहरणार्थ जीवन स्थितियों में बदलाव?		
3.4 संवेदनशील लोगों का ऐसा समूह जोकि परियोजना द्वारा प्रभावित हो सकता है जैसे—अस्पताल के मरीज, बच्चे, बुजुर्ग आदि।		
3.5 कोई अन्य कारण		

4. निर्माण कार्य या संचालन या ठेके पर काम देने के दौरान निकला ठोस कचरा (एम.टी./माह)

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
4.1 बेकार अतिरिक्त या खुदाई के दौरान निकला कचरा		
4.2 नगरीय कचरा (घरेलू और या वाणिज्यिक कचरा)		
4.3 खतरनाक कचरा (खतरनाक कचरा प्रबंधन नियम के अनुसार)		
4.4 अन्य औद्योगिक प्रक्रिया से निकला कचरा		
4.5 अतिरिक्त सामान		
4.6 सीवेज बहाव या उत्प्रवाह उपचार संयंत्र से निकला बहाव		
4.7 निर्माण या ढहाव में निकला कचरा		
4.8 अनावश्यक मशीनरी या औजार		

- 4.9 संदूषित मृदा या अन्य सामग्री
- 4.10 कृषि कार्य में निकलने वाला कचरा
- 4.11 अन्य ठोस कचरे

5. वायु में छोड़े गए प्रदूषक अथवा कोई खतरनाक विषेश अथवा हानिकर पदार्थ (के.जी./प्रतिघंटा)

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहाँ	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहाँ भी संभव हो) सूचना आंकड़ा के स्रोत सहित
5.1 स्थायी या अस्थायी स्रोतों से जीवाश्म ईंधन पर होने वाले दहन से निकलने वाला धुंआ		
5.2 उत्पादन प्रक्रियाओं से निकलने वाला धुंआ।		
5.3 सामान के रखरखाव जिसमें उसका संग्रहण या परिवहन शामिल है, से निकलने वाला धुंआ		
5.4 निर्माण कार्य जिसमें उद्योग व औजार शामिल हैं से निकलने वाला धुंआ		
5.5 सामान के रखरखाव में निकलने वाली धूल या बदू जिसमें निर्माण संबंधी सामान, सीवेज व कचरा शामिल हैं		
5.6 कचरे के भस्मीकरण से निकलने वाला धुंआ		
5.7 कचरे को खुली हवा में जलाने से निकलने वाला धुंआ (जैसे कटाई में निकला सामान या बच्ची-खुची निर्माण सामग्री)		
5.8 किसी अन्य स्रोत से निकलने वाला धुंआ		

6. शोर या कंपन को पैदा होने तथा रोशनी या ऊषा का उत्सर्जन

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
6.1 औजारों के संचालन में उपयोग जैसे इंजन, वेन्टिलेशन प्लान्ट, क्रशर्स		
6.2 औद्योगिक या समान प्रक्रियाओं से		
6.3 निर्माण या ढहाव कार्य से		
6.4 धमाके या पाइलिंग से		
6.5 निर्माण या परिवहन संचालन से		
6.6 रोशनी या ठण्डा करने की व्यवस्था से		
6.7 किसी अन्य स्रोत से		

7. प्रदूषकों के भूमि या सीवर, सतही जल, भूजल, तटीय जल या समुद्र में छोड़े जाने से भूमि या पानी के संदूषण के खतरे

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
7.1 खतरनाक वस्तुओं के हथालन, संग्रहण, उपयोग या गिरने से।		
7.3 हवा में उत्सर्जित प्रदूषकों के भूमि या जल में इकट्ठा होने से (निस्तारण की प्रत्याशित रीति तथा स्थान)		
7.4 किसी अन्य स्रोत से		
7.5 क्या इन स्रोतों से प्रदूषकों के पर्यावरण में लम्बे समय तक बने रहने का खतरा है ?		

8. परियोजना के निर्माण कार्य या संचालन के दौरान दुर्घटनाओं का खतरा जोकि मानव स्वास्थ्य या पर्यावरण को प्रभावित कर सकता है।

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/ नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
8.1 खतरनाक पदार्थों के संग्रहण, हथालन, उपयोग या उत्पादन के दौरान होने वाला धमाका, बहना, आग आदि से		
8.2 किसी अन्य स्रोत से		
8.3 क्या परियोजना प्राकृतिक आपदाओं से प्रभावित हो सकती है जिससे पर्यावरणीय क्षति होगी (जैसे बाढ़, भूकंप, भूस्खलन, बादल का फटना आदि)?		

9. कारक जिनपर ध्यान दिया जाना चाहिए (जैसे परिणामी विकास) जिससे पर्यावरणीय प्रभाव या उस स्थान पर नियोजित या वर्तमान गतिविधियों का एक बड़ा संभावित प्रभाव हो सकता है

क्रम सं० सूचना/जांचसूची की पुष्टि	हाँ/ नहीं	तत्संबंधी व्यौरे (अनुमानित मात्रा / दर, जहां भी संभव हो) सूचना आंकड़ा के स्रोत सहित
9.1 विकास को सहयोग देने की ओर परियोजना द्वारा आनुषंगिक विकास अथवा प्रोत्साहित विकास जिसका प्रभाव पर्यावरण पर हो सकता है, उदाहरण : मूलभूत ढांचे के निर्माण (रोड, विद्युत आपूर्ति, कचरा या अपशिष्ट जल शोधन आदि) आवास-विकास निष्कर्षण उद्योग आपूर्ति उद्योग अन्य		
9.2 स्थल के पश्च-उपयोग को अग्रसर, जिसका पर्यावरण पर प्रभाव हो सकता है		
9.3 बाद के विकासों के लिए पूर्व उदाहरण प्रस्तुत करना		
9.4 अनुरूप प्रभावों सहित अन्य मौजूदा अथवा नियोजित परियोजनाओं की सन्निकटता के कारण संचयी प्रभाव		

III. पर्यावरणीय संवेदनशीलता

क्रम संख्या	क्षेत्र	नाम/पहचान	हवाई दूरी (15 किमी. के अन्दर) प्रस्तावित परियोजना स्थल सीमा
1	वे क्षेत्र जो अन्तर्राष्ट्रीय कन्वेशन, राष्ट्रीय या स्थानीय कानून के अन्तर्गत पारिस्थितिकीय स्थलाकृति, सांस्कृतिक या अन्य संबंधित मूल्यों के तहत संरक्षित हैं		
2	वे क्षेत्र जो पारिस्थितिकीय कारणों से संवेदनशील या महत्वपूर्ण हैं – नमूनेयां, जल बहाव क्षेत्र या अन्य जलाशय, तटीय क्षेत्र, बायोस्फियर, पर्वत वन		
3	वे क्षेत्र जो जनन, घोंसला बनाने, विचरण करने, आराम करने, मौसमीय स्थल, प्रवासन के लिए वनस्पतिजात अथवा प्राणिजात की संरक्षित महत्वपूर्ण अथवा संवेदनशील प्रजातियों द्वारा प्रयोग किये जाते हैं		
4	अंतर्राष्ट्रीय, तटीय, समुद्री या भूमिगत जल।		
5	राज्य, राष्ट्रीय सीमायें		
6	रास्ते या सुविधायें जो जनता द्वारा मनोरंजन या अन्य पर्यटन, धार्मिक क्षेत्रों के रूप में प्रयोग किये जाते हैं		
7	सुरक्षा संबंधी क्षेत्र		
8	घनी आबादी या निर्मित क्षेत्र		
9	क्षेत्र, जो मानव के लिए संवेदनशील भूप्रयोग के लिए प्रयोग किया जाता है (अस्पताल, विद्यालय, पूजा स्थल, समुदायिक सुविधायें)		
10	क्षेत्र जो महत्वपूर्ण, उच्च गुणवत्ता या संसाधनों की कमी वाले हों (भूगर्भीय जल संसाधन, सतही संसाधन, वानिकी, कृषि क्षेत्र, मछली पालन, पर्यटन, खनिज)		
11	क्षेत्र जो पहले से प्रदूषण या पर्यावरणीय क्षतिग्रस्त हैं (वे जो वर्तमान कानूनी पर्यावरणीय मानकों के परे जा चुके हैं)		
12	क्षेत्र जो प्राकृतिक खतरों के प्रति संवेदी हो जहाँ परियोजना के कारण पर्यावरणीय समस्याएं खड़ी हो सकती हैं (भूकंप, जमीन का खिसकना, भूस्खलन, अपरदन, बाढ़ या तीव्र या प्रतिकूल जलवायु परिस्थितियां)		

MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forests and Wildlife)
COASTAL REGULATION ZONE NOTIFICATION

New Delhi, the 6th January, 2011

S.O. 19(E).— WHEREAS a draft notification under sub-section (1) of section and clause (V) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O.No.2291 (E), dated 15th September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15th September, 2010.;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands upto its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.; and

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supercession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,-

- (i) the land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front.
- (ii) CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs).

Explanation.— For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

(iii) the land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.

(iv) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone.

(v) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification.

3. Prohibited activities within CRZ,- The following are declared as prohibited activities within the CRZ,-

(i) Setting up of new industries and expansion of existing industries except,-

(a) those directly related to waterfront or directly needing foreshore facilities;

Explanation: The expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

(b) projects of Department of Atomic Energy;

(c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ-I(i) based on an impact assessment study including social impacts.;

(d) development of green field Airport already permitted only at Navi Mumbai;

(e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

(ii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989, S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th

December ,1989 except,-

- (a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;
- (b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ- I(i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ-I(i).

(iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:

(iv) Land reclamation, bunding or disturbing the natural course of seawater except those,-

- (a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;
- (b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies
- (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
- (d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF.

(v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,-

- (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (b) storm water drains and ancillary structures for pumping;
- (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

(vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification.

(vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly

ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.

Note:-The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the State Government or the Union territory Administration.

(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities.

(x) Mining of sand, rocks and other sub-strata materials except,-

- (a)those rare minerals not available outside the CRZ area,
- (b) exploration and exploitation of Oil and Natural Gas.

(xi) Drawl of groundwater and construction related thereto, within 200mts of HTL; except the following:-

- (a) in the areas which are inhabited by the local communities and only for their use.
- (b) In the area between 200mts-500mts zone the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

Note:-Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xi) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) Dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose.

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. Regulation of permissible activities in CRZ area.- The following activities shall be regulated except those prohibited in para 3 above,-

- (i)(a) clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities;
- (b) for those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14th September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA).
- (c) Housing schemes in CRZ as specified in paragraph 8 of this notification;

- (d) Construction involving more than 20,000sq mts built-up area in CRZ-II shall be considered in accordance with EIA notification, 2006 and in case of projects less than 20,000sq mts built-up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concerned CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority.
- (e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people.
- (f) construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;
- (ii) the following activities shall require clearance from MoEF, namely:-
- (a) those activities not listed in the EIA notification, 2006.
- (b) construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006.;
- (c) construction, operation of lighthouses;
- (d) laying of pipelines, conveying systems, transmission line;
- (e) exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (f) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;
- (g) Mining of rare minerals as listed by the Department of Atomic Energy;
- (h) Facilities for generating power by non-conventional energy resources, desalination plants and weather radars;
- (i) Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

4.2 Procedure for clearance of permissible activities.- All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely:-

- (i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority,-
- (a) Form-1 (Annexure-IV of the notification);
- (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d)
- (c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
- (d) Disaster Management Report, Risk Assessment Report and Management Plan;
- (e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
- (f) Project layout superimposed on the above map indicated at (e) above;

- (g) The CRZ map normally covering 7km radius around the project site.
- (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
- (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;
- (ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application,-
 - (a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;
 - (b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4(ii) of the CRZ notification;
- (iii) MoEF or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.
- (vi) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.
- (v) For Post clearance monitoring – (a) it shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.
 - (b) the compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vi) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.

5. Preparation of Coastal Zone Management Plans.

- (i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;
- (ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (iii) The hazard line shall be mapped by MoEF through Sol all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level

rise and shoreline changes;

- (iv) For the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;
- (v) Mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping and the hazard line shall be taken into consideration while preparing the land use plan of the coastal areas;
- (vi) The coastal States and Union Territory will prepare within a period of twenty four months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;
- (vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;
- (viii) The State Government or Union territory CZMA shall submit the draft CZMPs to MoEF alongwith its recommendations on the CZMP within a period of six months after incorporating the suggestions and objections received from the stakeholders;
- (ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;
- (x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;
- (xi) The CZMPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking revision of the maps following the above procedures;
- (xii) The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6. Enforcement of the CRZ, notification, 2011-

- (a) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMAs;
- (b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMAs have already been notified by MoEF in terms of Orders of Hon'ble

Supreme Court in Writ Petition 664 of 1993;

- (c) the State Government or the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk;
- (d) The dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-
 - (i) these are not used for any commercial activity
 - (ii) these are not sold or transferred to non-traditional coastal community.

7. Classification of the CRZ – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely:-

(i) CRZ-I,-

- A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,-
 - (a) Mangroves, in case mangrove area is more than 1000 sq mts, a buffer of 50meters along the mangroves shall be provided;
 - (b) Corals and coral reefs and associated biodiversity;
 - (c) Sand Dunes;
 - (d) Mudflats which are biologically active;
 - (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;
 - (f) Salt Marshes;
 - (g) Turtle nesting grounds;
 - (h) Horse shoe crabs habitats;
 - (i) Sea grass beds;
 - (j) Nesting grounds of birds;
 - (k) Areas or structures of archaeological importance and heritage sites.
- B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II,-

The areas that have been developed upto or close to the shoreline.

Explanation:- For the purposes of the expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

(iii) CRZ-III,-

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built up.

(iv.) CRZ-IV,-

- A. the water area from the Low Tide Line to twelve nautical miles on the seaward side;
- B. shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities,-

- A. (i) CRZ area falling within municipal limits of Greater Mumbai;
(ii) the CRZ areas of Kerala including the backwaters and backwater islands;
(iii) CRZ areas of Goa.
- B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

8 Norms for regulation of activities permissible under this notification,-

- (i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:-

Note:- The word existing use hereinafter in relation to existence of various features or existence of regularisation or norms shall mean existence of these features or regularisation or norms as on 19.2.1991 wherein CRZ notification, was notified.

I. CRZ-I,-

- (i) no new construction shall be permitted in CRZ-I except,-
 - (a) projects relating to Department of Atomic Energy;
 - (b) pipelines, conveying systems including transmission lines;
 - (c) facilities that are essential for activities permissible under CRZ-I;
 - (d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
 - (e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL.
 - (f) development of green field airport already approved at only Navi Mumbai;
- (ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:-

- (a) exploration and extraction of natural gas;
- (b) construction of dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
- (c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
- (d) salt harvesting by solar evaporation of seawater;
- (e) desalination plants;
- (f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
- (g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

II. CRZ-II,-

- (i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;
- (ii) buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio:
Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road;
- (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use;
- (iv) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (v) desalination plants and associated facilities;
- (vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;
- (vii) facilities for generating power by non-conventional power sources and associated facilities;

III. CRZ-III,-

A. Area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (NDZ)",-

- (i) the NDZ shall not be applicable in such area falling within any notified port limits;
- (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management

provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ –

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
- (b) projects relating to Department of Atomic Energy;
- (c) mining of rare minerals;
- (d) salt manufacture from seawater;
- (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
- (g) facilities for generating power by non conventional energy sources;
- (h) Foreshore facilities for desalination plants and associated facilities;
- (i) weather radars;
- (j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
- (k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;
- (l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (m) development of green field airport already permitted only at Navi Mumbai.

B. Area between 200mts to 500mts,-

The following activities shall be permissible in the above areas;

- (i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III ;
- (ii) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (iii) facilities for regasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) foreshore facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats, the major

- part of which falls within CRZ if no other area is available for construction of such facilities;
- (ix) reconstruction or alteration of existing authorised building subject to sub-paragraph (vii), (viii);
- (x) development of green field airport already permitted only at Navi Mumbai.

(IV) In CRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows:-

- (a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration,-

1. CRZ areas falling within municipal limits of the Greater Mumbai.

- (i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely:-

- A. Construction of roads - In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up:-
- (a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions:-
- (i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.
- (ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.
- B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

(iii) In CRZ-II areas-

(i) The development or redevelopment shall continue to be undertaken in accordance with

(b) SLUM REHABILITATION SCHEMES,-

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.
2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prakalp Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like.:-

Provided that,-

- (i) such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%;
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority;
- (iii) it shall be the duty of the project proponent undertaking the redevelopment through conditions (i)(2) above along with the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

(c) REDEVELOPMENT OF DILAPIDATED, CESSED AND UNSAFE BUILDINGS:

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.

2. These projects shall be taken up subject to the following conditions and safeguards:

- (i) such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority
- (iii) suitable accommodation to the original tenants of the specified buildings shall be

ensured during the course of redevelopment or reconstruction of the buildings by the project proponents, undertaking the redevelopment through condition 2(i) above.

(d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, cesses and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable:-

1. (i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;
- (ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;
- (iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared suo-moto as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;
- (iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice boards at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.
- (v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.
2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and auditor General (hereinafter referred to as the C&AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cesses and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C&AG.
3. A High Level Oversight Committee may be set up by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.
4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenant of the dilapidated or cesses buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.
- (e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.
- (f) the Floor Space Index upto 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981

or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be undertaken in accordance with applicable as per local Town and Country Planning Regulations.

(h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

2. CRZ for Kerala

In view of the unique coastal systems of backwater and backwater islands alongwith space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely:-

- (i) all the islands in the backwaters of Kerala shall be covered under the CRZ notification;
- (ii) the islands within the backwaters shall have 50mts width from the High Tide Line on the landward side as the CRZ area;
- (iii) within 50mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;
- (iv) beyond 50mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram panchayat;
- (v) foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up within 50mts width from HTL of these backwater islands.

3. CRZ of Goa.-

In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows:-

- (i) the Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Grama Panchayat in the CRZ area;
- (ii) reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;
- (iii) purely temporary and seasonal structures customarily put up between the months of September to May;
- (iv) the eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;
- (v) the mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazan land;
- (vi) sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;
- (vii) the beaches such as Mandrem, Morjim, Galgiba and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting

- sites;
- (viii) no developmental activities shall be permitted in the turtle breeding areas referred to in sub-paragraph (vii).
4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk;—
- (b) the entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambat and Gulf of Kutchchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;
- (c) the process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by MoEF in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;
- (d) the Integrated Management Plans (IMPs) prepared for such CVCA shall interalia keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;
- (e) till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F. No. 11-83/2005-IA-III]

J. M. MAUSKAR, Addl. Secy.

ANNEXURE I**GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****I. A. Demarcation of High Tide Line**

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).
2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.
3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.
4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

B. Preparation of CZM Maps

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit	:	7.5 minutes X 7.5minutes
Numbering	:	Survey of India Sheet Numbering System
Horizontal Datum	:	Everest or WGS 84
Vertical Datum	:	Mean Sea Level (MSL)
Topography	:	Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

6. The High Water Level (HWL) and Low Water Level (LWL) marked on the Base maps will be transferred to the CZM maps.
7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.
8. The following geomorphological features shall be considered while demarcating in HTL or LTL:
 - Landward (monsoonal) berm crest in the case of sandy beaches
 - Rocks, Headlands, Cliffs
 - Seawalls or revetments or embankments
9. 500 meter and 200 metre lines will be demarcated with respect of HTL.
10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.
11. Classification of different coastal zones shall be done as per the CRZ notification
12. Standard national or international colour codes shall be used to highlight sub-classification of data.

C. Local level CZM Maps

Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.
14. These maps are available with revenue Authorities and are prepared as per standard norms.

15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.
16. 500metre and 200metre lines shall be demarcated with respect to the HTL thus marked.
17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.
18. Classifications shall be transferred into local level CZM maps from the CZM Plans.
19. Symbols will be adopted from CZM Maps.
20. Colour codes as given in CZM Maps shall be used.
21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

D. Hazard mapping:-

II. Classification of CRZ areas

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.
2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I)A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.
3. Buffer zone along mangrove areas of more than 1000sq mts shall be stipulated with a different colour distinguishing from the mangrove area.
4. The buffer zone shall also be classified as CRZ-I area.
5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM maps in 1:25,000 scale and also on the cadastral scale maps.
6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.
7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disaster to such dwelling units of local communities.
9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.
12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.
13. The existing authorized developments on the sea ward side shall be clearly demarcated.

14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

III. CZMPs approved by MoEF in accordance with CRZ notification, 1991

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the approved CZMP prepared under CRZ notification, 1991.

IV. Public Views on the CZMP.

- The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.
- Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
- The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the panchayat office, District collector office and the like.

V. Revision of Coastal Zone Management Plans

- Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
- The rectified map would be submitted to MoEF for its record.

Annexure-II

List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]

- Crude oil;
- Liquefied Petroleum Gas;
- Motor spirit;
- Kerosene;
- Aviation fuel;
- High speed diesel;
- Lubricating oil;
- Butane;
- Propane;
- Compressed Natural Gas;
- Naphtha;

- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III

Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests

- I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-
 - (a) The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
 - (b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
 - (c) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
 - (d) no flattening of sand dunes shall be carried out;
 - (e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
 - (f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of groundwater in that area;
 - (g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
 - (h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;

- (i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
- (j) the construction shall be consistent with the surrounding landscape and local architectural style;
- (k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (l) groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
- (m) extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
- (n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (p) to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
- (q) if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and
- (r) approval of the State or Union territory Tourism Department shall be obtained.

II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted

Annexure-IV**Form-I for seeking clearance for project attracting CRZ notification**

Basic information:

Name of the Project:-

Location or site alternatives under consideration:-

Size of the project (in terms of total area) :-

CRZ classification of the area :-

Expected cost of the project:-

Contact Information:-

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, and the like)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan?		
1.3	Whether located in CRZ-I area?		
1.4	The distance from the CRZ-I areas.		
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority?		
1.6	Whether the area is prone to cyclone, tsunami, tidal surge, subduction, earthquake etc.?		
1.7	Whether the area is prone for saltwater ingress?		
1.8	Clearance of existing land, vegetation and buildings?		
1.9	Creation of new land uses?		
1.10	Pre-construction investigations e.g. bore hole, soil testing?		
1.11	Construction works?		

1.12	Demolition works?		
1.13	Temporary sites used for construction works or housing of construction workers?		
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.15	Underground works including mining or tunneling?		
1.16	Reclamation works?		
1.17	Dredging/reclamation/land filling/disposal of dredged material etc.?		
1.18	Offshore structures?		
1.19	Production and manufacturing processes?		
1.20	Facilities for storage of goods or materials?		
1.21	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.22	Facilities for long term housing of operational workers?		
1.23	New road, rail or sea traffic during construction or operation?		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.26	New or diverted transmission lines or pipelines?		
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.28	Stream and river crossings?		
1.29	Abstraction or transfers of water from ground or surface waters?		
1.30	Changes in water bodies or the land surface affecting drainage or run-off?		
1.31	Transport of personnel or materials for construction, operation or decommissioning?		
1.32	Long-term dismantling or decommissioning or restoration works?		
1.33	Ongoing activity during decommissioning which could have an impact on the environment?		
1.34	Influx of people to an area in either temporarily or permanently?		
1.35	Introduction of alien species?		
1.36	Loss of native species or genetic diversity?		
1.37	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S. No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand/soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data

4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		

6.7	From any other sources		
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7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g., floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting. lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)		

	housing development extractive industries supply industries other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

III. Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

अधिसूचना

नई दिल्ली, 6 जनवरी, 2011

का.आ. 20(अ).— केन्द्रीय सरकार ने, अपनी अधिसूचना संख्यांक का.आ. 114(अ), तारीख 19 फरवरी, 1991 द्वारा (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) तटीय विनियमन जोन घोषित किया था और उक्त जोनों में उनके संरक्षण के लिए, उद्योगों की स्थापना और विस्तार, संचालनों और प्रक्रियाओं का कतिपय निर्बंधन अधिरोपित किए थे;

और केन्द्रीय सरकार पर्यावरण (संरक्षण नियम, 1986 के नियम 5 के उपनियम (3) के साथ पठित पर्यावरण संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा 2) के खंड (V) के अधीन भारत सरकार के पर्यावरण और वन मंत्रालय (जिसे इसमें इसके पश्चात् पर्यावरण एवं वन मंत्रालय कहा गया है) की अधिसूचना संख्यांक का.आ. 114 (अ), तारीख 19 फरवरी, 1991 को जहां तक उनका संबंध अंडमान और निकोबार द्वीप तथा लक्षद्वीप से है और इस प्रयोजन के लिए अंडमान और निकोबार द्वीप (जिसे इसमें इसके पश्चात् अंडमान और निकोबार कहा गया है) के पर्यावरणीय प्रबंधन के लिए जारीख 15 सितम्बर, 2010 की संख्या 2291 (अ) द्वारा एक अलग अधिसूचना जारी करती है;

और जबकि उक्त राजपत्र की प्रतियां जनता के 25 फरवरी, 2010 को उपलब्ध करा दी गई थीं ;

और जबकि जनता से प्राप्त सुझाव और आपत्तियों पर केन्द्रीय सरकार द्वारा विचार किया गया है ।

अतः अब, केन्द्रीय सरकार, (पर्यावरण संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा 2 की उपधारा (1) के खंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए प्राकृतिक परिसंकटों के प्रति तट की संवेदनशील को ध्यान में रखते हुए वैज्ञानिक सिद्धांतों पर आधारित अविस्तीय एकीकृत प्रबंध योजना के माध्यम से स्थानीय समुदायों को जीविका सुरक्षा प्रदान करने, द्वीप समूह अद्वितीय पर्यावरण और इसके मेरीन क्षेत्र के संरक्षा और सुरक्षा के संवर्धन और विकास के संवर्धन को दृष्टिगत रखते हुए मध्य अंडमान, उत्तरी अंडमान, दक्षिणी अंडमान और वृहत्तर निकोबार और अन्य अंडमान निकोबार द्वीपसमूह के क्षेत्र और लक्षद्वीप द्वीप समूह क्षेत्रों और राज्य क्षेत्रीय समुद्र सीमा तक उनके जल क्षेत्र को द्वीपसमूह संरक्षण जोन के रूप में घोषित करती है और इन क्षेत्रों को द्वीप तटीय विनियम जोन (जिसे इसके बाद आई आई पी एम कहा गया है) तथा एकीकृत द्वीपसमूह प्रबंध योजना (जिसे इसके बाद आई आई पी एम कहा गया है) के उपबंधित रीति के सिवाय, किसी उद्योग की स्थापना और विस्तार, संचालनों या प्रक्रियाओं और

विनिर्माण या परिसंकटमय पदार्थ (उठाई- धराई, प्रबंध और पार सीमा संचलन) नियम, 2009 के यथाविनिर्दिष्ट परिसंकटमय पदार्थों की उठाई-धराई या भंडारण या व्ययन के लिए निर्बंधित करती है।

पर्यावरण (संरक्षण) अधिनियम, 1986 के खंड (घ) तथा नियम 5 के उपनियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पर्यावरण एवं वन मंत्रालय, भारत सरकार की तारीख 19 फरवरी, 1991 की अधिसूचना सं. का.आ. 114 (अ) के अधिक्रमण में सिवाय ऐसे अतिक्रमण से पूर्व किए गए कार्य अथवा छोड़े गए कार्यों के संबंध में केन्द्र सरकार एतद्वारा निम्नलिखित क्षेत्रों को द्वीप सुरक्षा जोन के रूप में घोषित करती है और उद्योगों, प्रचालनों, संचालनों की स्थापना तथा विस्तार संबंधी निम्नलिखित प्रतिबंधों को अधिसूचना के लागू होने की तारीख से प्रतिबंधों को लगाती है।-

I. अंदमान और निकोबार द्वीपसमूह (जिसे इसके पश्चात् अंदमान और निकोबार कहा गया है) तथा लक्षद्वीप के लिए पर्यावरणीय प्रबंधन निम्न प्रकार से प्रबंधित किया जाएगा :-

क. नीचे उप पैरा ख में उल्लिखित 4 द्वीप समूहों के सिवाय अंदमान और निकोबार का समूचे द्वीप का प्रबंधन आई आई एम पी के अनुसार किया जाएगा;

ख. मध्य अंदमान, उत्तरी अंदमान, दक्षिणी अंदमान और वृहत्तर निकोबार द्वीपसमूह के बड़े भौगोलिक क्षेत्र को ध्यान में रखते इन द्वीप समूह का प्रबंधन द्वीप तटीय विनियमन जोन (जिसे इसके पश्चात् आई सी आर जेड कहा गया है) के अनुसार प्रबंधित किया जाएगा।

अंदमान और निकोबार द्वीप समूहों, पैरा (ख) में उल्लिखित 4 को छोड़कर तथा लक्षद्वीप आई आई एम पी पर आधारित प्रबंधित किया जाएगा, जिसे निम्नलिखित दिशानिर्देशों के आधार पर तैयार किया जाएगा अर्थातः-

(क) एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करना

1. अंदमान और निकोबार द्वीपसमूह संरक्षण जोन के एकीकृत अविस्तीय विकास के प्रयोजन के लिए, इस अधिसूचना की तारीख से एक वर्ष की भीतर अंदमान और निकोबार द्वीपसमूह प्रशासन एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करेगा, जिसमें, अन्य बातों के साथ-साथ सभी विद्यमान और प्रस्तावित विकास, संरक्षण और परिरक्षण स्तरों, अवसंरचना परियोजनाओं, विद्यालयों, बाजारों, अस्पतालों, सार्वजनिक सुविधाओं आदि सहित आवासीय एककों को उपदर्शित करने वाले क्षेत्र विनिर्दिष्ट होंगे।
2. लक्षद्वीप द्वीपसमूह संरक्षण जोन के एकीकृत अविस्तीय विकास के प्रयोजन के लिए, इस अधिसूचना की तारीख से एक वर्ष की अवधि के भीतर लक्षद्वीप प्रशासन एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करेगा, जिसमें, अन्य बातों के साथ-साथ, सभी विद्यालयों और प्रस्तावित विकास, संरक्षण और परिरक्षण स्तरों, अवसंरचना परियोजनाओं, विद्यालयों, बाजारों, अस्पतालों, सार्वजनिक सुविधाओं और सहित आवासीय एककों को उपदर्शित करने वाले क्षेत्र विनिर्दिष्ट होंगे।

3. द्वीपसमूह प्रशासन, यदि यह आवश्यक समझे इस अधिसूचना की अनुसूची 1 में विनिर्दिष्ट मार्गदर्शक सिद्धांतों को ध्यान में रखते हुए, एकीकृत द्वीपसमूह प्रबंध योजना तैयार करने में तटीय संसाधन प्रबंध में अनुभव और विशेषज्ञता रखने वाली अनुसंधान संस्थाओं की सहायता ले सकेगा।
4. द्वीपसमूह और जलीय क्षेत्रों में सभी क्रियाकलाप, एकीकृत द्वीपसमूह प्रबंध योजनाओं के आधार पर यथास्थिति, अंडमान और निकोबार द्वीपसमूह प्रशासन या लक्ष्यद्वीप द्वीपसमूह प्रशासन द्वारा विनियमित होंगे।
5. द्वीपसमूह के विकास क्रियाकलापों को, इस समय द्वीपसमूह के प्रवृत्त स्थानीय नगर और ग्राम योजना के नियमों, विनियमों और निर्माण उपविधियों के अनुसार एकीकृत द्वीपसमूह प्रबंध योजना में सम्मिलित किया जाएगा।
6. रक्षा मंत्रालय की अपेक्षाओं को, यदि कोई हो, एकीकृत द्वीपसमूह प्रबंधन योजना में सम्मिलित किया जाएगा और रक्षा संबंधी सभी परियोजनाओं का निर्धारण सचिव, पर्यावरण और वन मंत्रालय, रक्षा मंत्रालय और यथास्थिति अंडमान और निकोबार द्वीपसमूह प्रशासन या लक्ष्यद्वीप द्वीपसमूह प्रशासन के मुख्य सचिव से मिलकर बनी एक समिति द्वारा किया जाएगा।
7. एकीकृत द्वीपसमूह प्रबंधन योजना, प्रत्येक द्वीप के लिए और जैसा कि समय-समय पर अपेक्षित हो, अलग-अलग बनाई जाएंगी।
8. एकीकृत द्वीपसमूह प्रबंधन योजना बनाते समय इस अधिसूचना की अनुसूची-2 में यथाविनिर्दिष्ट पारिस्थितिकीय संवेदनशील क्षेत्रों पर विचार में लिया जाएगा :

परंतु यदि वे क्षेत्र वन्य जीव (संरक्षण) अधिनियम, 2972 (1972 का 53) के उपबंधों के अधीन अधिसूचित राष्ट्रीय उद्यानों या अभ्यारण्यों में सम्मिलित हैं तो उन्हें योजना में पृथक रूप से उल्लिखित किया जाएगा और उनका विनियमन उस अधिनियम के उपबंधों के अनुसार होगा।

9. एकीकृत द्वीपसमूह प्रबंधन योजना में स्वीकृत क्रियाकलाप वन (संरक्षण), अधिनियम, 1980 (1980 का 69), वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53), पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) और उनके अंतर्गत बनाए गए नियमों तथा जारी अधिसूचनाओं के अनुसरण और 14 सितम्बर, 2006 को भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533 (अ) के अधीन किए गए पर्यावरण प्रभाव निर्धारण को ध्यान में रखते हुए किए जाएंगे।
10. (क) एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करने के पश्चात, द्वीपसमूह योजना का व्यापक रूप से प्रचार करेंगे और योजनाओं के प्रकाशन की तारीख से तीस दिनों के भीतर जनता और अन्य पण्यधारियों से सुझाव आमंत्रित करेंगे ;

(ख) योजनाओं का प्रचार कम से कम दो समाचारपत्रों में प्रकाशन और प्रशासन की वेबसाइट मे माध्यम से किया जाएगा ;

(ग) योजना की हार्ड प्रति तटीय जोन प्रबंध प्राधिकरणों के अध्यक्ष और सदस्य सचिव के कार्यालय, जिला कलक्टर कार्यालय और प्रदूषण नियंत्रण सचिव के कार्यालय में जनता के लिए उपलब्ध कराई जाएगी ;

(घ) टिप्पणियां प्राप्त होने पर द्वीपसमूह प्रशासन योजनाओं में आवश्यक परिवर्तन करेगा और इस पर विचार किए जाने और अनुमोदन के लिए इसे केन्द्रीय सरकार में पर्यावरण और वन मंत्रालय को प्रस्तुत करेगा ;

(ड.) योजना को तैयारी में उत्पन्न किसी शिकायत के समाधान और निपटारे के लिए संघ राज्य क्षेत्र सी जेड एम ए द्वीपसमूह तटीय प्रबंधन प्राधिकरण और राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण जिम्मेदार होंगे ।

11. केन्द्रीय सरकार में पर्यावरण और वन मंत्रालय, एकीकृत द्वीपसमूह प्रबंधन योजना की प्राप्ति के पश्चात् योजना की समीक्षा करने पर यदि वह संतुष्ट है इसकी प्राप्ति के साठ दिनों के भीतर इसका अनुमोदन करेगा ।

12. एकीकृत द्वीपसमूह प्रबंधन योजना के अधीन सभी क्रियाकलापों को द्वीपसम्ह में संबंधित प्राधिकारियों द्वारा ऐसी योजना के अनुसार में विनियमित किया जाएगा ।

III मध्य अंदमान, उत्तरी अंदमान, दक्षिणी अंदमान और वृहत्तर निकोबार का प्रबंधन आई सी आर जेड प्रबंधन आधार पर किया जाएगा, जिसके निम्नलिखित क्षेत्राधिकार होंगे, अर्थात् :-

क (i) उच्च ज्वार रेखा (जिसे इसके पश्चात एच.टी.एल. कहा गया है) से लेकर समुद्र की ओर अभिमुख 500 मीटर के भू-क्षेत्र को शामिल किया गया है ।

(ii) आई.सी.आर.जेड. उन क्षेत्रों पर भी लागू होता है जो एच.टी.एल. से लेकर ज्वार से प्रभावित जलाशयों, जोकि समुद्र से जुड़ी हुई हैं, की ओर अभिमुख 100 मीटर के भू-क्षेत्र के मध्य स्थित हैं । वह दूरी जहां तक ज्वार से प्रभावित जलाशयों के आसपास विकासात्मक गतिविधियों को विनियमित किया जाना है और इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स प्रति हजार (पी.पी.टी.) को आधार मानकर किया जाएगा तथा ज्वार से प्रभावित होने वाली दूरी को आर सी जेड प्लान के अनुसार स्पष्ट रूप से पहचान कर उसका निर्धारण किया जाएगा ।

स्पष्टीकरण :- इस मद के प्रयोजनार्थ ज्वार से प्रभावित जलाशयों का अर्थ है समुद्र, खाड़ी, एश्च्यूरी, झील, बैकवाटर, लघु समुद्र या क्रीक से जुड़े जलाशय इत्यादि ।

- (iii) एच.टी.एल. एवं निम्न ज्वारीय रेखा (एल.टी.एल.) के मध्य स्थित भू-क्षेत्र को शामिल किया गया है, जिसे इण्टरटाइड जोन कहा जाएगा ।
 - (iv) सामान्य समुद्र के लिए एल.टी.एल. एवं क्षेत्रीय जल सीमा (12 नॉटिकल मील) के मध्य स्थित भू- क्षेत्र व ज्वार से प्रभावित जलाशयों के लिए किनारे पर एल.टी.एल. से एल.टी.एल. के बीच के क्षेत्र हैं ।
- ख. चार द्वीप समूहों के तटीय क्षेत्र निम्नलिखित रूप से वर्गीकृत किए जाएंगे, अर्थात् :-
1. (क) आई सी आर जेड-1, - पारिस्थितिकीय रूप से संवेदी क्षेत्र और भू आकृति विज्ञान विशेषताएं तट की अखंडता को बनाए रखने में भूमिका निभाता है,-
 - (i) मैनग्रोव ।

- (ii) मूँगा चट्टानें ।
- (iii) रेतीले किनारे और रेत के टीले ।
- (iv) पंकभूमि ।
- (v) वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53) वन (संरक्षण) अधिनियम, 1980 (1980 का 69) या पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के अधीन संरक्षित क्षेत्र ।
- (vi) लवणीय दलदल ।
- (vii) कछुओं द्वारा अण्डा देने वाली भूमि ।
- (viii) नाल केकड़ा आवास ।
- (ix) समुद्री घास क्यारियां ।
- (x) समुद्री खरपतवार क्यारियां ।
- (xi) चिड़ियों द्वारा धोंसला बनाने वाली भूमि ।
- (xii) मत्स्य आखेट ग्राम और परंपरागत अधिकारों वाले क्षेत्र ।

- (ख) निम्न ज्वार रेखा और उच्च ज्वार रेखा के बीच का भू-क्षेत्र ; तथा
2. आई सी आर जेड-II, - ऐसे क्षेत्र, जो तटीय रेखा के एकदम निकट विकसित या स्थित हो ।

स्पष्टीकरण.- अभिव्यक्ति के प्रयोजनार्थ क्षेत्रों को " विकसित क्षेत्र " कहते हैं जो यह क्षेत्र नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पहले से निर्मित हो चुका है तथा जहां उचित जलनिकास प्रणाली एवं सड़कें एवं अन्य आधारभूत ढांचे जैसे जलापूर्ति एवं वाहितमल निकास प्रणाली मौजूद हैं ।

- (3) आई.सी.आर.जेड-III,-

ऐसे क्षेत्र जोकि अभी तक अव्यवस्थित नहीं है तथा जिन्हें श्रेणी ख (i) (क) तथा (ख) में शामिल नहीं किया गया है । इसके अंतर्गत वह तटीय क्षेत्र आता है जो ग्रामीण इलाकों (विकसित एवं अविकसित) में स्थित हैं और ऐसे क्षेत्र जो नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पहले से निर्मित न हुआ हो ।

- (4) आई.सी.आर.जेड-IV -

i. समुद्र की ओर उच्च ज्वार रेखा से 12 नॉटिकल मील दूरी का जलीय क्षेत्र;

ii. ज्वार से प्रभावित जलाशयों के आसपास का जलीय क्षेत्र जोकि समुद्र की ओर स्थित जलाशय के मुख से ज्वार से प्रभावित क्षेत्र में आता है । इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स पर थाउसेण्ड (पी.पी.टी.) को आधारमानकर किया जाना चाहिए ।

ग. आई सी आर जेड योजनाएं तैयार करना,-

i. पर्यावरण एवं वन मंत्रालय चार द्वीपों के लिए अंदमान एवं निकोबार प्रशासन के माध्यम से आई सी आर जेड योजना तैयार कराएँ । पर्यावरण एवं वन मंत्रालय का नेशनल सेंटर फॉर सस्टनेबल कोस्टल

मैनेजमेंट (एन सी एस सी एम) सहित तथा संबंधित हितधारकों के परामर्श से ख्याति प्राप्त और अनुभवी वैज्ञानिक संस्थानों को लगाकर आई सी आर जेड तैयार की जाएगी ।

ii. देश के तटीय विस्तार के लिए जोखिम रेखा का मापन पर्यावरण एवं वन मंत्रालय द्वारा भारतीय सर्वेक्षण के माध्यम से किया जाना चाहिए । जोखिम रेखा के निर्धारण के दौरान ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि एवं तटीय रेखा के परिवर्तन संबंधी घटनाओं को शामिल किया जाना चाहिए ।

iii. ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि के कारण अगले पचास और सौ सालों में बाढ़ की घटनाओं का पूर्वानुमान लगाने के उद्देश्य से तटीय विस्तार की कंट्रू मैपिंग की जाएगी, जो कि एच टी एल से 0.5 मीटर से लेकर 7 कि.मी. के मध्य होगी । तटीय रेखाओं के परिवर्तन संबंधी घटनाओं से संबंधित रेखा का निर्धारण पुराने आंकड़ों को आधार मानकर, पूर्व के सेटेलाइट चित्रों की तुलना वर्तमान के सेटेलाइट के चित्रों से करके किया जाएगा ।

iv. वृहद स्तरीय भू-उपयोग नियोजन हेतु जोखिम रेखा निर्धारण से संबंधित मैपिंग के लिए 1:25,000 स्केल तथा स्थानीय स्तर की मैपिंग के लिए 1:10, 000 स्केल का प्रयोग किया जाएगा ।

v. अंदमान और निकोबार प्रशासन इस अधिसूचना के जारी होने की तारीख से चौबीस माह की अवधि के अंदर जनता के परामर्श से आई सी आर जेड- I, II, III, IV की पहचान कर और उसका वर्गीकरण करके 1:25,000 मैप स्केल पर आई सी आर जेड योजनाओं का प्रारूप तैयार करेगा ।

vi. संघ शासित क्षेत्र प्रशासन द्वारा प्रारूप आई सी आर जेड योजनाएं मूल्यांकन हेतु अंदमान एवं निकोबार सी जेड एम ए को प्रस्तुत की जाएंगी, जिसमें ई आई ए अधिसूचना, 2006 में निर्धारित प्रक्रिया (ओं) के अनुसार उपयुक्त परामर्श से सिफारिशें शामिल हैं ।

vii. अंदमान एवं निकोबार सी जेड एम ए प्रारूप आई सी आर जेड को स्टेक होल्डरों से प्राप्त सुझाव और आपत्तियों को शामिल करने के बार छह माह की अवधि के अंदर आई सी आर जेड योजनाओं से संबंधित सिफारिशों सहित पर्यावरण एवं वन मंत्रालय को प्रस्तुत करेगा ।

viii. तत्पश्चात् पर्यावरण एवं वन मंत्रालय हर दृष्टि से पूर्ण आई सी आर जेड योजनाओं की प्राप्ति की तारीख से चार माह की अवधि के अंदर आई सी आर जेड योजनाओं पर विचार और अनुमोदित करेगा ।

ix. इस अधिसूचना में सूचीबद्ध सभी विकासात्मक क्रियाकलापों को संघ राज्य क्षेत्र प्रशासन, स्थानीय प्राधिकरण अथवा संबंधित अंदमान और निकोबार सी जेड ए द्वारा ऐसी अनुमोदित आई सी आर जेड योजनाओं के ढांचे के अंतर्गत इस अधिसूचना के उपबंधों के अनुसार, जैसा भी मामला हो, नियंत्रित किया जाएगा ।

x. आई सी आर जेड योजनाओं को सामान्यता पांच वर्षों की अवधि से पहले संशोधित नहीं किया जाएगा, इसके पश्चात् संबंधित संघ राज्य क्षेत्र प्रशासन उपर्युक्त प्रक्रियाएं अपनाकर मानचित्रों के संशोधन पर विचार करेगा ।

घ. चार द्वीपों में इस अधिसूचना के अंतर्गत अनुज्ञेय गतिविधियों के नियमन के लिए मानदंड,-

1. (i) आई सी आर जेड- I,-

- क. निम्नलिखित के अलावा आई सी आर जेड-। में किसी नए निर्माण की अनुमति नहीं होगी,-
- परमाणु ऊर्जा विभाग से संबंधित परियोजनाएं;
 - ट्रांसमिशन लाइनों सहित पाइप लाइनें, कनेक्शन प्रणालियां;
 - आई सी आर जेड-। के अंतर्गत अनुमतेय गतिविधियों के लिए अनिवार्य सुविधाएं;
 - भारतीय मौसम विभाग द्वारा चक्रवातों और तूफानों की गति तथा पूर्वानुमान लगाने के लिए मौसमी रडार स्थापित करना;
 - (V) एल टी एल एवं एच टी एम के मध्य ज्वारीय प्रवाह को नुकसान पहुंचाए बिना द्वीप समूह के पार समुद्री मार्ग का निर्माण;

(ख). एल टी एल एवं एच टी एल के मध्य का ऐसा क्षेत्र जो पारिस्थितिकीय रूप से संवेदनशील तथा महत्वपूर्ण न हो, में निम्नलिखित गतिविधियों को करने की अनुमति देते समय आवश्यक सुरक्षा उपाय किए जाएंगे, अर्थात् :-

- प्राकृतिक गैस का उत्खनन एवं निष्कर्षण;
- संबंधित सी जेड एम ए से अनुमति प्राप्त करने के पश्चात् जैव मंडल रिजर्वों में निवास करने वाले पारंपरिक समुदाय की आवश्यकता हेतु चिकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, पुल, सड़क, जेट्टी, जलापूर्ति व्यवस्था, जल निकास प्रणाली, सीवरेज के निकास की व्यवस्था इत्यादि का निर्माण;
- यदि ऐसे क्षेत्र खतरनाक क्षेत्र के अंतर्गत आते हैं तो ऐसे विकासात्मक कार्यकलापों की अनुमति देने से पहले आवश्यक सुरक्षा की व्यवस्था करनी चाहिए;
- डिसेलिनेशन संयंत्र;
- (V) पूर्व निर्धारित बंदरगाहों पर खाद्य तेल, उर्वरकों और खाद्य सामग्री जैसे जोखिम रहित पदार्थों का भंडारण ;

2. आई सी आर जेड-।।

- केवल पहले से निर्मित सड़कों की भूमि की ओर या किसी प्राधिकरण से संबंधित भवनों की भूमि की ओर ही भवनों के निर्माण की अनुमति प्रदान की जाएगी ;
- वे भवन जिन्हें पहले से निर्मित या प्रस्तावित सड़कों से पहले से निर्मित किसी प्राधिकरण से संबंधित भवनों की ओर बनाए जाने की अनुमति प्राप्त है, फ्लोर स्पेस इंडेक्स (जिसे इसके पश्चात् एफ एस आई कहा गया है) या फ्लोर एरिया रेशियो (जिसे इसके पश्चात् एफ ए आर कहा गया है) के 'मौजूदा' मानकों सहित स्थानीय नगर आयोजना विनियमों के अधीन होगी :

बशर्ते कि समुद्र की ओर पहले से निर्मित सड़क पर बने नए सड़कों की ओर की भूमि पर किसी भी प्रकार के भवनों के निर्माण की प्रक्रिया को अनुमति नहीं दी जाएगी ।

- (iii) प्राधिकृत भवन के पुनः निर्माण की अनुमति मौजूदा उपयोग में परिवर्तन किए बिना मौजूदा एफ एस आई या एफ ए आर के अधीन दी जाएगी ।

3. आई सी आर जेड-III।

(क) समुद्र की ओर और ज्वारीय लहरों से प्रभावित जलाशयों या खाड़ी की चौड़ाई, जो भी कम हो, के किनारे सौ मीटर तक एच टी एल से 200 मीटर तक भूमि की ओर के क्षेत्र को “नो डेवलपमेंट जोन (जिस इसके पश्चात् एन डी जेड कहा गया है) के रूप में चिह्नित किया जाएगा, ” -

- (i) किसी पूर्व निर्धारित बंदरगाह की सीमाओं में आने वाले ऐसे क्षेत्रों में एन डी जेड लागू नहीं होगा ।
- (ii) मौजूदा एफ एस आई मौजूदा फिलंथ क्षेत्र और मौजूदा सघनता से अधिक न होने वाले मौजूदा प्राधिकृत भवन की मरम्मत या पुनःनिर्माण और कार्यकलापों के लिए आवश्यक सुविधाओं सहित अधिसूचना के अंतर्गत स्वीकार्य कार्यों के सिवाय एन डी जेड में किसी निर्माण कार्य की अनुमति नहीं दी जाएगी । समुद्र के किनारे के साथ-साथ एच टी एल से 100 और 200 मीटर के बीच मछुआरा समुदायों सहित परंपरागत तटीय समुदायों की आवासीय इकाइयों के निर्माण/पुनःनिर्माण की अनुमति होगी, जिसे मछुआरा समुदाय सहित परंपरागत तटीय समुदायों के साथ-साथ परामर्श कर संघ-राज्य क्षेत्र द्वारा आवश्यक आपदा प्रबंधन प्रावधान, स्वच्छता तथा पर्यावरण एवं वन मंत्रालय द्वारा अनुमोदन के लिए संबंधित राज्य या संघ-राज्य क्षेत्र सी जेड एम ए से एन सी जेड एम ए की सिफारिश पर शुरू किया जाएगा;
- (iii) तथापि, एन डी जेड में निम्न गतिविधियों को संचालित करने की अनुमति दी जा सकती है, -

- (क) कृषि, शाक-भाजी उत्पादन, बागवानी, चरागाह, पार्क, खेल का मैदान और वानिकी;
- (ख) परमाणु ऊर्जा विभाग की परियोजनाएं;
- (ग) दुर्लभ खनिजों का खनन;
- (घ) अधिसूचना के संलग्नक-2 में वर्णित नियमों के अनुसार ही पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस का परिवहन एवं भंडारण;
- (इ) तरल प्राकृतिक गैस के पुनः गैसीकरण की सुविधाएं;
- (च) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन की सुविधाएं;
- (छ) डिसेलिनेशन संयंत्र एवं इससे जुड़ी सुविधाएं;
- (ज) मौसमी रडार;
- (झ) संबंधित सी जेड एम ए से अनुमति प्राप्त स्थानीय समुदाय की आवश्यकता हेतु चिकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, वर्षा से बचाव के लिए सार्वजनिक आश्रय स्थल, पुल, सड़क, जेटी, जलापूर्ति व्यवस्था, जल निकास प्रणाली, सीवरेज के निकास की व्यवस्था, शवदाहगृह, सीमेटरीज और विद्युत उप संस्थान की व्यवस्था अंदमान और निकोबार सी जेड एम ए द्वारा मामला दर मामला आधार पर दी जाएंगी;
- (अ) संबंधित प्रदूषण नियंत्रण समिति के पूर्व अनुमोदन से घरेलू सीवेज उपचार एवं निस्तारण के लिए बनाए जाने वाली निकायों या संबंधित निकायों का निर्माण;
- (ट) स्थानीय मछुआरा समुदाय के लिए आवश्यक सुविधाएं जैसे- मछलियों को सुखाने के लिए प्रांगण, नीलामी के लिए एक हॉल, जाल की मरम्मत के लिए प्रांगण, पारंपरिक नौका निर्माण संबंधी प्रांगण, बर्फ संयंत्र, बर्फ तोड़ने की इकाई, मछलियों के उपचार से संबंधित सुविधाएं आदि;
- (ठ) हवाई पटिटयां और उनसे संबंधित सुविधाएं।

(ख). 200 मीटर से 500 मीटर तक का क्षेत्र ,-

उपर्युक्त क्षेत्रों में निम्नलिखित कार्यकलाप स्वीकार्य होंगे:

- (i) अधिसूचना के अनुबंध-III में विशेष रूप से दिए गए नियमों के अनुसार पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस का परिवहन एवं भंडारण;
- (ii) अधिसूचना के अनुबंध-IV में दिए गए विशेष दिशानिर्देशों के अनुसार शर्तों के अधीन पर्यटकों अथवा आगंतुकों के लिए होटलों या समुद्र तटीय रिसॉर्टों के निर्माण के लिए अभिनिर्धारित क्षेत्रों में खाली भू-खंड विकसित करना;
- (iii) तरल प्राकृतिक गैस के रीगैसीफिकेशन के लिए सुविधाएं ;

4. आईसीआरजे-IV क्षेत्रों में:-

स्थानीय समुदायों द्वारा शुरू की गई परंपरागत फिशिंग और संगत गतिविधियों को छोड़कर समुद्र और ज्वार प्रभावित जल निकायों पर प्रतिबंधित गतिविधियों का विनियमन जिनमें पत्तनों, बंदरगाहों तथा अग्रतट की विकासात्मक गतिविधियां भी शामिल हैं; का विनियमन निम्नानुसार किया जाएगा:-

- (क) जल जीव जंतु पालन आपरेशनों सहित सभी प्रकार की गतिविधियों के परिणामस्वरूप उत्पन्न होने वाले किसी तरह के अशोधित सीवेज, बहिस्तावों, ब्लास्ट वाटर, शिपवाशेज, उड़नराख अथवा ठोस अपशिष्ट को डम्प नहीं किया जाएगा और तटीय नगरों और शहरों से उत्पन्न होने वाले सीवेज के शोधन के लिए एक योजना परंपरागत तटीय समुदायों, परंपरागत मछुआरों सहित स्टेकहोल्डरों के साथ परामर्श करके एक वर्ष के भीतर तैयार करके कार्यान्वित की जाएगी;
- (ख) तेल और गैस अन्वेषण और ड्रिलिंग, खनन, बोट हाउस तथा शिपिंग से उत्पन्न प्रदूषण;
- (ग) स्थानीय समुदायों द्वारा शुरू की गई परंपरागत फिशिंग और संगत गतिविधियों पर कोई पाबंदी नहीं होगी ।

5. अवधि, जब तक के लिए आईसीआरजे और आईआईएमपी वैध होगी-

- (i) आईसीआरजे और आईआईएमपी पांच वर्षों के लिए वैध होगी और अगली आईआईएमपी योजना के समाप्त होने की तारीख से पूर्व छह माह की अवधि के भीतर तैयार कर ली जाएगी:
परन्तु कि अंडमान और निकोबार द्वीप समूह का प्रशासन अथवा जैसा भी मामला हो, लक्षद्वीप प्रशासन आवश्यकता पड़ने पर किसी भी समय योजना की समीक्षा कर सकता है ।
- (ii) सीआरजे अधिसूचना, 1991 के अंतर्गत पहले से अनुमोदित तटीय जौन प्रबंधन योजनाएं सामान्यतः चौबीस महीनों के लिए वैध होंगी, बशर्ते कि उपर्युक्त अवधि को पर्यावरण एवं वन मंत्रालय द्वारा उन निबंधनों और शर्तों के अधीन, जिनको इस संबंध में विनिर्दिष्ट किया गया हो, एक विशिष्ट अधिसूचना जारी करके बढ़ाया न गया हो ।

6. इस अधिसूचना का प्रवर्तन और मॉनीटरिंग,-

- (क) इस अधिसूचना के प्रावधानों के कार्यान्वयन और प्रवर्तन तथा इसके अंतर्गत विनिर्धारित शर्तों के अनुपालन के प्रयोजनार्थ मूल अथवा प्रत्यायोजित शक्तियां पर्यावरण (सुरक्षा) अधिनियम, 1986 के अंतर्गत पर्यावरण एवं वन मंत्रालय, केन्द्र शासित प्रदेश के प्रशासन, एनसीजेडएमए तथा केन्द्र शासित प्रदेश के सीजेडएमए के पास उपलब्ध हैं ।

- (ख) एनसीजेडएमए और केन्द्र शासित प्रदेश के सीजेडएमए की संरचना, कार्यकाल और अधिदेश को पर्यावरण एवं वन मंत्रालय द्वारा माननीय उच्चतम न्यायालय द्वारा 1993 की रिट याचिका 664 के संबंध में दिए गए आदेशों के अनुसार पहले ही अधिसूचित किया जा चुका है।
- (ग) राज्य सरकार अथवा केन्द्र शासित प्रदेश की सीजेडएमए इस अधिसूचना के प्रवर्तन और मॉनीटरिंग हेतु तथा इस कार्य में सहायता करने हेतु मुख्य रूप से उत्तरदायी होगी, राज्य सरकार और केन्द्र शासित प्रदेश की सरकार संबंधित जिला मजिस्ट्रेट की अध्यक्षता में जिला स्तरीय समितियों का गठन करेगी जिसमें मछुआरों सहित स्थानीय परंपरागत समुदायों के कम से कम तीन प्रतिनिधि शामिल होंगे।
- (घ) मछुआरा समुदायों, जनजातियों सहित परंपरागत तटीय समुदायों की आवास इकाइयों जिनके संबंध में सीआरजेड अधिसूचना 1991 के प्रावधानों के अंतर्गत अनुमति थी, लैकिन उनके संबंध में उपर्युक्त अधिसूचना के अंतर्गत संबंधित प्राधिकारियों से औपचारिक अनुमोदन प्राप्त नहीं किया गया है, पर विचार संबंधित केन्द्र शासित प्रदेश के सीजेडएमए द्वारा किया जाएगा और आवास इकाइयों को निम्नलिखित शर्त के अधीन विनियमित किया जाएगा, नामश:-
- उनका उपयोग किसी तरह की वाणिज्यिक गतिविधि के लिए नहीं किया जाएगा;
 - उन्हें किसी गैर-परंपरागत तटीय समुदाय को बेचा अथवा अंतरित नहीं किया जाएगा;

7. अंडमान और निकोबार लक्ष्यद्वीप में निम्नलिखित गतिविधियां प्रतिबंधित होंगी:-

- प्रवाल भित्तियों को नष्ट करना,
 - प्रवाल भित्ति क्षेत्रों में और उनके आस-पास के क्षेत्रों तथा देशज और संकटापन्न प्रजातियों के आश्रय और प्रजनन स्थलों पर बालू का खनन;
 - प्रवाल भित्तियों, कछु वनस्पतियों के समुद्री क्षेत्र पर तटीय सुरक्षा निर्माण कार्य (ठोस निर्माण);
 - अशोधित सीवेज अथवा बहिसारों का निपटान;
 - उड़नराख, औद्योगिक अपशिष्ट, चिकित्सीय अपशिष्ट, जैविक रूप से नष्ट न होने वाला अपशिष्ट तथा इसी तरह के अपशिष्टों का निपटान;
 - परिस्थितिकीय दृष्टि से संवदेनशील क्षेत्रों से दस किलोमीटर तक के क्षेत्र में रेड श्रेणी के उद्योग पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) अथवा वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 अथवा जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 के अंतर्गत यथा प्रतिबंधित।
 - निम्नलिखित को छोड़कर नए उद्योगों की स्थापना करना और मौजूदा उद्योगों का विस्तार करना:-
- (क) जो प्रत्यक्ष रूप से वाटरफंट से संबंधित हैं अथवा जिनके संबंध में अग्रतटीय सुविधाओं की आवश्यकता हेतु स्पष्टीकरण:- इस मद के प्रयोजनार्थ अग्रतटीय सुविधाओं का आशय उन गतिविधियों से है जो इस अधिसूचना के अंतर्गत अनुज्ञेय हैं और जिनके प्रचालन के लिए वाटरफंट पत्तनों और बंदरगाहों, जेटटीज़, व्हारक्ज़, अपरदन नियंत्रण उपायों, ब्रेकवाटर, पाइप लाइनों, लाइट हाउसों, नेवीगेशनल सुरक्षा सुविधाओं, तटीय पुलिस स्टेशनों और इसी तरह की सुविधाओं की आवश्यकता होती है;
- (ख) एटमी ऊर्जा विभाग की परियोजनाएं;

- (ग) गैर परंपरागत ऊर्जा स्रोतों द्वारा विद्युत उत्पादन की सुविधाएं और सामाजिक प्रभावों सहित प्रभाव मूल्यांकन अध्ययन के आधार पर इस अधिसूचना के अंतर्गत पारिस्थितिकीय रूप से संवेदनशील क्षेत्र के रूप में अवर्गीकृत क्षेत्रों में लवणता दूर करने संबंधी संयंत्र लगाने की सुविधाएं;
- (घ) स्थानीय नगर आयोजना विनियमों के अनुसार मछुआरों सहित स्थानीय समुदायों की आवासीय इकाइयों का निर्माण और उनकी मरम्मत;
- (viii) निम्नलिखित को छोड़कर पर्यावरण एवं वन मंत्रालय की दिनांक 28 जुलाई, 1989 की अधिसूचना संख्या एसओ. 594 (ई), दिनांक 27 नवम्बर, 1989 की एमओ सं. 966 (ई) और दिनांक 5 दिसम्बर, 1989 की जीएसआर 1037 (ई) में यथा विनिर्दिष्ट तेल भंडारण का विनिर्माण अथवा हथालन अथवा परिसंकटमय पदार्थों का निपटान:-
- (क) समुद्री जहाज से पत्तनों, टर्मिनलों और शोधन कारखानों तक परिसंकटमय पदार्थों का स्थानांतरण;
- (ख) इस अधिसूचना के साथ संलग्न अनुलग्नक-।।। में यथा विनिर्दिष्ट अनुसार पेट्रोलियम उत्पादों और तरल प्राकृतिक गैस की प्राप्ति और भंडारण की सुविधाएं तथा आईसीआरजेड-।।।(ए) के रूप में वर्गीकृत न किए गए क्षेत्रों तथा पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों के रूप में अभिनिर्धारित अन्य क्षेत्रों में तरल प्राकृतिक गैस (जिसे इसके बाद एलएनजी कहा जाएगा) के पुनः गैसीयकरण के लिए सुविधाएं, बशर्ते कि इससे पेट्रोलियम और प्राकृतिक गैस मंत्रालय में तेल उद्योग सुरक्षा निदेशालय द्वारा जारी दिशानिर्देशों सहित सुरक्षा विनियमों का कार्यान्वयन हो तथा पर्यावरण एवं वन मंत्रालय द्वारा जारी दिशानिर्देशों का अनुपालन हो। इसके अलावा, ये सुविधाएं पर्यावरण एवं वन मंत्रालय द्वारा पर्यावरण के संबंध में यथा विनिर्धारित सुधारात्मक उपायों के कार्यान्वयन संबंधी निबंधनों और शर्तों के अधीन भी होंगी।

परंतुक कि उर्वरकों जैसे कि अमोनियां, फास्कोरिक एसिड, सल्फर, सल्फ्यूरिक, नाइट्रिक एसिड तथा इसी तरह के उर्वरकों के निर्माण के लिए आवश्यक कच्ची सामग्री और उर्वरकों की अभिप्राप्ति और भंडारण संबंधी सुविधाओं की अनुमति वन्य जीव (संरक्षण) अधिनियम, 1972 और वन (संरक्षण) अधिनियम, 1980 तथा पर्यावरण (सुरक्षा) अधिनियम, 1986 के अंतर्गत आईसीआरजेड-।।। के रूप में अवर्गीकृत क्षेत्रों तथा पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों के रूप में अभिनिर्धारित किए गए क्षेत्रों के उपर्युक्त ज्ञान के भीतर ही होगी;

- (ix) अनुज्ञेय क्षेत्रों में हैचरी और कम हो रही प्राकृतिक रूप से उत्पन्न मछलियों को छोड़कर फिश प्रोसेसिंग इकाइयों तथा बेयर हाउसिंग की स्थापना और उनका विस्तार;
- (x) निम्नलिखित को छोड़कर भूमि सुधार, बंडिंग अथवा समुद्रीजल के प्राकृतिक बहाव का अवरोधन;
- (क) जो पत्तनों, बन्दरगाहों, जेट्टीज, क्वार्ज, स्वेज, स्लिपवेज, पुलों, समुद्री संपर्क मार्गों, स्टिल्ट्स पर सङ्क निर्माण तथा रक्षा और सुरक्षा के उपयोगों के लिए सुविधाओं की स्थापना, विनियोग अथवा आधुनिकीकरण अथवा अग्रतटीय सुविधाओं के विस्तार संबंधी सुविधाओं और अन्य सुविधाओं, जोकि अधिसूचना के अंतर्गत अनुज्ञेय गतिविधियों के लिए आवश्यक हैं;

- (ख) पर्यावरणीय प्रभाव मूल्यांकन (जिसे इसके बाद ई आई ए कहा जाएगा) अध्ययनों सहित वैज्ञानिक अध्ययनों के आधार पर अपरदन का नियंत्रण करने के उपाय;
- (ग) ई आई ए अध्ययनों के आधार पर जलमार्गों, चैनलों और पतनों का रख-रखाव अथवा क्लीयरिंग
- (घ) बालू के बार रोकने के उपाय, ज्वारीय नियंत्रकों की स्थापना, तूफानी जल ड्रेन बिछाना अथवा पर्यावरण एवं वन मंत्रालय द्वारा विनिर्दिष्ट की जोने वाली किसी एजेंसी द्वारा किए गए अध्ययन के आधार पर लवणीयता के प्रवेश को रोकने और शुद्ध जल के रीचार्ज के लिए संरचनाओं हेतु;
- (xi) निम्नलिखित के लिए आवश्यक सुविधाओं को छोड़कर अपशिष्टों और बहिस्तावों के लिए इकाइयों अथवा इकाइयों अथवा कार्यतंत्र की स्थापना और विस्तार ;
- (क) जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 (1974 का 6) के अंतर्गत दिए गए अनुमोदन से शोधित बहिस्तावों को जलबहाव के डिस्चार्ज करना ;
- (ख) स्टोर्म वाटर ड्रेन्स और पम्पिंग के लिए एनसिलियरी स्ट्रॉकचर्स ;
- (ग) आई सी आर जेड-1 के अलावा आई सी आर जेड क्षेत्रों में स्थित बीच रिसोर्ट्स तथा मानव बस्तियों के कारण उत्पन्न अपशिष्ट और बहिस्तावों का शोधन तथा शोधित अपशिष्टों और बहिस्तावों का निपटान;
- (xii) उद्योगों, शहरों अथवा कस्बों व अन्य मानव बस्तियों से उत्पन्न अशोधित अपशिष्टों और बहिस्तावों को डिस्चार्ज करना और संबंधित प्राधिकारी इस प्रकार के मौजूदा डिस्चार्ज, यदि कोई हो, को दूर करने के लिए इस अधिसूचना के जारी होने की तारीख से दो वर्षों से अनधिक समय अवधि के भीतर स्कीमों का कार्यान्वयन करेंगे;
- (xiii) भूमि चराई और इसी तरह के कार्यों के प्रयोजनार्थ निर्माण संबंधी डेब्रिस, औद्योगिक ठोस अपशिष्टों, फ्लाई एश सहित शहरों अथवा कस्बों से उत्पन्न अपशिष्टों को डम्प करना और संबंधित प्राधिकरण किसी भी मौजूदा प्रथा, यदि कोई हो, को दूर करने के लिए स्कीमों का कार्यान्वयन करेगा । यह प्रथा इस अधिसूचना के प्रारंभ होने की तारीख से एक वर्ष की अवधि के भीतर दूर किया जाएगा ।
- टिप्पणी : पर्यावरण एवं वन मंत्रालय 34 पैराओं (v),(vi) और (vii) के संबंध में निर्धारित समय सीमा सहित कार्य योजनाएं तैयार करने, उनका कार्यान्वयन करने और मानीटरिंग करने के संबंध में राज्य सरकारों और केंद्र शासित प्रदेश के प्रशासन को अलग से अनुरोध जारी करेगा ।
- (xiv) वैज्ञानिक अध्ययनों के आधार पर तथा राज्य सरकार अथवा केंद्र शासित प्रदेश के प्रशासन के साथ परामर्श करके पर्यावरण एवं वन मंत्रालय द्वारा अभिनिर्धारित ई आई ए अधिसूचना, 2006 के अनुसार रणनीतिक और रक्षा विषयों के रूप में वर्गीकृत परियोजनाओं को छोड़कर तटीय क्षेत्र में हाई इरोडिंग क्षेत्रों में पत्तन और बन्दरगाह परियोजनाएं;
- (xv) वाणिज्यिक प्रयोजनों जैसे कि शापिंग और आवास परिसरों, होटलों तथा मनोरंजन संबंधी गतिविधियों के लिए पुनरुद्धार;
- (xvi) (क) आई सी आर जेड क्षेत्र में अनुपलब्ध दुर्लभ खनिजों को छोड़कर बालू, चट्टानों और अन्य सबस्ट्रेटा सामग्रियों का खनन;

- (ख) तेल और प्राकृतिक गैस का अन्वेषण और उपयोग;
- (xvii) निम्नलिखित को छोड़कर; एच टी एल के 200 मी. के भीतर भूमिजल का झाल और उससे संबंधित निर्माण कार्य; नामशः-
- (क) ऐसे क्षेत्रों में जहां स्थानीय समुदाय रहते हैं और केवल उनके उपयोग के लिए;
- (ख) 200 मी. से 500 मी. वाले जौन के मध्य पड़ने वाले क्षेत्र में भूमि जल में झाल की अनुमति तभी दी जाएगी जब ऐसा कार्य पीने के लिए, बागवानी, कृषि और मत्स्य पालन के लिए सामान्य नलकुपों के जरिए मानवों द्वारा स्वयं किया गया हो और जहां जल का कोई दूसरा स्रोत उपलब्ध न हो।

टिप्पणी : समुद्री जल के प्रवेश कर जाने से प्रभावित क्षेत्रों में राज्य सरकार और केंद्र शासित प्रदेश के प्रशासन द्वारा नामोदिदिष्ट प्राधिकारी द्वारा ऐसे झाल पर प्रतिबंध लगाया जा सकता है।

(xviii) इस अधिसूचना में विनिर्दिष्ट क्षेत्रों को छोड़कर पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों में निर्माण गतिविधियाँ;

(xix) सुन्दरता, मनोरंजन और अन्य दूसरे आयोजनों के लिए लैंडस्केप परिवर्तन सहित बालू के टीलों; पहाड़ियों, प्राकृतिक स्थलों की ड्रेसिंग अथवा रूपांतरण ;

(xx) समुद्री /तटीय पुलिस स्टेशनों की पैट्रोलिंग और सर्तकता गतिविधियों के लिए अपेक्षित सुविधाएं ;

8. परियोजनाओं के लिए इस अधिसूचना के अंतर्गत स्वीकृतियों की वैधता - इस अधिसूचना के अंतर्गत जिन परियोजनाओं को स्वीकृति दी गई, वे निर्माण और प्रचालन की शुरुआत के लिए दी गई स्वीकृति जारी होने की तारीख से पांच वर्षों की अवधि के लिए वैध होंगी।

9. ई आई ए अधिसूचना, 2006 अंथवा अन्य अधिसूचना की अनुप्रयोज्यता - पर्यावरण प्रभाव मूल्यांकन अथवा वन (संरक्षण) अधिनियम, 1980(1980 का 69), वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 52)को आकर्षित करने वाली विकास परियोजनाओं पर विचार उसके अंतर्गत किए गए प्रावधानों के अनुसार किया जाएगा और कोई भी सिफारिश करने से पहले सक्षम प्राधिकारी की पूर्वानुमति प्राप्त की जाएगी।

10. जिन गतिविधियों को उपर्युक्त आई आई एम पी में सूचीबद्ध नहीं किया गया है, उनसे संबंधित निर्णय हेतु संबंधित केंद्रशासित प्रदेश के प्रशासन के माध्यम से पर्यावरण एवं वन मंत्रालय के पास भेजा जाएगा।

[फा. सं. 12 3/2008 आर्टा. III]

ज. मो. माऊसकर, अपर मर्जिव

अनुबंध -I

एकीकृत द्वीप समूह प्रबंध योजना और द्वीप समूह तटीय विनियमन जोन की तैयारी के लिए दिशा निर्देश

1. एकीकृत द्वीप समूह प्रबंधन योजना हेतु समूचे द्वीप समूह पर जलीय क्षेत्र सहित विचार किया जाएगा जबकि आईसीआरजेड के लिए पैरा -III (क) में दिए अनुसार क्षेत्राधिकार होगा ।
2. एकीकृत द्वीप समूह प्रबंध योजना तैयार की जाएगी जिसमें यह उल्लेख करना होगा कि सभी वर्तमान और भावी विकास, संरक्षण और परिरक्षण स्कीमें 10 वर्ष की समयावधि के साथ होंगी ।
3. एकीकृत द्वीप समूह प्रबंधन योजना और आईसीआरजेड मानव जीवन की व्यवहार्यता और एलिवेशन पर आधारित सम्पदा, जियोमारफालाजी, समुद्र स्तरीय रुख और हारिजेन्टल लाईन विखंडन का निवारण करेगी और उन उपयुक्त क्षेत्रों को इंगित करेगी जो आवासीय इकाइयों, अवसंरचना आदि के लिए सुरक्षित होंगे और स्थानीय समुदायों के जीवन और सम्पदा के लिए उपयुक्त बचावकारी उपाय, प्राकृतिक संकटों से अवसंरचना को एकीकृत द्वीप समूह प्रबंधन योजना में इंगित करेंगे ।
4. संकट रेखा और भूमि की ओर उच्च ज्वार भाटा लाईन से 500 मीटर के बीच पड़ने वाले भू-क्षेत्र, समुद्रफँट के मामले में और संकट रेखा और ज्वारभाटा प्रभावित जल पिण्ड के मामलों में शब्द 'संकट रेखा' पर्यावरण और वन मंत्रालय (इसके बाद एमओईएफ कहा जाएगा) द्वारा चिन्हित रेखा भारतीय सर्वेक्षण के माध्यम से (इसके बाद इसे एसओआई कहा जाएगा) ज्वारभाटों, हवाओं, समुद्र स्तर उत्थान और समुद्र रेखा परिवर्तनों को ध्यान में रखते हुए अभिप्रेरित है ।
5. इस अधिसूचना में सूचीबद्ध के अलावा कोई विकासात्मक कार्यकलाप ऐसे क्षेत्रों में अनुचित नहीं होगा जो संकट रेखा और भूमि की ओर कृषि की चौड़ाई अथवा 500 मीटर अथवा 100 मीटर के बीच हो । स्थानीय समुदायों, आदिवासियों की आवासीय यूनिटों जिनमें मछुआरों के आवास भी शामिल हैं, को पुनः स्थापित नहीं किया जाएगा यदि आवासीय इकाइयां संकट रेखा से समुद्र की ओर स्थित हों । केन्द्रशासित प्रशासन स्थानीय समुदायों की ऐसी इकाइयों को आवश्यक सुरक्षोपाय प्रदान करेगा ।
6. सभी मौजूदा सड़कें जिनमें आन्तरिक सड़कें भी शामिल हैं, को मजबूत बनाया जाएगा, क्योंकि ये सड़कें प्राकृतिक विपदा में आजीविका, संचार, बचाव, राहत, खाली करने के उपायों के लिए काम आएंगी ।
7. पर्याप्त चक्रवात शैल्टरों को चिन्हित किया जाएगा और उनका निर्माण ऊंचे क्षेत्रों अथवा स्टिल्टों पर किया जाएगा जो आबादी वाले क्षेत्रों के साथ हों ।
8. मौजूदा और नए स्कूल, मार्किट क्षेत्र और अन्य सार्वजनिक सुविधाएं (जल शौचालयों को छोड़कर) जहां अधिक संख्या में जनता इकट्ठी हो, उन्हें सामान्य तौर पर सुरक्षित क्षेत्र में स्थापित किया जाएगा विशेषकर ऊंचे क्षेत्रों में अथवा सुरक्षित क्षेत्रों में ।

9. समुद्रों की तरफ की ओर पर्याप्त जैव-शील स्थानीय वनस्पति, वृक्षों, मैंग्रोव सहित रोपित किए जाएंगे और अन्य संवेदनशील सुरक्षा उपाय किए जाएंगे ।
10. एकीकृत द्वीप समूह प्रबंध योजना और आईसीआरजेड वैज्ञानिक विधि पर आधारित होगी जो संचालित प्राधिकरण के अनुमोदन से होगी, जिनमें उपयुक्त तटीय सुरक्षा ढांचों का निर्माण ऐसी योजना के अनुरूप होगा ।
11. समुद्रतटों (बीचों) की सुरक्षा की जाएगी और उनमें कोई विकासीय कार्यकलाप अनुचित नहीं होगा ।
12. रेत के टीले, जो बाढ़ की अवस्था में प्रकृतिक अवरोधक हैं, उन्हें संरक्षित किया जाएगा और उनका रखरखाव किया जाएगा अथवा उनका पुनरुद्धर्व किया जाएगा, जो झाड़ियां लगाकर होगा अथवा उपयुक्त उपायों के जरीए होगा ।
13. द्वीप समूह प्रशासन द्वारा सिफारिश किए अनुसार मत्स्यन यंत्रों की स्थापना सहित स्थानीय समुदायों द्वारा परम्परागत मत्स्यन के संबंध में कोई प्रतिबंध नहीं होगा ।
14. (क) योजना में उपयुक्त वैज्ञानिक अध्ययन करके निर्माण सामग्री का खनन, विशेषकर गहरे समुद्र तल से बालू निकालना (15 मीटर गहराई से आगे) अनुमित होगा ।
 - i. वैकल्पिक निर्माण सामग्री, जैसे बांस, स्थानीय वन उत्पाद को अभिज्ञात किया जाए और उपयोग किया जाए ।
 - ii. अन्य सामग्री जैसे धातु, होलो ब्रिक ब्लाक्स और इसी तरह की सामग्री मुख्य भूमि से लाई जाएगी ।
15. गैर-परम्परागत ऊर्जा स्रोत को बल दिया जाएगा विशेषकर वायु, सौर और ज्वारभाटा ऊर्जा, गैर-क्षारीकरण, जल पुनः चक्रण और स्थानीय उत्पादों को इस्तेमाल करने पर बल दिया जाएगा ।
16. चक्रवात, सुनामी और ऐसी घटनाओं के लिए पूर्व चेतावनी सिस्टम प्रदान किया जाएगा और खाली करने और आपदा में राहत उपाय योजना एकीकृत द्वीप समूह प्रबंध योजना में निर्मित की जाएगी ।
17. उन लोगों के लिए जो प्राकृतिक आपदा के कारण विस्थापित हो गए हैं, उनकी पुनः स्थापना और विस्थापन के लिए एकीकृत द्वीप समूह प्रबंध योजना में आवश्यक प्रावधान किए जाएंगे ।
18. एकीकृत द्वीप समूह प्रबंध योजना और आईसीआरजेड में आबादी के अंतर्गत क्षेत्रों को शामिल किया जाएगा और भावी विकास के लिए योजना तैयार की जाएगी ।
19. आरक्षित वनों, संरक्षित वनों, राष्ट्रीय उद्यानों और अभ्यारण्यों के तहत क्षेत्रों को जो वन (संरक्षण) अधिनियम, 1980 (1980 का 69) के अंतर्गत अथवा वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53)

और पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) के तहत अधिसूचित सुरक्षित क्षेत्रों के अंतर्गत कोई विकासात्मक कार्यकलाप अनुमित नहीं किए जाएंगे।

20. स्थानीय समुदायों के आवासीय यूनिटों अथवा अवसंरचना, जो योजना की तैयारी के समय मौजूद हो, को विस्थापित नहीं किया जाएगा।
21. मौजूदा भवनों अथवा बुनियादी ढांचों की मरम्मत, जिनमें पुनः निर्माण भी शामिल है, के संबंध में किए जाने वाले कार्य अनुमित होंगे।
22. आईआईएमपी और आईसीआरजेड 1:25,000 के मानचित्र व्यापक स्तरीय नियोजन के लिए और 1:10,000 अथवा केडस्ट्रल स्केल सूक्ष्म स्तरीय प्लानिंग के लिए तैयार किए जाएंगे।
23. उच्च ज्वारभाटा लाईन पर्यावरण और वन मंत्रालय द्वारा प्राधिकृत अभिकरण द्वारा चिन्हित कराई जाएगी।

अनुबंध-II

पेट्रोलियम व रसायन उत्पादों की सूची जिनका भण्डारण (आई सी आर जेड(क) और अन्य अभिज्ञात पारिस्थितिकीय संवेदनशील क्षेत्रों को छोड़कर अनुमित है

- (i) कच्चा तेल;
- (ii) लिविंफाइड पेट्रोलियम गैस;
- (iii) मोटर स्प्रिट;
- (iv) कैरोसिन;
- (v) विमान ईंधन;
- (vi) हाई स्पीड डीजल;
- (vii) लुब्रीकेटिंग ऑयल;
- (viii) ब्यूटेन;
- (ix) प्रोपेन;
- (x) कम्प्रेस्ड नेचुरल गैस;
- (xi) नेपथ्या;
- (xii) फर्नेस ऑयल;
- (xiii) लो सल्फर हैवी स्टॉक;
- (xiv) लिविंफाइड नेचुरल गैस;
- (xv) उर्वरक व उर्वरकों के उत्पादन हेतु कच्चा माल।

अनुबंध III

आईसीआरजेड-III और आईसीआरजेड-II/ आईआईएमपी के निर्धारित क्षेत्रों में तट रिसोर्ट / होटलों के विकास में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के बाद सैलानियों अथवा यात्रियों के ठहरने संबंधी दिशानिर्देश ।

I. सैलानियों / यात्रियों के अस्थाई निवास हेतु एसपीसीजेड-II और III के निर्धारित क्षेत्रों में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के पश्चात् तट रिसोर्ट / होटलों के निर्माण निम्नांकित परिस्थितियों से संदर्भित होंगे :

- (क) परियोजना प्रस्तावक उच्च ज्वारभाटा रेखा की भूमि की ओर 200 मीटर के भीतर रेखा के भीतर क्षेत्र में किसी भी प्रकार का निर्माण कार्य नहीं करेगा ।
- (ख) प्रस्तावित निर्माण संकट रेखा अथवा उच्च ज्वार रेखा से 200 मीटर जो भी अधिक हो, से परे किया जाएगा ।
- (ग) निजी संपत्तियों के चारों ओर पौधों और कांटेदार तारों द्वारा चाहरदीवारी के निर्माण की अनुमति इस शर्त पर दी जा सकती है कि इनके कारण लोगों की समुद्री किनारे तक पहुँच में कोई व्यवधान न हो ।
- (घ) रेत के टीलों को समतल नहीं किया जायेगा ;
- (इ) खेल सुविधाओं के लिए, गोल पोस्ट, नेट पोस्ट और लम्प पोस्ट के अतिरिक्त किसी भी प्रकार के स्थाई निर्माण की अनुमति नहीं होगी ।
- (च) तहखाने के निर्माण की अनुमति इस आधार पर दी जा सकती है कि राज्य भूगर्भ जल प्राधिकरण से इस बात का अनापत्ति प्रमाण पत्र प्राप्त करनी होगी कि निर्माण उस क्षेत्र में भू-गर्भीय जल के मुक्त प्रवाह को प्रभावित नहीं करेगा ।
- (छ) राज्य भूगर्भ जल प्राधिकरण इस प्रकार के अनापत्ति प्रमाण-पत्र जारी करने से पहले केंद्र सरकार द्वारा जारी किये गये दिशा-निर्देशों का संदर्भ लेगा ।
- (ज) यद्यपि विकास रहित क्षेत्र में फ्लोर स्पेस इण्डेक्स की गणना के लिए किसी भी प्रकार के निर्माण की अनुमति नहीं है, संपूर्ण भू-खण्ड का क्षेत्रफल जिसमें वह भाग भी शामिल होगा जो विकास रहित क्षेत्र के अंतर्गत आता है, को भी ध्यान में रखा जायेगा ।
- (झ) भू-खण्ड का कुल क्षेत्रफल 0.4 हेक्टेयर से कम नहीं होना चाहिए तथा सभी मालों (फ्लोर) का कुल ढका हुआ क्षेत्र भू-खण्ड के कुल आकार के 33 प्रतिशत से अधिक नहीं होना चाहिए अर्थात्

फ्लोर स्पेश इण्डेक्स 0.33 से अधिक नहीं होना चाहिए । खुला क्षेत्र समतल होगा और उचित वनस्पतियों से आच्छादित होगा ;

- (ट) निर्माण कार्य आस-पास की स्थलाकृति एवं स्थानीय वास्तुकला शैली के अनुरूप होगा ;
 - (ठ) निर्माण कार्य में छत की कुल ऊँचाई 9 मीटर से ज्यादा नहीं होगी व दो तल से ज्यादा (नीचे का तल व उसके ऊपर का तल) का निर्माण नहीं होगा ;
 - (ड.) भूगर्भ जल को उच्च ज्वार रेखा में 200 मी. के नीचे से नहीं लिया जायेगा ; 200-500 मी. के जोन में केंद्रीय/राज्य भू-जल बोर्ड की सहमति से लिया जा सकता है ;
 - (ढ) उच्च ज्वार रेखा के 500 मी. की दूरी में बालू का खनन, समतल करना या बालू को खोदना केवल बिल्डिंग की बुनियाद, स्वीमिंग पुल को छोड़कर अनुमत नहीं होगा;
 - (त) परियोजना क्षेत्र में उपचारित उत्प्रवाह, ठोस कचरे, धूँआ तथा ध्वनि के स्तर आदि की गुणवत्ता को सक्षम प्राधिकरण द्वारा पर्यावरण (सुरक्षा) अधिनियम, 1986 के तहत् तथा केंद्रीय/राज्य प्रदूषण नियंत्रण बोर्ड द्वारा बनाये गये मानकों के अनुसार होगा;
 - (थ) उत्प्रवाहों तथा ठोस कचरे के उपचार हेतु आवश्यक व्यवस्थाएं अवश्य की जानी चाहिए; अनुपचारित उत्प्रवाह तथा ठोस कचरे को पानी में या तट पर फेंका या छोड़ा न जाए; तथा इस बात को सुनिश्चित करना होगा कोई भी उत्प्रवाह/ठोस कचरा समुद्र तट पर छोड़ा नहीं जायेगा ।
 - (द) समुद्र तट पर लोगों की पहुंच को अनुमति देने हेतु किन्हीं दो होटलों/बीच रिसोर्टों के मध्य कम से कम 20 मी. की चौड़ाई का अंतराल होना चाहिए । किसी भी स्थिति में कुल अंतराल 500 मी. से कम नहीं होगा; तथा
 - (घ) यदि परियोजना में वन भूमि को अवनीय उद्देश्यों के लिए शामिल किया जाना है तो वन (संरक्षण) अधिनियम, 1980 के तहत, सहमति प्राप्त करना आवश्यक होगा । इसके अलावा केंद्र व राज्य कानूनों के लागू होने वाली सभी आवश्यकताओं को परियोजना द्वारा पूर्ण किया जायेगा;
 - (न) राज्य/केंद्रशासित प्रदेश के पर्यटन विभाग से अनुमति प्राप्त करनी होगी ।
- || पारिस्थितिकीय संवेदनशील क्षेत्रों (जैसे कि समुद्री पार्क, मैग्नूट, मूँगा भित्ती, मछलियों का जनन व पालने का क्षेत्र, वन्यजीव पर्यावास तथा ऐसे अन्य क्षेत्र जिन्हें केंद्र/राज्य सरकार/केंद्रशासित प्रदेश द्वारा अधिसूचित किया गया हो) समुद्रतटीय रिसोर्ट /होटलों के निर्माण की अनुमति नहीं होगी ।

NOTIFICATION

New Delhi, the 6th January, 2011

S.O. 20(E).— WHEREAS the Central Government vide its notification number S.O.114(E), dated the 19th February, 1991, (hereinafter referred to as the said notification), declared Coastal Regulation Zone and imposed certain restrictions on the setting up and expansion of industries, operations and processes in the said Zones for its protection.;

AND WHEREAS, the Central Government, issues a separate notification for the environmental management of Andaman and Nicobar (hereinafter referred to as the AandN) and Lakshadweep and for this purpose a preliminary Notification was published vide number 2291(E), dated the 15th September, 2010 under sub-section (1) and clause (v) of sub section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests (hereinafter referred to as the MoEF), number S.O.114(E), dated the 19th February, 1991, in so far as it relate to the AandN and the Lakshadweep Islands.;

AND WHEREAS, copies of the said Gazette were made available to the public on 25th February, 2010.;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view of providing livelihood security to the local communities including the fisherfolk and tribals, promote conservation and protection of Islands unique environment and its marine area and to promote development through sustainable integrated management plan based on scientific principles taking into account the vulnerability of the coast to natural hazards, hereby declare the coastal stretches of Middle Andaman, North Andaman, South Andaman and Greater Nicobar and entire area of the other islands of Andaman and Nicobar and the Lakshadweep and their water area upto territorial water limit as the Islands Protection Zone (hereinafter referred to as the IPZ) and restricts the areas from the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009, except in the manner provided in the Island Coastal Regulation Zone (hereinafter referred to as the ICRZ) and Integrated Islands Management Plans (hereinafter referred to as the IIMPs).;

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supercession, the Central Government hereby declares the following areas as Island Protection Zone and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries,

operations or processes,-

- I. Environmental management for the Islands of Andaman and Nicobar (hereinafter referred to as the AandN) and Lakshadweep shall be managed as follows:-
- A. the entire island of AandN other than the four islands mentioned in sub-para B below shall be managed as per IIMPs;
 - B. In view of the large geographical area of the islands of Middle Andaman, North Andaman, South Andaman and Greater Nicobar, these islands shall be managed as per the Island Coastal Regulation Zone (hereinafter referred to as the ICRZ).
- II. The Islands of AandN and Lakshadweep other than the four mentioned in sub-para B and Lakshadweep shall be managed based on the IIMPs which will be prepared as per the following guidelines, namely:-
- (a) Preparation of Integrated Islands Management Plan,-
 - (1) the AandN Administration shall, within a period of one year from the date of this notification, for the purpose of integrated sustainable development of the AandN Islands Protection Zone, prepare the IIMPs, *inter alia*, specifying therein the areas indicating all the existing and the proposed developments, conservation and preservation schemes, dwelling units including infrastructure projects such as, schools, markets, hospitals, public facilities, and the like;
 - (2) the Lakshadweep Islands Administration shall, within a period of one year from the date of this notification, for the purpose of integrated sustainable development of the Lakshadweep Islands Protection Zone, prepare the IIMPs, *inter alia*, specifying therein the areas indicating all the existing and the proposed developments, conservation and preservation schemes, dwelling units including infrastructure projects such as, schools, markets, hospitals, public facilities, and the like;
 - (3) the Islands Administration may, if it consider necessary, take the help of research institutions having experience and specialisation in coastal resource management in the preparation of IIMPs taking into account the guidelines specified in Annexure-I to this notification.
 - (4) all activities in the Islands and the aquatic areas shall be regulated by the AandN Administration or the Lakshadweep Islands Administration, as the case may be, on the basis of IIMPs;
 - (5) the developmental activities in the Islands shall be included in the IIMPs in accordance with rules, regulations and building bye-laws of local town and country planning for the time being in force in the Islands;
 - (6) the requirements of the Ministry of Defence, if any, shall be incorporated in the IIMPs and all defence related projects shall be assessed by a Committee consisting of the Secretary in the MoD, Secretary in the Ministry of Defence and the Chief Secretaries of the AandN Islands Administration, or as the case may be, the Lakshadweep Islands Administration;
 - (7) the IIMPs shall be prepared separately for each island, and, as may be required from time to time;
 - (8) ecologically sensitive areas as specified in item (a) of sub-paragraph (B) of paragraph III to this notification shall be taken into consideration while preparing the IIMP: Provided that if those areas are included in the National Parks or Sanctuaries notified under the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972) shall separately mentioned in the plan and be regulated in accordance with the provisions of that Act.
 - (9) the activities permitted in the IIMP shall also be undertaken in accordance with the Forest (Conservation) Act, 1980 (69 of 1980), the Wild Life (Protection) Act, 1972 (53 of 1972), the Environment (Protection) Act, 1986 (29 of 1986) and the rules or notifications made or issued thereunder and after taking into consideration the Environment Impact Assessment.

- done under the provisions of the notification of the Government of India in the MoEF number S.O.1533(E), dated the 14th September, 2006;
- (10) (a) the Island Administrations, after preparing the IIMPs shall widely publicise the plan and invite suggestions from the public and other stakeholders within a period of thirty days from the date of publication of the plans;
- (b) the plans shall be published by publishing it in atleast two newspapers and website of the Administration;
- (c) the hard copy of the plan shall be made available to the public at the office of the Chairman and Member Secretary of the Union territory Coastal Zone Management Authorities (hereinafter referred to as the CZMAs), District Collector's Office and Office of the Pollution Control Committee;
- (d) on receipt of the comments, the Island Administration shall make necessary changes in the plans and submit to Central Government in the MoEF for its consideration and approval;
- (e) the Union territory CZMA and the National Coastal Zone Management Authority shall be responsible to address and dispose off any grievance arising out of preparation of the plan.
- (11) the Central Government in the MoEF, after receipt of the IIMPs, shall, after examining the plan if it is satisfied, approve within a period of sixty days from the date of its receipt;
- (12) all the activities under the IIMP shall be regulated in accordance with such Plan by the concerned authorities in the Islands.

III. The islands of Middle Andaman, North Andaman, South Andaman and Greater Nicobar shall be managed based on ICRZ have the following jurisdiction, namely:-

- A. (i) the land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front;
- (ii) ICRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the ICRZ Plan.

Explanation.- For the purposes of this item the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters and lagoons.

- (iii) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone;
- (iv) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

B. The coastal areas of the four islands shall be classified as follows, namely:-

1. (a) ICRZ-I,- The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,-

- (i) mangroves;
 - (ii) coral reefs;
 - (iii) sand Beaches and Sand Dunes;
 - (iv) mudflats;
 - (v) protected areas under the Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986);
 - (vi) salt Marshes;
 - (vii) turtle nesting grounds;
 - (viii) horse shoe crabs habitats;
 - (ix) sea grass beds;
 - (x) sea weed beds;
 - (xi) nesting grounds of birds;
 - (xii) fishing villages and areas of traditional rights.
- (b) The area between Low Tide Line and High Tide Line; and

2. ICRZ-II,- The areas that have been developed upto or close to the shoreline.

Explanation.- The expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

3. ICRZ-III,-

Areas that are relatively undisturbed and those do not belong to either Category- B(i)(a) and (b) above which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built up.

4. ICRZ-IV,-

- (i) the water area from the Low Tide Line to twelve nautical miles on the seaward side;
- (ii) shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

C. Preparation of ICRZ Plans,-

- (i) the MoEF will get the ICRZ plans prepared through the AandN Administration for the four islands. The ICRZ will be prepared by engaging reputed and experienced scientific institution(s) or agencies including the National Centre for Sustainable Coastal Management (NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (ii) the hazard line shall be mapped by MoEF through SoI all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level rise and shoreline changes;
- (iii) for the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;
- (iv) mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping. The hazard line shall be taken

into consideration while preparing the land use plan of the coastal areas;

- (v) the AandN Administration will prepare within a period of twenty four months from the date of issue this notification, draft ICRZ Plans in 1:25,000 scale map identifying and classifying the ICRZ-I, II, III and IV involving public consultation;
 - (vii) the draft ICRZ Plans shall be submitted by the Union territory Administration to the AandN CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the EIA notification, 2006;
 - (viii) the AandN CZMA shall submit the draft ICRZ Plans to MoEF alongwith its recommendations on ICRZ Plans within a period of six months after incorporating the suggestions and objections received from the stakeholders;
 - (ix) MoEF shall thereafter consider and approve the ICRZ Plans within a period of four months from the date of receipt of the ICRZ Plans complete in all respects;
 - (x) all developmental activities listed in this notification shall be regulated by the Union territory Administration, the local authority or the concerned AandN CZMA within the framework of such approved ICRZ Plans as the case may be in accordance with provisions of this notification;
 - (xi) the ICRZ Plans shall not normally be revised before a period of five years after which,

substantially built up.

existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index (hereinafter referred to as the FSI) or Floor Area Ratio (hereinafter referred to as the FAR):

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:

(ii) reconstruction of authorized building to be permitted subject with the existing FSI or FAR Norms and without change in present use.

3. ICRZ-III,-

(a) area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (hereinafter referred to as the NDZ)",-

(i) the NDZ shall not be applicable in such area falling within any notified port limits;
 (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing FSI, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; construction or reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the Union territory Administration in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ,-

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry.
- (b) projects relating to Department of Atomic Energy;
- (c) mining of rare minerals;
- (d) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (e) facilities for regasification of liquefied natural gas;
- (f) facilities for generating power by non conventional energy sources;
- (g) facilities for desalination plants and associated facilities;
- (h) weather radars;
- (i) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by A and N CZMA;
- (j) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Committee;
- (k) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (l) airstrips and associated facilities.

(b) Area between 200mts to 500mts,-

The following activities may be permissible in the above areas;

- (i) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (ii) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III;
- (iii) facilities for regasification of liquefied natural gas;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages, building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) airstrips and associated facilities.

4. In ICRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies shall be regulated including ports and harbours and foreshore developmental activities except for traditional fishing and related activities undertaken by local communities as follows, namely:-

- (a) no untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped and a comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) there shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

5. Period for which ICRZ and IIMPs shall be valid,-

- (i) the ICRZ and IIMPs shall be valid for a period of five years and the next IIMP shall be prepared within a period of six months before the date of expiry of the Plan:
Provided that the Andaman and Nicobar Islands Administration or, as the case may be, the Lakshadweep Islands Administration, may review the plan at anytime as may be required.
- (ii) the Coastal Zone Management Plans already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6 . Enforcement and monitoring of this notification,-

- (a) for the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, Union territory Administration, NCZMA and Union territory CZMAs;
- (b) The composition, tenure and mandate of NCZMA and UT CZMAs have already been notified by MoEF in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of

- (c) the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk.
- (d) the dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-
 - (i) these are not used for any commercial activity
 - (ii) these are not sold or transferred to non-traditional coastal community.

7. The following activities shall be prohibited in the islands of AandN and Lakshadweep:-

- (i) destruction of corals;
- (ii) mining of sand from in and around coral areas, nesting and breeding grounds of endemic and endangered species;
- (iii) construction of shore protection works (hard constructions) on the seaward side of the corals, mangroves;
- (iv) disposal of untreated sewage or effluents;
- (v) disposal of solid wastes including fly ash, industrial waste, medical waste, non-biodegradable waste, and the like;
- (vi) red category of industries (as prohibited under the Environment (Protection) Act, 1986 (29 of 1986) or the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1974, as the case may be) within ten kilometres from ecologically sensitive areas;
- (vii) setting up of new industries and expansion of existing industries except,-

(a) those directly related to waterfront or directly needing foreshore facilities;

Explanation: For the purposes of this item the expression “foreshore facilities” means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

- (b) projects of Department of Atomic Energy;
- (c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as ecologically sensitive area under this notification based on an impact assessment study including social impacts.;
- (d) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.
- (viii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989, S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th December ,1989 except,-

(a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;

(b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as ICRZ-I(a) and other identified ecologically sensitive areas subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by MoEF:

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as ICRZ-I and identified ecologically sensitive areas under the Wildlife (Protection) Act, 1972 and Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986.

- (ix) setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas;
 - (x) land reclamation, bunding or disturbing the natural course of seawater except those,-
 - (a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;
 - (b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies;
 - (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
 - (d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF;
 - (xi) setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,-
 - (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
 - (b) storm water drains and ancillary structures for pumping;
 - (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in ICRZ areas other than ICRZ-I and disposal of treated wastes and effluents;
 - (xii) discharge of untreated waste and effluents from industries, cities or towns and other human settlements and the concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification;
 - (xiii) dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.
- Note:-The MoEF will issue a separate instruction to the Union territory Administration in

respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of sub-paras (iv) and (v).

(xiv) port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the Union territory Administration;

(xv) reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities;

(xvi) mining of sand, rocks and other sub-strata materials except,- (a) those rare minerals not available outside the ICRZ area,

(b) exploration and exploitation of Oil and Natural Gas;

(xvii) drawl of groundwater and construction related thereto, within 200mts of. HTL; except the following, namely:-

- (a) in the areas which are inhabited by the local communities and only for their use.
- (b) in the area between 200mts-500mts zone the drawal of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

Note:-Restrictions for such drawl may be imposed by the Authority designated by the Union territory Administration in the areas affected by sea water intrusion.

(xviii) construction activities in ecologically sensitive areas except those specified in this notification;

(xix) dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose;

(xx) facilities required for patrolling and vigilance activities of marine/coastal police stations.

8. Validity of the clearances issued under this notification for projects - The clearance accorded to the projects under this notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.

9. Applicability EIA notification, 2006 or any other notification – The developmental projects attracting Environmental Impact Assessment or the Forest (Conservation) Act, 1980 (69 of 1980), the Wildlife (Protection) Act, 1972 (52 of 1972) shall be considered in accordance with the provisions made thereunder and prior approval obtained from the competent Authority before making any recommendations.

10. The activities which are not listed in the IIMPs above shall be referred to the MoEF, through the concerned Union territory Administration for decision.

Annexure-I**GUIDELINES FOR PREPARATION OF INTEGRATED ISLANDS MANAGEMENT PLAN
AND ISLAND COASTAL REGULATION ZONE**

1. The entire island including the aquatic area shall be considered for the Integrated Island Management Plan, while for ICRZ the jurisdiction shall be as indicated at para III(A).
2. Integrated Island Management Plans shall be prepared indicating therein all present and future developments, conservation and preservation schemes with a time frame of ten years.
3. The Integrated Island Management Plan and ICRZ shall address vulnerability to human life and property based on elevation, geomorphology, sea level trends and horizontal line displacement and indicate suitable areas that are safe for locating dwelling units, infrastructure, and the like, and appropriate safeguards measures to protect the life and property of the local communities, infrastructure from natural hazards shall be indicated in the Integrated Islands Management Plan.
4. The land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.
5. No developmental activities other than those listed in this Notification shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities, tribals including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The Union territory Administration will provide necessary safeguards from natural disaster to such dwelling units of local communities.
6. All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, rescue, relief and evacuation measures during natural hazards.
7. Adequate cyclone shelters shall be earmarked and constructed on elevated areas or on stilts adjacent to populated areas.
8. The existing and as well new schools, market areas and other public facilities (excluding public toilets) where large number of public congregate, shall normally be located on safe areas preferably in elevated areas or protected areas.
9. Along the seaward side sufficient bio-shield with local vegetation, trees including mangroves shall be planted and other soft protection measures.
10. The Integrated Islands Management Plan and ICRZ shall be based on scientific methodology and with the approval of the concerned authorities, including the appropriate coastal protection structures be constructed in accordance with such Plan.
11. The beaches shall be protected and no developmental activities shall be permitted therein.
12. Sand dunes, being natural barrier in the event of flooding, shall be conserved and maintained or regenerated by planting shrubs or through appropriate measures.
13. There shall be no restriction with regard to traditional fishing by local communities including installation of fish aggregating devices as recommended by the Islands Administrations.
14. (a) The mining of construction material, especially sand from deep sea bed (beyond fifteen meters depth), after undertaking proper scientific studies may be permitted in the Plan;
 - i. the alternative construction material, such as, bamboo, local forest products may be identified and used;
 - ii. the other materials, like, metal, hollow brick blocks, and the like, shall be imported from the mainland.
15. Emphasis shall be given to use of non-conventional energy resources especially, wind, solar and tidal energy, desalination, water recycling, and use of local products.
16. Early warning system shall be provided for cyclone, tsunami, and the like, and a evacuation and relief measure plan in case of disasters shall be built into the Integrated Islands Management Plan.

17. Necessary provision shall be made in the Integrated Islands Management Plan for relocation and rehabilitation of people displaced due to natural disasters.
18. Integrated Islands Management Plan and ICRZ shall also include the areas under habitation and make plan for future development.
19. No developmental activities shall be permitted in the area under reserve forests, protected forests, national parks and sanctuaries notified under the Forests (Conservation) Act, 1980 (69 of 1980) or the Wild Life Protection Act, 1972 (53 of 1972) and the areas protected under the Environment (Protection) Act, 1986 (29 of 1986).
20. The dwelling units or infrastructure of local communities as are existing at the time of preparation of Plan shall not be displaced.
21. Repair of existing buildings or infrastructure including reconstruction activities shall be allowed.
22. IIIMP and ICRZ shall be prepared in 1:25,000 scale map for macro level planning and 1:10,000 or cadastral scale for micro level planning.
23. The High Tide Line will be got demarcated by one of the agencies authorized by Ministry of Environment and Forests.

Annexure-II**List of petroleum and chemical products permitted for storage except in ICRZ-I(a) and other identified ecologically sensitive areas**

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III**Guidelines for development of beach resorts or hotels in the designated areas of ICRZ-III and ICRZ-II/IIMPs for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests**

I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of ICRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-

- (a). The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
- (b). The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
- (c). live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
- (d). no flattening of sand dunes shall be carried out;
- (e). no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
- (f). Construction of basement may be allowed subject to the condition that no objection certificate is obtained from the Union territory Ground Water Authority to the effect that such construction will not adversely affect free flow of groundwater in that area;
- (g). the Union territory Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
- (h). though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
- (i). the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
- (j). the construction shall be consistent with the surrounding landscape and local architectural style;
- (k). the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (l). groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or Union territory Ground Water Board;
- (m). extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
- (n). the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central Pollution Control Board or Union territory Pollution Control Committee and under the Environment (Protection) Act, 1986;

- (o). necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (p). to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
- (q). if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and Union territory laws as applicable to the project shall be met with; and
- (r). approval of the Union territory Tourism Department shall be obtained.
- II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or Union territories) construction of beach resorts or hotels shall not be permitted



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 536।

नई दिल्ली, मंगलवार, मार्च 29, 2011/बैत्र 8, 1933

No. 536।

NEW DELHI, TUESDAY, MARCH 29, 2011/CHAITRA 8, 1933

पर्यावरण एवं वन मंत्रालय

शुद्धि-पत्र

नई दिल्ली, 29 मार्च, 2011

का.आ. 651(अ).—भारत के असाधारण राजपत्र, भाग II, खण्ड 3, उप-खण्ड (ii) में सं. का.आ. 19(अ), दिनांक 6 जनवरी, 2011 भारत सरकार, पर्यावरण एवं वन मंत्रालय की दिनांक 6 जनवरी, 2011 की अधिसूचना में,—

पृष्ठ 3,-

(i) पैरा 3 (i) (य),-

(अ) "सहित" शब्द के स्थान पर "विशेष रूप से" शब्द पढ़ें;

(ब) "मछुआरों" शब्द के स्थान पर "मछुआरा समुदाय" शब्द पढ़ें;

पृष्ठ 4,-

खंड 3 (ii)(ब) में,-

(अ) पंक्ति 3 में "सीआरजेड-1(i)" के लिए "सीआरजेड-1(अ)", पढ़ें।

(ब) पंक्ति 4 में "सीआरजेड-1(i)" के लिए "सीआरजेड-1(अ)", पढ़ें।

पृष्ठ 5,-

(अ) पंक्ति 2 में पैरा 3 (vii) में, "यदि, ऐसी कोई एक वर्ष की अवधि में", के स्थान पर "एक वर्ष की अवधि के भीतर", पढ़ें।

(ब) पैरा (x)(अ) में, "ऐसे पोषक उपलब्ध नहीं हैं," के स्थान पर, "वे खनिज जो सीआरजेड क्षेत्र से बाहर उपलब्ध नहीं हैं, और परंपरागत समुदायों द्वारा कुक्कुट एवं पशु आहार के लिए निर्जीव शीषियों का संग्रहण" पढ़ें।

(स) पैरा 3(xiv) में, -"सुविधाएं" के लिए "सुविधाओं के अलावा", पढ़ें।

पृष्ठ 6,-

- (अ) पैरा 4 (द) पंक्ति 4 में, "के मामले में" के स्थान पर "तथापि, हेतु" पढ़ें।
 (ब) पैरा 4 (i), पंक्ति 1 में "(ii)" के लिए "ब" पढ़ें।

पृष्ठ 9,-

- (ब) पंक्ति 2-3 में, "राज्य सरकार या संघ राज्य क्षेत्र प्रशासन", के स्थान पर "राज्य सरकारों या संघ राज्य क्षेत्र प्रशासनों", पढ़ें।

पृष्ठ 10,-

- (अ) खंड 6 (स) में, "सहित" शब्द को "विशेष रूप से" शब्द पढ़ें।
 (स) खंड 7 (i) अ (च) "जीवमंडल रिजर्वों" वाक्यांशों को "पैरा (4) (ब) में वर्णितानुसार जीवमंडल रिजर्व" वाक्यांश पढ़ें।
 (ड) खंड 7 (i) (ड) में, "पुरातात्त्विक धरोहर स्थल" वाक्यांश के स्थान पर "पुरातात्त्विक महत्व तथा धरोहर स्थलों के क्षेत्र अथवा संरचनाओं ब. निम्न ज्वार रेखा तथा उच्च ज्वार रेखा" वाक्यांशों के लिए "पुरातात्त्विक महत्व तथा विरासत स्थलों वाले क्षेत्र अथवा अवसंरचनाएं वाक्यांश पढ़ें।

पृष्ठ 12,-

- (अ) पंक्ति 1, टिप्पणी के अंतर्गत खंड 8 में, "मौजूदा उपयोग" शब्दों के लिए "मौजूदा प्रयुक्ति" शब्द पढ़ें।

पृष्ठ 14,-

- (अ) पंक्ति 4 में खंड 8 (iii)(ii) में, "सहित" शब्द के लिए "विशेष रूप से" शब्द पढ़ें।
 (ब) खंड 8 (iii)(ii) में "सहित" शब्द के लिए "विशेष रूप से" शब्द पढ़ें।

पृष्ठ 16,-

- (ब) खंड V में संख्या "(iii)" के लिए संख्या (ii) प्रतिस्थापित किया जाएगा।

पृष्ठ 18,-

- (अ) उपबंध के अंतर्गत खंड 8 (V) (ब) 2(ii) में, सक्षम प्राधिकारी द्वारा परियोजना को दी गई मंजूरी की तारीख" वाक्यांशों के स्थान पर "6 जनवरी, 2011 को" प्रतिस्थापित किया जाएगा।
 (ब) उपबंध के अंतर्गत खंड 8 (V) (स) 2(ii) में, सक्षम प्राधिकारी द्वारा परियोजना को दी गई मंजूरी की तारीख" वाक्यांशों के स्थान पर "6 जनवरी, 2011 को" प्रतिस्थापित किया जाएगा।

पृष्ठ 21,-

- (ब) पैरा 8(V) (4)(ब), पंक्ति 2 में "अचरा-रत्नागिरि शब्दों के लिए" रत्नागिरि में अचरा "शब्द प्रतिस्थापित किए जायेंगे।
 (ड) पंक्ति 6 में पैरा 8(V) (4)(ब) में "मछुआरों" शब्द के लिए "मछुआरा समुदाय" शब्द प्रतिस्थापित किए जायेंगे।

पृष्ठ 27,-

- (अ) अनुबंध III (i)(अ), पंक्ति 1-2 में "निम्न ज्वार रेखा तथा उच्च ज्वार रेखा" शब्दों के लिए "सीआरजेड-III में निम्नज्वार रेखा तथा उच्च ज्वार रेखा" शब्द प्रतिस्थापित किए जायेंगे।

[फा. सं. 11-83/2005-आई-III]

डॉ. नलिनी भट्ट, वैज्ञानिक 'जी'

MINISTRY OF ENVIRONMENT AND FORESTS
CORRIGENDUM

New Delhi, the 29th March, 2011

S.O. 651(E).—In the notification of the Government of India in the Ministry of Environment and Forests dated the 6th January, 2011, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii) vide number, S.O.19 (E), dated the 6th January, 2011,-

At page 38,-

In para 3(i)(e),-

- (a) for “including” read “especially”;
- (b) for “fishers” read “fisher folk”.

At page 39,-

In para 3 (ii)(b),-

- (a) In line 4, for “CRZ-I(i)” read “CRZ- I(A)”;
- (b) In the proviso, in line 4 for “CRZ-I(i)” read “CRZ-I(A)”.

At page 40,-

(a) In para 3(vii), in line 2, for “if any, shall be phased out within a period of one year” read “within a period of one year”;

(b) In para 3(x)(a) for “those rare minerals not available outside the CRZ area” read “those minerals not available outside the CRZ area, and collection of dead shells by the traditional communities for poultry and animal feed supplements;”

(c) In para 3(xiv) for “facilities” read “Except facilities”.

At page 41,-

(a) In para 4(d), in line 2, for “and in case of” read “, however, for”;

(b) In para 4(i), in line 1, for ‘(ii)’ read ‘(b)’;

At page 42,-

In para 4.2, after (iii) and before (v) for “(vi)” read “(iv)”.

At page 43,-

In para 6(a),-

- (a) In line 1, for “the provisions”, read “the provisions of”;
- (b) In line 4, for the “State Government or the Union Territory Administration” read “State Governments or the Union territory Administrations,”

At page 44,-

(a) In para 6(c) for “including” read “especially”;

(b) In para 6(d) for “including” read “especially”;

(c) In para 7(i)A,-

(i) In item (e), for “Biosphere Reserves” read “Biosphere Reserve as enumerated in para V(4)(b)”

(ii) In item (k), for “Areas or structures of archaeological importance and heritage sites.

B. The area between Low Tide Line and High Tide Line” read “(k) Areas or structures of archaeological importance and heritage sites”.

“B. The area between Low Tide Line and High Tide Line.”

(d) In para 7(ii) in the Explanation, in line 1, for, “For the purposes of the expression “developed area” read “Expression developed area”;

At page 45,-

In para 8 in the Note,

(a) In line 1, for “existing use” read “‘existing’, used”;

(b) In line 3, for “wherein CRZ notification” read “when the CRZ notification, 1991”.

At page 46,-

In para 8(III), in item (ii)

(a) In line 5, for “including” read “especially”;

(b) In line 8, for “including” read “especially”.

At page 48,-

(a) In para 8(IV) for “impugning” read “impinging”;

(b) In para 8(V)(1) for “(iii)” read “(ii)”.

At page 49,-

(a) In para 8 (V)(b) in item 2 in the Provision in para (ii) in line 3, for “as on the date on which the project is granted approval by the competent authority” read “as on 6th January, 2011”.

(b) In para 8(V)(c) in item 2, in sub item (ii) in line 2, for “as on the date on which the project is granted approval by the competent authority” read “as on 6th January, 2011”.

At page 51,-

- (a) In para 8(V)(2) in item (iii) in line 2, for “however” read “, however,”;
- (b) In para 8(V)(3) in item (i) in line 4, for “Gram Panchayat” read “Gram Panchayat”;
- (c) In para 8(V)(3) in item (vii) in line 1, for “has” read “have”.

At page 52,-

- (a) In para 8(V)(4) in item (a) in line 2, for “areas which shall be” read “area shall be”;
- (b) In para 8(V)(4) in item (b) in line 2, for “Achra-Ratnagiri” read “Achra in Ratnagiri”;
- (c) In para 8(V)(4) in item (b) in line 6, for “fisher” read “fisher folk”.

At page 56,-

- (a) In Annexure III in item 1 (a) in line 2, for “Low Tide Line and High Tide Line” read “Low Tide Line and High Tide Line in CRZ – III”.

[F. No. 11-83/2005-IA-III]

Dr. NALINI BHAT, Scientist 'G'

CHAPTER-2

ISSUES RELATED TO TERMS OF

REFERENCES AND ITS VALIDITY

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 18th January, 2010

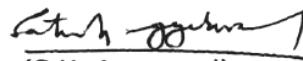
CIRCULAR

**Sub: Amendment to EIA Notification, 2006 issued vide S.O. 3067(E)
dated 1st December, 2009 - Implementation thereof –
Regarding.**

Ministry of Environment & Forests has issued a Notification S.O. 3067(E) dated 1st December, 2009 amending the EIA Notification, 2006. The said amendment Notification is available on the website of the Ministry at www.envfor.nic.in. The following points are reiterated for effective implementation of the EIA Notification, 2006 as amended on 1.12.2009.

- (i) The application for obtaining TOR / Environmental Clearance should be submitted in the revised format only (Revised Form-I).
- (ii) In respect of the cases already submitted which are in pipeline awaiting final decision, the project proponent should either submit supplementary information providing information on the additional points which have been incorporated in the revised Application Form or submit information in the revised format afresh.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. All the SEIAAs / SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Website of MoEF
5. Guard File.

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434
Dated 22nd March, 2010

Office Memorandum

Sub: Time limit for validity of Terms of Reference (TORs) prescribed under EIA Notification, 2006 for undertaking detailed EIA studies for developmental projects requiring environmental clearance - Regarding.

The EIA Notification, 2006 has prescribed a time limit for validity environmental clearance granted to a project. However, no time limit has been specifically provided under the EIA Notification for the TORs prescribed for undertaking detailed EIA studies. As a result, the TORs once prescribed would continue to be valid indefinitely, which is definitely not desirable because the TORs are very much site specific and are dynamic to some extent depending upon the site features, its land use and the nature of development around it. The matter has been considered in the Ministry of Environment & Forests.

It has been decided that from 1.4.2010, the prescribed TORs would be valid for a period of two years for submission of the EIA/EMP Reports, after public consultation where so required. This period will be extendable to the 3rd year, based on proper justification and approval of the EAC/SEAC, as the case may be. Thus, an outer limit of three years has been prescribed for the validity of TORs with effect from 1.4.2010.

In case of the proposals, which had been granted TORs prior to the issue of this O.M., the EIA / EMP reports should be submitted, after public consultation where so required, no later than four years from the date of the grant of the TORs, with primary data not older than three years.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/41/2006-II(I)*
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 24th December, 2010

OFFICE MEMORANDUM

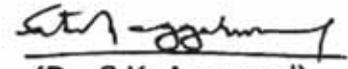
**Sub: Consideration of Integrated and Inter-linked projects –
Procedure Regarding.**

The matter relating to the procedure for consideration of integrated and inter related projects for grant of environmental clearance under the provisions of EIA Notification, 2006 has been receiving attention of this Ministry for quite some time. After a detailed deliberations in the Ministry. It has been decided that the following procedure shall be adopted henceforth for consideration of such projects.

- (i) Integrated and inter-linked projects having multi sectoral components shall prepare a common EIA report, covering impact of each of the component in a comprehensive manner after obtaining TORs from each of the respective sectoral Expert Appraisal Committees (EACs). For the purpose, the project proponent shall submit applications to each of the sector simultaneously giving full details of the project (comprehensively for the integrated / interlinked projects as also for the particular component, sector specific) in the prescribed format (Form-1) and the pre-feasibility report.
- (ii) The respective sectoral Expert Appraisal Committees will consider the project with specific emphasis on their respective sectors and prescribe the TORs which will not be limited to the sector but would also encompass the entire project as a whole.
- (iii) The proponent shall prepare a common EIA report covering all the sectors comprehensively and hold public hearing based on the EIA report so prepared, for each component as per provision of EIA Notification, 2006.
- (iv) After the EIA report has been prepared and public hearing has been held, the proposals for environmental clearance in respect of all the sectoral components of the project shall be submitted simultaneously.
- (v) The respective EACs will consider the sector specific proposals based on the common EIA report and will make their recommendations relating to that particular component. However, in doing so, the overall impact of the project as a whole will also be considered.

- (vi) After the proposals relating to the various components have been considered by the respective EACs and their recommendations made, these proposals will be processed on individual files for obtaining simultaneous approval of the Competent Authority.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

143

J-11013/41/2006-IA.II(I)-Part
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434

Dated the 19th May, 2011

**Sub: TORs relating to Corporate Environmental Responsibility –
Regarding.**

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 8th June, 2011

OFFICE MEMORANDUM

Sub: Applications received for prescribing TORs / grant of EC involving land claimed to be owned by different project proponents – Procedure to be followed – Regarding.

The Environment Impact Assessment (EIA) Notification, 2006 requires various projects / activities listed there under to obtain requisite prior environmental clearance under the provisions thereof. Accordingly, Ministry of Environment & Forests / State Environment Impact Assessment Authorities (SEIAAs) have been receiving proposals for prescribing TORs / grant of EC in respect of the projects / activities to be undertaken by various project proponents. Instances have come to the notice of this Ministry where different project proponents have submitted their applications for prescribing TORs / grant of EC for the same site and / or sites involving common land in part or in full. Since the issue of Land is primarily concern of the State Governments and in order to avoid any litigation at a later date in such cases, it has been decided that the following procedure will be followed:

(a) Cases involving common land where no project has been prescribed TORs / granted EC

If, more than one proposal is received for the same land or having land overlapping with other project(s), in part or in full, all such projects will be kept on hold. A written communication will be sent to the Chief Secretary of the concerned State where the project(s) is located, requesting the State Government for specific comments on various contentions made and consequent advice in the matter. In the meantime, all such proposals will be delisted from the pending list. Only after a formal advice is received regarding the land from the State Government, the proposal(s), if any, in whose favour the advice has been given by the State Government, will be considered by the EAC on merits, recommendations made and decision taken.

(b) Cases involving common land where one of the project has already been prescribed the TORs

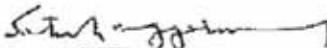
If, a proposal for prescribing TORs is received involving land in part or in full for which TORs have already been prescribed to some other project, in such a situation the project received for TOR will be kept on hold. A written communication will be sent to the Chief Secretary of the concerned State where the project(s) is located, requesting the State Government for specific comments on various contentions made and consequent advice in the matter. The project for which TORs have already been

prescribed will also not be appraised for grant of EC and will be kept pending. In case the project has already been recommended by EAC and is awaiting approval of the Competent Authority and issuance of the EC letter, the letter granting EC will also be kept on hold. Only after a formal advice is received regarding the land from the State Government, the proposal(s), if any, in whose favour the advice has been given by the State Government, will be considered by the EAC on merits, recommendations made and decision taken.

(c) Cases involving common land where one of the project has already been granted EC

If, a proposal for prescribing TORs / grant of EC is received involving land in part or in full for which EC has already been granted to some other project, in such a situation the project so received for TOR/EC will be kept on hold. A written communication will be sent to the Chief Secretary of the concerned State where the project(s) is located, requesting the State Government for specific comments on various contentions made and consequent advice in the matter. Separately, a communication will also be sent to the proponent(s) to whom the EC has already been issued, informing about the claim of the land made by the other proponent(s) and mentioning that any further implementation of the project will need to be at the precise location and the boundaries of the plot for which EC had been applied for and in case of any change, EC would need to be amended. The project implementation at this juncture would also be at the risk and cost of the project proponent. Only after a formal advice is received regarding the land from the State Government, the proposal(s), if any, in whose favour the advice has been given by the State Government, will be considered by the EAC on merits, recommendations made and decision taken and at the same time appropriate action will be taken in respect of the proposal(s) for which EC has already been granted.

This issues with the approval of the Competent Authority.



(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/19/2012-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 20th March, 2012

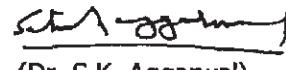
Order

Sub: Submission of project documents and information for obtaining environment clearance in electronic format along with hard copy – compliance of the order of Central Information Commission dated 18.1.2012 – Regarding.

In compliance to the decision dated 18.1.2012 of the Central Information Commission (CIC), it is directed hereby that henceforth the project proponent, besides submitting hard copies of the documents at various stages under the EIA Notification, 2006, shall also submit all the information in PDF format in soft copy for its uploading on the website of MoEF or SEIAAs, as the case may be. The information / documents would inter-alia include; (i) Form-I, Form-IA, Pre-feasibility report, the draft TORs, EIA report, filled in Questionnaire for environmental appraisal projects, public hearing proceedings, all the study reports undertaken at the instance of the EACs and any additional information submitted by the project proponent to the EACs. Any application or subsequent communication submitted without the documents both in hard and soft copies shall be considered incomplete and will not be processed further.

The respective Member Secretaries of various Expert Appraisal Committees (EACs) as also the SEIAAs are directed hereby to upload the above mentioned information as also EAC / SEAC site visit report, if any, on the website of MoEF / SEIAA with effect from 1st April, 2012.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs] This order may please
3. Chairman, CPCB] be displayed on their
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs] website for information
5. All Additional PCCF i/c Regional Offices.] of various stakeholders

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. PPS to JS(RG)
5. Deputy Secretary, RTI Cell, MoEF
6. Website, MoEF
7. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex, Lodi Road,
New Delhi-110003

Dated: 18th May, 2012

OFFICE MEMORANDUM

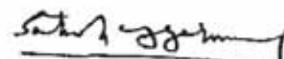
Subject: Incorporation of Corporate Environment Responsibility in TORs and ECs to be granted by MoEF / SEIAAs under EIA Notification, 2006 – Regarding.

This is in continuation to this Ministry's earlier communication of even no. dated 19th May, 2011 (copy enclosed) conveying the decision of this Ministry to incorporate Corporate Environment Responsibility while issuing TORs for various projects for undertaking detailed EIA study.

It is reiterated that in all TORs and ECs to be granted by MoEF / SEIAAs, it shall be ensured that Corporate Environment Responsibility is appropriately incorporated.

This issues with the approval of the Competent Authority.

Encl.: As above.


(Dr. S.K. Aggarwal)
Director

To

1. All officers of IA Division
2. All SEIAAs/SEACs

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary (E&F)
- (iii) PPS to JS(RG)
- (iv) Website of MoEF
- (vi) Guard File

F. No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhavan
C.G.O. Complex, Lodi Road
New Delhi-110003

E-mail: pb.rastogi@nic.in
Telefax: 011-24362434

Dated 4th December, 2012

Subject: Standardization of TORs for Identified Categories of Projects - reg.

The EIA Notification, 2006 has listed 39 developmental sectors, which require prior environmental clearance. With a view to bringing in clarity and facilitating preparation of good quality EIA reports, it was decided by this Ministry some time back to bring out Sector-Specific EIA manuals. The Ministry had engaged two consultants for preparing these sector specific EIA manuals, viz., Administrative Staff College of India, Hyderabad and IL&FS. While ASCI has prepared Manuals for 11 sectors, IL&FS has prepared manuals for 27 sectors. The details are as follows:

(I) EIA Manuals prepared by Administrative Staff College of India (ASCI), Hyderabad:

1. Mining
2. Mineral Beneficiation
3. Ports & Harbours
4. Airports
5. (A) Building Construction
(B) Townships
6. Asbestos
7. Highways
8. Coal Washery
9. Aerial Ropeways
10. Nuclear Power Plants, Nuclear Fuel Processing Plants & Nuclear Waste Management Plants

(II) EIA Manuals prepared by IL&FS, Hyderabad:

1. Thermal Power
2. Cement
3. Chemical Fertilizers
4. Sugar
5. Distilleries
6. Leather/Skin/Hide Processing Industry
7. Pulp & Paper
8. Offshore and On-shore Oil & Gas Exploration, Development & production
9. Induction/Arc and Cupola Furnaces
10. Metallurgical Industries
11. Oil & Gas Transportation pipe-line
12. Oil Refineries
13. Petrochemical Plants
14. Pesticides and Pesticide Intermediates
15. Chlor-Alkali Industry
16. Synthetic Organic Industry

17. Petrol-chemical based production
18. Coke Oven Plants
19. Soda Ash
20. Integrated Paints
21. Man-made Fibre
22. Isolated Storages and handling of hazardous chemicals
23. Common Municipal Solid Wastes
24. Common Effluent Treatment Plants (CETPs)
25. Industrial Estates
26. Ship Breaking Yards
27. Common Hazardous Waste Disposal, Storage and Treatment Facilities

The draft manual for River Valley projects was prepared in-house under the guidance of the concerned Expert Appraisal Committee (EAC). All these 39 manuals are available on the website of the Ministry (<http://moef.nic.in>).

These manuals have helped in wide dissemination of information about the EIA Notification 2006 to all stakeholders i.e. project proponents, consultants, sectoral experts, industry associations, non-Governmental organizations, local communities at the project sites, etc. These manuals have also served as guidance manuals for the Central level Expert Appraisal Committee (EACs) and State/UT level Expert Appraisal Committees (SEACs) who have been assigned the task of screening, scoping and appraisal of projects of various sectors for grant of EC. The manual for each sector includes a Model TORs, technological options, processes for a cleaner production, waste minimization, monitoring of environmental quality, related regulations and procedure of obtaining EC. In respect of Coal sector and Hydro-power sector, Model TORs were prepared by the concerned Expert Appraisal Committee, in consultation with the Ministry of Coal.

All the concerned stake holders are hereby requested to make use of these Sector-specific Manuals in preparation of EIA/EMP using model TORs. The model TORs available in each of the EIA Manual are generic TORs for each sector. Project specific TORs are to be prescribed by the respective EAC/SEAC while scoping the project in EAC/SEAC.

This is issued with the prior approval of the competent authority.


4.12.2012
(Dr. P.B. Rastogi)
Director

Encls.: As above

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairpersons / Member Secretaries of all SPCBs / UTPCCs
4. Secretaries of all the concerned Ministries/Department
5. Secretary-General, Federation of Indian Mineral Industries, FIMI House, B-311, Okhla Industrial Area, Phase-I, New Delhi.
6. President, Indian Association of Mini Cement Plants, 86, Janaki Nagar (Extension), Indore-452 001 (M.P).
7. President, Maharashtra Chamber of Housing Industry, Maker Bhawan-II, 4th Floor, 18 Vithaldas Thackeray Marg, New Marine Lines, Mumbai- 400 020.
8. Secretary-General, Federation of Indian Chamber of Commerce & Industry, Federation House, Tansen Marg, New Delhi- 110 001.
9. Executive Director, Goa Mineral Ore Exporters' Association, Post Box No. 113, Vaglo Building, PANJIM- 403 001.
10. President, Confederation of Indian Industry, India Habitat Centre, Core 4A, 4th Floor, Lodhi Road, New Delhi-110 003.

11. President, Association of Indian Mini Blast Furnaces, 701, Surya Kiran, 19, Kasturba Gandhi Marg, New Delhi- 110 001.
12. President, Confederation of Real Estate Developers Association (CREDAI)-National Secretariat, 105, Ansal Bhawan, 16 KG Marg, New Delhi.
13. President, All India Steel Re-rollers Association, Sagar Apartments, 6 Tilak Marg, New Delhi.
14. President, The Fertilizer Association of India, 10, Shaheed Jit Singh Marg, New Delhi.
15. President, Indian Paper Manufacturers' Association, PHD House (4th Floor), 4/2 Institutional Area (Opp. Asian Games Village), New Delhi.
16. Secretary General, Gujarat Chamber of Commerce and Industry, Shri Ambica Mills- Gujarat Chamber Building, P.O. Box No. 4045, Ashram Road, Ahmedabad- 390 009, Gujarat.
17. INPAPER International, Vikrant Tower, 4 Rajendra Place, New Delhi.
18. Ms. Kanchi Kohli, Kalpavriksh, 134 Tower 10, Supreme Enclave, Mayur Vihar-1, Delhi.
19. The Energy Research Institute (TERI), India Habitat Centre, Lodi Road, New Delhi.
20. The Centre for Science and Environment, 41, Tughlakabad Institutional Area, New Delhi.
21. President, World Wildlife Fund of India, Lodi Estate, New Delhi.
22. Secretary, Ministry of Steel, Udyog Bhawan, New Delhi.
23. Secretary, Ministry of Chemical and Fertilizer, A-Wing, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
24. Secretary, Ministry of Petroleum & Natural Gas, A" Wing, 2nd Floor, Shastri Bhawan, New Delhi.
25. Secretary, Department of Atomic Energy, Anushakti Bhavan, Chatrapathi Shivaji Maharaj Marg, Mumbai - 400 001, Maharashtra.
26. Secretary, Ministry of Law & Justice, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
27. Secretary, Ministry of Agriculture, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi.
28. Secretary, Ministry of Earth Sciences, Prithvi Bhawan, Lodi Road, New Delhi.
29. Secretary, Ministry of Chemicals and Fertilizers, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
30. Secretary, Ministry of Road Transport & Highways, Transport Bhavan, 1 Sansad Marg, New Delhi.
31. Secretary, Ministry of Power, Shram Shakti Bhavan, New Delhi.
32. Secretary, Ministry of Road Transport & Highways, Transport Bhavan, 1 Sansad Marg, New Delhi.
33. Secretary, Ministry of Commerce & Industry, Udyog Bhawan, New Delhi.
34. Secretary, Ministry of Rural Development, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi.
35. Secretary, Ministry of Shipping, Transport Bhavan, 1 Sansad Marg, New Delhi.
36. Secretary, Ministry of Small Scale Industries, Agro and Rural Industries, Udyog Bhawan New Delhi.
37. Secretary, Ministry of Steel, Udyog Bhawan, Maulana Azad Marg, New Delhi.
38. Secretary, Ministry of Defence, South Block, New Delhi.
39. Secretary, Ministry of Textiles, Udyog Bhawan, New Delhi.
40. Secretary, Ministry of Urban Development & Poverty Alleviation, Nirman Bhawan, Maulana Azad Road, New Delhi.
41. Secretary, Ministry of Water Resources, Shram Shakti Bhavan, Rafi Marg, New Delhi.
42. Secretary, Ministry of Food Processing Industries, Panchsheel Bhawan, August Kranti Marg, New Delhi.

Copy to:

1. PPS to MEF
2. PPS to Secy. (E&F)
3. PS to JS (AT)
4. Website of the MoEF.
5. Guard File.

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
CGO Complex, Lodhi Road
New Delhi – 110003

E-mail: pb.rastogi@nic.in
Telefax: 011-24362434

Dated 12th December, 2012

Office Memorandum

Subject: Consideration of proposals for TORs/Environment Clearance/ CRZ Clearance involving violation of the Environment (Protection) Act, 1986 / Environment Impact Assessment (EIA) Notification, 2006 / Coastal Regulation Zone (CRZ) Notification, 2011 - reg.

The Environment Impact Assessment Notification (EIA), 2006 and its amendments thereafter require all new projects or activities and / or expansion and modernization of existing projects or activities listed in the schedule to the said Notification with capacity beyond threshold limits prescribed thereunder, to obtain prior Environment Clearance under the provisions thereof. Similarly, CRZ Notification, 2011 imposes certain restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ.

2. Instances have come to the notice of this Ministry where without obtaining the required clearance under the aforesaid Environment Impact Assessment Notification, 2006 and / or CRZ Notification, 2011, the construction / physical / operation activities relating to the projects have been started at the sites. Such activities amount to violations under the Environment (Protection) Act, 1986 / EIA Notification, 2006 / CRZ Notification, 2011 (henceforth referred to as violations).

3. The cases for granting Environment Clearance / CRZ Clearance for such projects are at present being dealt with in terms of OM of even number dated 16.11.2010. Now, it has been decided in that in supersession of this OM, the procedure henceforth stated in this OM will be followed while dealing with such cases.

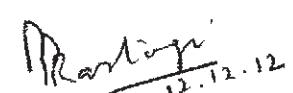
4. The violations could come to the notice of the Ministry at various stages of processing of the proposals, i.e.:

- i. Processing the case in the Ministry before referring the same to the Expert Appraisal Committee (EAC) for TOR / Environment Clearance / CRZ Clearance;
- ii. During the deliberations in the EAC meeting and recorded as such in the minutes of the meeting; and;
- iii. Processing the case in the Ministry after the receipt of recommendations of the EAC but before granting TOR / Environment Clearance/CRZ Clearance.

5. As soon as any case of violation comes / is brought to the notice of the Ministry / EAC, the Ministry / EAC will proceed to verify the veracity of the complaint through the concerned Regional Office of MoEF / State Government / CZMA. Of course, such a verification will not be required in case

the project proponent does not contest the allegation of violation. Once the Ministry / EAC is satisfied that it is a violation case, before proceeding any further in the matter, the following will need to be ensured in the matter:

- i. The matter relating to the violation will need to be put up by the Project Proponent to the Board of Directors of its Company or to the Managing Committee / CEO of the Society, Trust, partnership / individually owned concern for consideration of its environment related policy / plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF to ensure that violations will not be repeated. For this purpose, a time limit of 60 days will be given to the project proponent. In the meantime, the project will be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 60 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, whereafter the procedure will have to be initiated *de novo* by such project proponents.
 - ii. The State Government concerned will need to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken.
 - iii. The details of the project proponent and a copy of the commitment, etc., mentioned at (i) above will be put on the website of MoEF for information of all stakeholders.
6. Once action as per para 5 above has been taken, the concerned case will be dealt with and processed as per the prescribed procedure for dealing with cases for grant of TORs / Environment Clearance / CRZ Clearance and appropriate recommendation made by the EAC/decision taken by the Ministry as per the merit of the case.
7. It may be clarified that the consideration of proposals for giving TORs/ Environment clearance / CRZ clearance for violation cases will not be a matter of right for the project proponent. In cases of serious violations, the Ministry reserves the right to outrightly reject such proposals and not consider the same at all.
8. The aforesaid procedure, as stated in para 4 to 7 above will apply *mutatis mutandis* to the cases handled at the State level by the State Environment Impact Assessment Authorities (SEIAAs)/ State Level Expert Appraisal Committees (SEACs).
9. This issues with the approval of the competent authority.



12.12.12
(Dr. P.B. Rastogi)
Director

To:

1. All the Officers of IA Division.
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs.
3. Chairman, CPCB, N. Delhi.
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs.

Copy to:

1. PS to MEF.
2. PPS to Secretary (E&F).
3. PPS to JS (AT).
4. Website of the MoEF .
5. Guard File.

No. J-11013/19/2012-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi – 110003

Dated: 29th August, 2013

OFFICE MEMORANDUM

Subject: Storing the records relating to processing of cases for Environment Clearance and Forest Clearance electronically - reg.

With a view to ensuring that the records relating to the processing of cases for Environment Clearance (EC) and Forest Clearance (FC) in the Ministry are stored electronically and could be easily retrieved later, it has been decided to adhere to the following procedure with immediate effect from 1.9.2013:

I. EC process

- (i) Granting of Terms of References (TORs): Application for TORs would be considered only after Form 1 / 1A and Pre-Feasibility Report (PFR) of the project has been submitted in electronic form by the project proponent. Once the TORs are approved, before they are issued to the proponent, the concerned Director / Member Secretary of the sectoral EAC will ensure that Form 1 / 1A, PFR and ToRs are uploaded on the Ministry's website against the project and the information is available in public domain.
- (ii) Granting of EC: Before issuance of EC in any project case, it will be ensured by the concerned Director / Member Secretary of the sectoral EAC that the Environment Impact Assessment (EIA) / Environment Management Plan (EMP) report, public hearing meeting minutes, EAC meeting minutes and the EC are uploaded on the Ministry's website against the project and are available in the public domain. Also, it will be ensured before issuing EC that the complete noting sheet portion of the file is scanned and stored in the computer server, which is accessible to the concerned officers in the IA Division from the level of Deputy Director onwards and also to the Secretary / MEF. In case any other action is later taken on such file, i.e. modification of EC, extending the validity of EC, etc., the supplementary noting sheet be also scanned and stored apart from storing other documents.

II. FC process

- (i) A copy of entire proposal seeking prior approval of Central Government under the Forest (Conservation) Act, 1980, site inspection report (wherever required),

additional information sought from the State Government/ User agency shall be placed on website of the Ministry before the same is considered by the Forest Advisory Committee or the State Advisory Group, as the case may be. Copy of letter containing decision of the Ministry on the proposals shall be put up on Ministry's website before it is issued. Copy of report on compliance to conditions stipulated in the stage-I approval received from the User agency and the State Government shall also be uploaded on website of the MoEF within ten days of its receipt.

- (ii) It will also be ensured that in-principle and final approvals under the FC Act for diversion of forest land shall be issued only after noting sheet containing the approval of competent authority for grant of such approval is scanned and stored in the computer server, which is accessible to the concerned officers in the Forest Conservation Division in the Ministry from the level of Assistant Inspector General of Forests onwards and also to the Director General of Forests onwards and also to the Director General of Forests and Special Secretary / Secretary / MEF.

The NIC will provide the required technical and administrative support to carry out the above instructions.

This issues with the approval of the competent authority.

(Dr. P. B. Rastogi)
Director
Telefax: 24362434

To,

1. All the Officers of IA Division
2. All Officers in the FC Division.
3. All Regional Offices of the MoEF
4. Director (Technical), NIC
5. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
6. Chairman, CPCB
7. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to DGF&SS
4. PPS to ADG (FC)
5. PPS to JS(AT)
6. PPS to IGF(FC)
7. Website of the MoEF
8. Guard File

303

No.Z-11012/1/2013-IA-I(Part)
Government of India
Ministry of Environment & Forests

Dated: 19th November, 2013

OFFICE MEMORANDUM

Sub: Time limit for validity of terms of reference (TORs) prescribed under Environment Impact Assessment (EIA) Notification, 2006 for undertaking EIA studies for developmental projects requiring environmental clearance - dispensation for 'Hydroelectric Power Projects' - Regarding.

The OM No.J-11013/41/2006-IA.II(I) dated 22.3.2010 prescribes the time limit for validity of TORs issued under EIA Notification, 2006 for undertaking EIA studies requiring environment clearance.

2. Ministry of Power has brought to the notice of this Ministry that hydro power projects are site specific requiring detailed site investigations including surveying, geological investigations, hydrological studies, etc. Most of the hydro power project sites are located in difficult locations and at times with poor accessibility. Often, preparation of DPRs takes some time, which also results in delay in preparing EIA/EMP reports for want of requisite inputs from the DPRs. Further, three seasons data needs to be collected and analyzed for Hydroelectric power projects.

3. The matter has been further examined. Considering the factors brought out in Para above, it would appear that the Hydroelectric power projects require a relatively longer time frame for preparation of EIA/EMP reports. Thus, in respect of Hydroelectric power projects, the aforesaid OM of 22.3.2010 was modified vide dated 8th October, 2013, to the extent that w.c.f. the issuance of the OM, the prescribed TORs for such projects would be valid for a period of three years for submission of EIA/EMP reports.

4. Now, in partial modification of the above OM dated 8th October, 2013 it may be noted that the TOR validity period would be extendable by one year over and above the initial 3 years subject to reasonable and convincing justification of delay in submitting EIA/EMP reports and appraisal by designated Expert Appraisal Committee (EAC) of River Valley and Hydro Electric Power projects (RV&HEP).

5. The other terms and conditions of the aforesaid OM dated 22.3.2010 will continue to remain in force.

6. This issues with the approval of the competent authority.



(B. B. Barman)
Director
Telefax: 24362434

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs/UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to JS (MS)/ JS (AT)
4. Website of the MoEF through NIC Cell
5. Guard File

No.Z-11012/1/2013-IA-I(Part)
Government of India
Ministry of Environment & Forests

Dated: 12th December, 2013

OFFICE MEMORANDUM

~~Sub:~~ Time limit for validity of terms of reference (ToRs) prescribed under Environment Impact Assessment (EIA) Notification, 2006, for undertaking EIA studies for developmental projects requiring environmental clearance - dispensation for 'Hydroelectric Power Projects' and River Valley Projects- Regarding.

The OM No.J-11013/4E/2006-IA.II(I) dated 22.3.2010 prescribes the time limit for validity of ToRs issued under EIA Notification, 2006 for undertaking EIA studies requiring environment clearance.

Ministry of Power has brought to the notice of this Ministry that hydro power projects are site specific requiring detailed site investigations including surveying, geological investigations, hydrological studies, etc. Most of the hydro power project sites are located in difficult locations and, at times, with poor accessibility. Often, preparation of DPRs takes time, which also results in delay in preparing EIA/EMP reports for want of requisite inputs from the DPRs. Further, three seasons data needs to be collected and analyzed for Hydroelectric Power projects. Accordingly, MoEF vide OM dated 8.10.2013 and 19.11.2013 have enhanced the validity period of ToRs.

3. Now, in partial modification of the above OM dated 8th October, 2013 and 19th November, 2013, it may be noted that the ToR validity period for Hydro-electric power projects & River Valley projects would be three years instead of two years. This would be extendable by one year over and above the initial 3 years period subject to reasonable and satisfactory justification of delay in submitting EIA/EMP reports and appraisal by designated Expert Appraisal Committee (EAC) of River Valley and Hydro Electric Power projects (RV&HEP).

4. The other terms and conditions of the aforesaid OM dated 22.3.2010 will continue to remain in force.

5. This issues with the approval of the Secretary (E&F).

BBM2
(B. B. Barman)
Director
Telefax: 24362434

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs/UTPCCs

F.No. J-11013/41/2006-IA-II (I) (part)

Government of India
Ministry of Environment, Forests and Climate Change
IA Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod,
New Delhi-110 003

Dated the 22nd August, 2014

OFFICE MEMORANDUM

Subject: Validity of Terms of Reference (TORs) prescribed under EIA Notification, 2006 for undertaking detailed EIA and EMP studies for developmental projects requiring environmental clearance and other related issues-clarification regarding.

The Ministry of Environment and Forests vide Office Memorandum No. J-11013/41/2006-IA.II(I) dated 22.03.2010 prescribed a time limit for validity of Terms of Reference (TORs) for a period of two years for submission of EIA and EMP reports after public consultation and also that this period would be extendable to third year, based on proper justification and recommendation of the EAC/SEAC, as the case may be. Thus an outer limit of three years for the validity of TORs has been prescribed for any developmental project, except River Valley and HEP Projects, where the outer limit validity of TOR is four years, as prescribed vide O.M. No Z-11012/1/2013-IA.I (Pt.) dated 12.12.2013. The aforesaid OM dated 22.03.2010 also clarifies that the primary data in the EIA/ EMP report submitted after public consultation should not be more than three years old.

2. Based on experience gained in implementation of aforesaid OMs, issues like linkage of validity of TORs with public hearing, the issue of further extension of validity of TORs, etc. has emerged. The matter has been examined in detail and the following has been decided in order to provide more clarity on the subject:

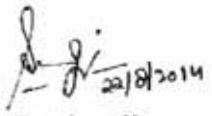
- (i) The TORs prescribed for a project or activity will be valid for a period of two years for submission of EIA and EMP report, except for River Valley and HEP projects, where the validity of TORs will be for three years. The TORs will specifically mention the date of expiry of validity and state that TORs will lapse after that date.
- (ii) This period of validity could be extended by the Regulatory Authority concerned by a maximum period of one year provided an application is made by the applicant to the Regulatory Authority, atleast three months before the expiry of validity period, together with an updated Form-I, based on proper justification and also recommendation of the EAC/SEAC.

...2/-

- (iii) Some cases have come to the notice of this Ministry where application for extending the validity of TORs, as stated at (i) above, was made by the project proponent and instead the project proponent submitted complete proposal with EIA / EMP reports within the period for which it could have obtained extension of TORs as stated at (ii) above, for grant of environment clearance. Strictly speaking, all such proposals, not being in line with the existing instructions, should not be considered by the Regulatory Authority. However, requests have been received for considering such proposals citing the reasons that EIA / EMP reports have been submitted within the prescribed outer time limit for validity of TORs, efforts put-in for preparing these reports, etc. It has been decided that while such proposals received till the date of issuance of this O.M. may be considered by the Regulatory Authority, any such proposal after the issuance of this O.M., shall not be considered by the Regulatory Authority. The State Pollution Control Boards (SPCBs) shall ensure that the public hearing (PH) is conducted within the timeline of 45 days as prescribed in the EIA Notification, 2006. The SPCBs shall also ensure that PH is held within the validity period of the TORs, and that no PH is held after the validity period of TORs is over. The PH conducted after the expiry of the TORs shall not be accepted by the Regulatory Authority for appraisal. The PH should be held well before the expiry of validity of TORs so that EIA / EMP reports are submitted by proponent within the validity period of TORs.
- (iv) Extension of Validity of TORs beyond the outer limit of three years for all projects or activities and four years for River Valley and HEP projects shall not be considered by the Regulatory Authority. In such cases, the project proponent will have to start the process *de novo* and obtain fresh TORs in case the proponent is still interested in pursuing the clearance for the project. Re-use of old baseline data (provided it is not more than 3 years old) for the purpose of preparation of fresh EIA and EMP report will be considered subject to due diligence by the EAC/SEAC which may make appropriate recommendations including the need for revalidation. Baseline data older than 3 years will not be used for preparation of EIA / EMP report. In any case, the PH shall have to be conducted afresh in such cases.
- (v) Instances have also come to the notice of this Ministry wherein, though the EIA / EMP report is submitted by the proponent within the validity period of TORs, the case remains pending for want of additional information from the proponent, State Government, etc., as sought by the EAC / Ministry. This Ministry has already decided vide OM No.J-11013/5/2009-IA-II (Part) dated 30.10.2012 that such cases will be delisted in case such information is not received within six months. In some cases the proponents have

been requesting for re-listing of their projects after the requisite information has been submitted after considerable lapse of time. For such cases, it has been decided that they could be considered provided the date of public hearing is not more than 3 years old and the data used in preparation of EIA / EMP report is not more than 3 years old. In case these conditions are not met, the proponent will have to start the process *de novo* after obtaining fresh TORs.

5. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MOS(Independent Charge)
2. PPS to Secretary(E&F)
3. PPS to AS(SS)
4. PS to JS(AT)
5. Website, MoEF
6. Guard File

*I issued to all
by Sreelekha
25/6/14*

F.No. 22-83/2014-IA-III

Government of India

Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 7th October, 2014

C I R C U L A R

Subject: Seeking additional studies by EACs/ SEACs during appraisal of project beyond the Terms of Reference (ToRs) prescribed under EIA Notification, 2006, as amended-regarding.

Clause '7(i).II. Stage (2)-Scoping' of the EIA Notification, 2006, as amended, provides for Scoping of project as one of the stages of the environmental clearance (EC) process. As per this provision, the concerned EAC/SEAC recommends Terms of Reference (TORs) for Category 'A'/'B' projects for the preparation of EIA and EMP reports. The TORs are site specific and should be comprehensive with a view to addressing all possible environmental concerns relating to the proposed project.

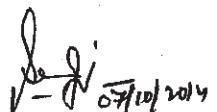
2. It has been brought to the notice of this Ministry that sometimes the EACs/SEACs, during the appraisal process, revisit the issue of the site of the project and/or seek additional studies on various issues which do not form part of the TORs. This, besides delaying the whole process, goes against the spirit of the EIA Notification 2006. This Ministry has been requested to issue instructions to EACs/SEACs on the subject.

3. The matter has been examined in this Ministry. The very purpose of introducing scoping stage in the EIA Notification 2006, was to guide preparation of site specific comprehensive EIA/EMP reports so as to facilitate objective appraisal process. As per the process defined under the EIA Notification, 2006, the project proponent provides the requisite information in Form-1/1A and makes presentation before the concerned EAC/SEAC based on which the EAC/SEAC makes recommendation about the TORs. Thus, it is for the EACs/SEACs to consider the proposal comprehensively at the scoping stage itself and the requisite information/studies should be sought from the proponent in one go while prescribing the TORs. While appraising the project, the concerned EAC/SEAC may

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satisfy itself that the TORs have been properly addressed in the EIA/EMP reports and ensure that no fresh issues are raised unless it turns out that the information provided by the project proponent at the time of scoping was wrong and misleading. In case the project proponent has given false or misleading information or data, the application for EC could even be considered for rejection under Clause 8 (vi) of EIA Notification 2006. In rare cases where, during the appraisal process some new facts come to the notice of the EAC/SEAC and it becomes inevitable to go for additional studies/ seeking additional information from the proponent beyond the TORs, the same may be unambiguously reflected in the minutes of the meeting with complete justification, besides getting the additional studies conducted/ additional information obtained in a time bound manner.

4. This issues with the approval of the competent authority.


1-8/10/2014

(Dr. Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees

Copy for information:

1. PS to MOS(Independent Charge)
2. PPS to Secretary(EF&CC)
3. PPS to AS(SS)
4. PS to JS(AT)
5. Website, MoEF&CC
6. Guard File

No.J-11013/41/2006-IA-II(I)(Part)

Government of India

Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....

Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 8th October, 2014

OFFICE MEMORANDUM

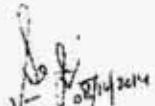
Subject: Validity of Terms of Reference (TORs) prescribed under EIA Notification, 2006 for undertaking detailed EIA and EMP studies for developmental projects requiring environmental clearance and other related issues-clarification regarding.

The Ministry of Environment, Forests and Climate Change, vide O.M. of even No. dated 22.08.2014 on the subject cited above, has clarified various issues relating to validity of TORs for undertaking EIA and EMP studies for projects requiring prior environment clearance. This O.M. inter-alia clarifies that the validity period of TORs for River valley and HEP projects would be 3 years and the validity period for other category of projects w [REDACTED]

[REDACTED] e aforesaid validity period could be concerned by a maximum period of [REDACTED] by the applicant to the Regulatory Authority. On expiry of the validity period, [REDACTED] d on proper justification and also [REDACTED]

[REDACTED] s for increasing the validity period [REDACTED] and it has been decided that the [REDACTED] nd HEP projects will now be for 4 years. For other projects, the validity period will be 3 years. Of course, this validity period could be further extended by a maximum period of one year by following the process as stated above. Thus, an outer limit of 5 years for the validity of TORs for River valley and HEP projects and 4 years for other category of projects is hereby prescribed. The earlier O.M. dated 22.08.2014 may be treated as amended to this to an extent. The other stipulations stated in the O.M. dated 22.08.2014 will continue to apply.

3. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)

Scientist 'F'

...2/-

-2-

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6. Guard File

No.J-11013/41/2006-IA-II(I)(Part)

Government of India

Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 7th November, 2014

OFFICE MEMORANDUM

Subject: Issues on Appraisal- clarification regarding.

The Ministry of Environment, Forests and Climate Change, vide Office Memoranda of even No. dated 22.03.2010, 22.08.2014 and 08.10.2014 prescribed a time limit for validity of Terms of Reference (TORs) for a period of three years for submission of EIA and EMP reports after public consultation and also that this period would be extendable to fourth year, based on proper justification and recommendation of the EAC/SEAC, as the case may be. Thus an outer limit of four years for the validity of TORs has been prescribed for any developmental project, except River Valley and HEP Projects, where the outer limit validity of TOR is five years. The aforesaid Office Memoranda also clarified that the date of public hearing and the primary data used in preparation of EIA / EMP report submitted after public consultation should not be more than three years old and in case these conditions are not met, the proponent will have to start the process *de novo* after obtaining fresh TORs.

2. The matter has been further examined in the Ministry in the light of decision taken as part of clearance reform and it is felt that it would not be logical to start the process of environment clearance *de novo* including taking fresh Terms of Reference(TORs), if the base line data collected for preparation of EIA / EMP report and/or public consultation are more than three years old.

3. Thus it has been decided to substitute para 2(v) of the above referred Office Memorandum No. J-11013/41/2006-IA.II(I) (part) dated 22.08.2014 with the following:

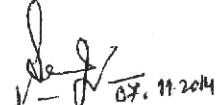
"(v)

(a) All the projects which have been recommended by the Expert Appraisal Committee(EAC) shall be considered by the Competent Authority even if the data collected has become more than three years old as the ToRs itself used to have three years validity and extendable by one more year.

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-2-

- (b) All the projects where the project proponent have already submitted their EIA/EMP Report for consideration by the EAC though the cases have still not been placed before the EAC and meanwhile the data had become more than three years old, shall be considered for the same reason as given in the para (a) above.
- (c) In case of project proponent seeking Environment Clearance for expansion of the existing unit but had committed certain violation and the project proponent has submitted all the information and details but the State has not filed a case under Section 15/19 of Environment (Protection) Act, 1986, such cases shall also be considered by the Authority, as the project proponent is not at fault."
4. The earlier Office Memorandum dated 22.08.2014 may be treated as amended to this an extent. The other stipulations stated in the Office Memorandum dated 22.08.2014 will continue to apply.
3. This issues with the approval of the Competent Authority.



Dr. Satish C. Garkoti
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

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3. PPS to AS(SS)
4. PS to JS(MKS)
5. Website, MoEF&CC
6. Guard File

CHAPTER-3

PROCEDURES RELATED TO

ENVIRONMENT CLEARANCE

No.J-20012/11/98-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-110003.

Dated: 28th October 2004

C I R C U L A R

In modification to the Circular dated 12.02.2004 in regard to the procedure for obtaining environmental clearance in the case of mining projects under the Environmental Impact Assessment (EIA) Notification, 1994 and amendments thereto, the following are to be followed with immediate effect:

I APPLICABILITY OF EIA NOTIFICATION 1994

The EIA Notification, 1994 as amended from time to time shall include:

- (i) Mining projects of major mineral with more than 5ha lease area, which have started production or increased their production and/or lease area on or after 27.01.994.
- (ii) In addition, all mining projects of major minerals of more than 5 ha lease area which have so far not obtained an environmental clearance under the EIA Notification, 1994 shall do so at the time of renewal of their lease in the context of the SC Judgement dated 18.03.2004 in W.P. 4677/1985 – M.C.Mehta vs UOI & Ors.

II ISSUES PERTAINING TO ROUTING/FORWARDING OF PROPOSAL.

- (i) **Routing of proposal through the concerned Central Government/State Government Department is a must with reference to the following:**
 - (a) The projects in respect of which an application is being made to the Ministry of Environment & Forests for Site/Environmental clearance for the first time either for new lease area/expansion in lease area and/or production or both or for renewal of lease area.
- (ii) **Nodal Department for routing of applications:**
 - (a) The nodal Department in the State Government for routing of proposals of private sector companies is the State Mines and Geology Department or the Department that controls the Mines & Geology/ Mineral Resources Dept./Division.

- (b) Public Sector Projects should be routed through their respective Ministries in the Central Government.
- (iii) **The forwarding letter of the Central Govt. Dept./State Govt. must clearly indicate the following:**
 - (a) Name of the proposal.
 - (b) Name of the Company.
 - (c) Location: village, Taluk/Mandal, District and State.
 - (d) Details of lease area and production.
 - (e) Details of expansion from ha/tpa toha/tpa (if expansion in area and/or in production).
- (iv) If the application involves different leases of the same company from the same area/region, then a separate application for each lease has to be made and the forwarding letter should also preferably be for each separate application. In case, the State Government forwards the proposals in one composite letter, then the letter must clearly specify the names of all the leases, their location (village, Taluk, and District), lease area and production capacity for each of the applications.
- (v) **Routing of proposal is not required for the following:**
 - (a) If the project has already been accorded environmental clearance once from MOEF (after 27.01.1994) and is now again applying for expansion (in lease area and/or production) **for the same project**.
 - (b) IBM/Ministry of Coal's approval of the Mining Plan for the total lease area/project area as the case may be has been obtained even if the application is being made for the first time.

III Expansion in Production

The term 'expansion' would include increase in production or lease area or both.

- (a) If the rated capacity given in the Environmental Clearance letter is being exceeded it would constitute expansion.
- (b) The projects cannot increase production even if they have the IBM/Min. of Coal's approval for the enhanced production until environmental clearance is obtained for the enhanced rated capacity.
- (c) If the annual production of any year from 1994-95 onwards exceeds the annual production of 1993-94 or its preceding years (even if approved by IBM), it would constitute expansion.
- (d) Expansion in production beyond the approved capacity however small would constitute a violation and attract the penal provisions of the Environment (Protection) Act. Therefore, the proponent should make a suitable calendar plan for obtaining clearance for the maximum annual

production levels achievable from the project. The EIA-EMP Study should also be prepared keeping this in view. If the production increases/is proposed to increase beyond what was submitted in the EIA-EMP report for which an environmental clearance was obtained/applied for, then it would constitute expansion.

IV ISSUES PERTAINING TO PUBLIC HEARING

Public Hearing for all mining projects, which attract the provisions of the EIA Notification, 1994 as amended from time to time. However, in view of the various queries received from time to time, it is clarified that Public Hearing is a pre-requisite for the following projects:

- (i) If the proposal is a new one.
- (ii) If a pre-1994 project is being submitted for environmental clearance to MOEF for the first time for proposed expansion in production and or lease area.
- (iii) If a project had obtained an environmental clearance between 1994-1997 (prior to introduction of Public Hearing), and is now applying for environmental clearance for expansion in lease area and/or production.
- (vi) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has had Public Hearing already for the original lease area, but is now applying for environmental clearance for expansion in lease area.
- (v) If a project had obtained environmental clearance after 10.09.1997 (after the notification on Public Hearing) and has already had Public Hearing on the proposal and is now applying for expansion in production only.

V ISSUES PERTAINING TO EIA-EMP REPORT

- (a) EIA-EMP Report based on data that is more than **3 years** old shall not be accepted by the MOEF.
- (b) The EIA-EMP Report in the cover as well as in the Introduction para must clearly state the rated capacity and the period for which the study has been made.
- (c) Environmental clearance will be valid only for the rated capacity for which the EIA-EMP Report has been prepared even if the project has IBM approval for a higher rated capacity/production.
- (d) If the proponent has already obtained an environmental clearance after 27.01.1994 and has applied again for increase in production and/or lease area within 5 years from date of obtaining environmental clearance, then a Supplementary EIA-EMP Report incorporating the essential issues should be

submitted to MOEF while making the application in the relevant form and questionnaire along with NOC and Public Hearing and IBM approval for the proposed expansion. A copy of the original EIA-EMP Report would be required to be submitted for the appraisal.

- (e) If there are several mining leases in the same area located contiguous or adjacent to each other or at a distance from each other, the EIA-EMP Report should be prepared for the baseline data of the lease area (core zone) and 10km study area (buffer zone) around each mine separately for each mine.

- VI** (a) All Mining Plans/Renewal of Mining Schemes close to the last year of the Plan/Scheme period would require to submit the IBM Approval of their renewal for the next 5-year Period while submitting their application for environmental clearance. As Ministry of Coal is approving Mine Plan for the entire life of the mine, the approved calendar plan for annual production for the life of the mine should be submitted.
- (b) If the project after grant of environmental clearance, obtains approval for Mining Plan/renewal of Mining Scheme for a rated capacity higher than that for which the Environmental clearance was granted, a fresh application in accordance with the procedure specified in the EIA Notification should be submitted for obtaining environmental clearance for the higher rated capacity.

(R.CHANDRAMOHAN)
Joint Secretary to the Government of India

To

1. All State Governments (Department of Mines & Geology, Dept. of Environment & Forests)
2. All State Pollution Control Boards
3. FIMI and other Mine Associations
4. Ministry of Coal & Mines: Department of Coal, Department of Mines
5. Indian Bureau of Mines and Coal India Limited
6. MOEF Regional Offices

* * *

AMENDMENT TO NOTIFICATION ON PUBLIC HEARING DT. 10.09.1997

ON PUBLIC HEARING: Presently, there is no provision in the P.H. Notification for reconduct of P.H. There is also no time limit prescribed thereunder for its validity. An amendment to the EIA Notification on P.H. is reqd. specifying that the validity for submission of a P.H. for obtaining environmental clearance is for a maximum period of 5 years only. The amendment will cover the following issues:

Fresh conduct of Public hearing is required w.r.t the following:

- (i) If the proposal was received in the MOEF beyond 5 years time limit from the date of conduct of P.H.
- (ii) Application was received in the MOEF but the file was closed/returned back to proponent/rejected due to any reason (may or may not in reference to P.H.) and 5 years had elapsed since the conduct of P.H.
- (iii) Project was not taken up by the PP even 5 years after the issuance of the environmental clearance.
- (iv) The EIA-EMP Report submitted by the Proponent required extensive revision/resubmission. Summary Report of the revised EIA-EMP report would require to be placed in a P.H. conducted afresh as a result of changes/modifications made to the EIA-EMP Report indicates change in impacts.

No J-11013/41/2006-IA.II (I)
Government of India
Ministry of Environment and Forests
(IA Division)

Paryavaran Bhavan
CGO Complex, Lodhi Road
New Delhi 110003

13th October 2006

CIRCULAR

Subject: EIA Notification 14 September 2006 – Interim Operational Guidelines till 13 September 2007 in respect of applications made under EIA 1994.

Pursuant to the new Environment Impact Assessment Notification of 14 September 2006 (“EIA 2006”) replacing the EIA Notification of 27 January 1994 and its various amendments (“EIA 1994”), and in terms of the provisions of Section (Para) 12 of EIA 2006, the following Interim Operational Guidelines are issued for the period up to 13 September 2007, with the approval of the Competent Authority:

1.0 Applications involving violation of EIA 1994:

- 1.1 Applications which were pending consideration for EIA Appraisal as on 14 September 2006:** All such applications, provided the activity is included in Schedule of EIA Notification 2006, are to be considered as per the provisions of EIA 1994, and will continue to attract action under the relevant provisions of the Environment (Protection) Act (EPA) 1986. For those applications which are not covered under EIA 2006 only action under the relevant provisions of the EP Act , 1986 for violation of EIA 1994,will be pursued .
- 1.2 New applications (*under EIA 1994*) for EIA Appraisal received on or after 14 September 2006 and up to 30th June, 2007:** All such complete applications with Public Hearing proceedings where it was necessary under EIA ,1994 and provided the activity is included in Schedule of EIA Notification 2006, will continue to attract action under the relevant provisions of the Environment

Protection Act 1986. Otherwise, they would undergo EIA Appraisal by Central Government as per the procedure of EIA (1994),

2.0 Applications NOT involving violation of EIA 1994: No NOC will be required from the SPCB/State Government/UT Administration in such cases for consideration for EIA Appraisal. The following are further specific instructions:

2.1 Applications for EIA Appraisal were pending with MOEF as on 14 September 2006:

2.1.1 Activity requires EIA Appraisal as per Schedule of EIA 2006: There are several sub cases:

(i) **EIA has already been prepared, and PH conducted as per EIA 1994:** The EIA would be evaluated by the Expert Appraisal Committee (EAC), without insistence on the submission of FORM I/IA required under EIA 2006. In case the EIA document is considered complete and accurate, the EC would consider the same, together with the PH proceedings, even if PH is not required under EIA 2006, and furnish its recommendations. In case the EIA document is considered incomplete and/or inaccurate, the EAC would specify ALL the additional Terms of Reference (TORs) to be undertaken by the project sponsor. In case PH is required under EIA 2006, the proceedings of the PH conducted as per EIA 1994 would be considered along with the EIA by the EAC, which would provide its recommendations.

(ii) **EIA has already been prepared, but PH NOT conducted:** The EIA would be evaluated by the Expert Appraisal Committee (EAC), without insistence on the submission of a FORM I/IA required under EIA 2006. In case the EIA document is considered complete and accurate, and PH if required under EIA 2006, the same would be conducted as per the provisions of EIA 2006. In case the EIA document is considered incomplete and/or inaccurate, the EAC would specify ALL the additional Terms of Reference (TORs) to be undertaken by the project sponsor. If required under EIA 2006, the PH would be conducted as per the provisions of EIA 2006. When a complete and accurate EIA document is available, together with the PH proceedings, if required under EIA 2006, the EAC would consider the same and furnish its recommendations.

(iii) Neither has EIA been prepared nor PH conducted: In such cases, the project proponent would be advised to follow the procedure of EIA 2006 in its entirety.

2.1.2 Activity does NOT require EIA Appraisal as per EIA 2006: In all such cases, the applicant shall be informed that the activity does not require EIA Appraisal as per EIA 2006, and the application may be returned to him.

2.2 New applications for EIA Appraisal received on or after 14 September 2006 and up to 30th June, 2007: No NOC from SPCB/State Government/UT Administration is necessary in such cases. Such cases may be considered as follows:

2.2.1 Activity requires EIA Appraisal by the MoEF as per Schedule of EIA 2006: The EIA Appraisal applications will be dealt with as follows:

(i) EIA document has been submitted: The EAC would not request the submission of the FORM I/IA as per EIA 2006, and evaluate the EIA for completeness and accuracy. In the event that it is found to be incomplete and/or inaccurate, the EAC would specify ALL the additional TORs to be accomplished by the proponent. Upon receipt of the revised EIA, the same would be considered further. In case (or as and when) the EIA as submitted is found to be in order, the same would be considered further by the EAC. In addition if the activity requires PH as per EIA 2006:

(a) In case PH has been conducted as per the procedure of EIA 1994, it would be considered along the EIA by the EAC, which would provide its recommendations

(b) In case PH has not been conducted at all, it would be conducted as per the procedure of EIA 2006.

2.2.2 Activity requires EIA Appraisal/Clearance by the SEIAA /SEAC as per Schedule of EIA 2006, but SEIAA/SEAC has not yet been notified: The EIA Appraisal applications will be processed/evaluated by MoEF as per the procedure above, till such time as the concerned SEIAA/SEAC is notified. Upon such notification, the papers will be promptly transferred to the SEIAA for further consideration as above.

3.0 Applications in respect of category of Thermal Power projects pending with the State Government under EIA 1994 (delegated powers): The above applications will fall in two categories:

3.1.1 EIA has already been prepared, and PH conducted as per EIA 1994:

All such pending applications should be transferred to concerned SEIAA. In the absence of a duly notified SEIAA the applications should be forwarded to MoEF

3.1.2 EIA has already been prepared, but PH NOT conducted:

The SPCB concerned should be directed to conduct and complete PH as in EIA 2006. Thereafter action should be taken as in 3.1.1 above.

4.0 Applications pending with SPCB's for PH:

In all such cases SPCB's will conduct PH as per procedure prescribed in EIA 2006 and the proceedings should be forwarded to the MOEF /SEIAA.

5.0 No application made as per EIA 1994 will be accepted after 1st July, 2007 for appraisal and clearance under EIA 2006

(G.V. Subrahmanyam)
Director

To:

**All officers of IA Division/SPCBs/State Governments/UT Administrations
MoEF website**

Copy to:

1. PPS to Secretary E&F
2. PPS to AS (CC)
3. PS to JS (CC-II)

F.No.J-11013/41/2006-IA-II (I)
Government of India
Ministry of Environment and Forest
IA Division

Paryavaran Bhawan, CGO Complex
Lodi Road, New Delhi-110 013

Dated the November 21, 2006

CIRCULAR

Subject: EIA Notification dated 14th September, 2006 - Interim Operational Guidelines till 13th September, 2007 in respect of Categories of Projects which were not in EIA Notification, 1994.

Pursuant to the Environment Impact Assessment Notification of 14th September, 2006 (EIA Notification of 27th January, 2004) and in terms of the provisions of earlier issued Interim Operational Guidelines to these guidelines, the following Projects, which did not require EIA and now require the same under EIA

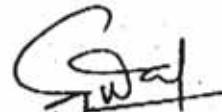
Government/SPCB is required for Consent to Establish (NOC) and prior to these legal requirements, any project required under Water and Air Acts are mandatory requirement under those Acts and will have to be taken as required and do not require to be linked to environmental clearance.

- ii. Such projects for which NOCs issued before 14th September, 2006 will not be required to take Environmental Clearance under the EIA Notification, 2006.

Contd....

-2-

- iii. Applications received for NOC by the State Pollution Control Boards before 14th September 2006 may be considered as per provisions of the said Acts. However, they will have to obtain the environmental clearance from the relevant Authority by 30th June 2007, if the category requires EIA Clearance as per the new Notification. In such cases, the unit can meanwhile carry on with the commencement of their project activities. Projects not seeking clearance under EIA Notification, 2006 by 30th June 2007 will be treated as violation cases under Section 15 of Environment (Protection) Act, 1986.
- iv. Applications received for NOC after 14th September 2006 will have to obtain EIA Clearance from the relevant Authority before starting the project activities. Application for EC (TORs / Scoping) may be submitted simultaneously to the relevant Authority/ies.



(Sanchita Jindal)
Additional Director

To:

1. All State Environment Departments
2. All State Pollution Control Boards
3. All Officers of IA Division, MoEF
4. UT Administrations

Copy to:

1. PPS to Secretary (E&F)
2. PPS to AS (CC)
3. PPS to JS (CC-II)

No J-11013/41/2006-IA.II (I)
Government of India
Ministry of Environment and Forests
(IA Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi 110003

8th December, 2006

CIRCULAR

Subject: EIA Notification 14 September 2006 – Interim Operational Guidelines till 13 September 2007 in respect of River Valley and Hydro-Electric Power Project applications made under EIA 1994.

Pursuant to the new Environment Impact Assessment Notification of 14 September 2006 (“EIA 2006”) replacing the EIA Notification of 27 January 1994 and its various amendments (“EIA 1994”), and in terms of the provisions of *Para 12* of EIA 2006, the Ministry had earlier issued Interim Operational Guidelines on 13th October, 2006 and 21st November, 2006. Further to these Guidelines, the following Guidelines are issued in respect of River Valley and Hydro-Electric Power Project applications made under EIA Notification, 1994 with the approval of Competent Authority:

- i. In respect of cases where site clearance has been accorded before 14th September, 2006 and EIA and EMP has been prepared and public hearing has been conducted; appraisal etc. will be in accordance to the procedure given in EIA Notification, 1994.
- ii. In respect of cases where site clearance has been accorded before 14th September, 2006 but EIA and EMP and public hearing have not been completed; appraisal under EIA Notification, 1994 will be done only for those cases where receipt of the complete documents including public hearing

conducted as per EIA Notification, 2006 is made by 30th June, 2007. Other such cases will be appraised under EIA Notification, 2006.

- iii: In respect of cases where site clearance has not been accorded but which were pending with the Ministry prior to 14th September, 2006 Notification; site clearance is not required and all such cases have to be processed as per EIA Notification dated 14th September, 2006.

(G.V. Subrahmanyam)
Director

To:

All officers of IA Division/SPCBs/State Governments/UT Administrations / MoEF website

Copy to:

- 1. PPS to Secretary E&F**
- 2. PPS to AS (CC)**
- 3. PS to JS (CC-II)**

F. No. J-11013/41/2006-IA-II (I)
Government of India
Ministry of Environment and Forest
IA Division

Paryavaran Bhawan, CGO Complex
Lodi Road, New Delhi-110 003
Dated the December 14, 2006

CIRCULAR

Subject: EIA Notification dated 14th September, 2006 - Clarification regarding EIA Clearance for Change in Product-Mix.

Pursuant to the new Environment Impact Assessment Notification of 14th September 2006 (EIA 2006) replacing the EIA Notification of 27th January 1994 and its various amendments (EIA 1994) and in terms of the provisions of Para 12 of EIA 2006, the Ministry had earlier issued Interim Operational Guidelines on 13th October 2006. Further to these Guidelines, the following clarification is issued for Environment Clearance for the category of products involving change in Product- Mix.

- (i) In cases of change in Product -Mix, changes in the quantities or numbers of products may be allowed without prior Environmental Clearance by the concerned State Pollution Control Board provided such changes in the quantities of products are in the same category and are within the previously granted overall total limits.
 - (ii) Projects involving modernization of the existing unit with increase in the total production capacity beyond the threshold limit specified in the Schedule to the Notification, through change in process or technology or change in the product mix or debottle-necking or a combination of these, involving increase in pollution load will obtain prior Environment Clearance from the concerned regulatory authority under the EIA Notification, 2006.
2. This issues with the approval of the Competent Authority.

(Sanchita Jindal)
Additional Director

To:

1. All State Environment Departments
2. All State Pollution Control Boards
3. All Officers of IA Division, MoEF
4. UT Administrations

Copy to: (i) PPS to Secretary (E&F), (ii) PPS to AS (CC) and (iii) PPS to JS (CC-II)

No J-15012/59/2005-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan
CGO Complex Lodhi Road,
New Delhi - 110003.
Telfax: 2436 2434

Dated the 2nd March, 2007

CIRCULAR

Sub: EIA Notification dated 14th September, 2006 – Interim Operational Guidelines till 13th September, 2007 for grant of Temporary Working Permission (TWP) in terms of EIA Notification, 1994, as amended on 4th July, 2005.

The EIA Notification dated 14th September, 2006 supersedes, the earlier EIA Notification, 1994 and subsequent amendments thereto. However, in terms of para 12 of the EIA Notification, 2006, Ministry of Environment & Forests has issued interim operational guidelines vide Circulars No. J- 11013/41/2006-IA.II(I) dated 13th October, 2006 and dated 21st November, 2006. The following further guidelines are issued as per paras 2 - 4 given below, in respect of the proposals which were submitted by the project proponents for grant of Temporary Working Permission (TWP) and were pending as on 13th September, 2006, under the provisions of the earlier EIA Notification, 1994 as amended on 4th July 2005.

2. Proposals for grant of Temporary Working Permission (TWP):

Such proposals submitted for grant of TWP, under the provisions of the EIA Notification, 1994 as amended on 4th July, 2005, and pending for consideration as on 13th September, 2006, will be considered in accordance with the provisions of the EIA Notification, 1994, and shall be

decided on merits, on case to case basis, keeping in view the public interest to be substantiated by the project proponent to the satisfaction of the Competent Authority.

Contd..p.2/-

-2-

2. Validity of TWP: TWP, if granted, will be valid only for such period as may be specified in the Order but shall not in any case be beyond the date of 13th September, 2007. During the period of validity of TWP, the project proponent shall take all necessary steps, as may be required, for obtaining environment clearance in accordance with the provisions of the new EIA Notification, 2006.

4. Cut of Date for receipt of TWP: No proposal received, for grant of TWP, after 13th September, 2006 shall be considered and if any proposal is received after the said date it shall be deemed to be rejected.

(Dr. S.K. Aggarwal)
Director

To,

1. All States / UTs Environment Department
2. All States / UTs Pollution Control Board/ Committee
3. All Officers of IA Division

Copy to

PPS to Secretary / PPS to SS(SB) / PPS to JS(JM)

By Speed Post

No. J-15012/35/2007-IA.II(M)-Part

Government of India

Ministry of Environment & Forests

(IA Division)

Paryavaran Bhavan,
C.G.O Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 2nd July, 2007

CIRCULAR

Sub: Clarification regarding applicability of EIA Notification, 2006 on mining leases of 5 hectare (major minerals) and mining leases of minor minerals which have been operating before 14.9.2006 – Regarding.

Federation of Mining Associations of Rajasthan and others have raised concerns regarding applicability of EIA Notification dated 14th September, 2006 to mining leases of 5 ha for major minerals and mining leases of minor minerals which have been in operation before the said Notification coming into force. The matter has been examined in the Ministry.

It is clarified that all such mining projects which did not require environmental clearance under the EIA Notification, 1994 would continue to operate without obtaining environmental clearance till the mining lease falls due for renewal, if there is no increase in lease area and / or there is no enhancement of production. In the event of any increase in lease area and or production, such projects would need to obtain prior environmental clearance. Further, all such projects which have been operating without any environmental clearance would obtain environmental clearance at the time of their lease renewal even if there is no increase either in terms of lease area or production.

(S.K. Aggarwal)
Director

To

1. Secretary (Environment) of all State / UT Governments
Member Secretary of State / UT Pollution Control Boards / Committees
3. PS to MOS (E), PPS to Secretary (E&F), PPS to SS, PS to JS(JM)
4. All Officers of IA Division.

**Ministry of Environment & Forests
IA-II Division**

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003

File No. J-11013/41/2006-IA.II(I)

Dated 8th November, 2007

C I R C U L A R

Sub: Clarification regarding Applicability EIA Notification, 2006 on the projects listed under Aravalli Notification dated 7th May, 1992 – regarding.

The issue regarding applicability of the EIA Notification, 2006 on the projects covered under Aravalli Notification dated 7th May, 1992 has been raised by the Haryana State Government. In this regard, it is clarified that the projects covered under Aravalli Notification are required to seek prior environmental clearance under both EIA Notification, 2006 and Aravalli Notification, 1992 as per the procedure laid down therein.

2. This issues with the approval of the Competent Authority.


(R. Anandakumar)
Adviser

To,

1. Secretary, Environment, Govt. of Haryana, Panchkula, Haryana.
2. Conservator of Forests, Northern Regional Office, MoEF, Chandigarh.
3. All Officers of IA Division.

Copy to:

1. PS to MOS (Environment)
2. SPPS to Secretary (E&F)
3. PPS to Special Secretary (SB)

F.No.J-11013/41/2006-IA-II (I) (Part)

Government of India

Ministry of Environment and Forest

IA Division

Paryavaran Bhawan, CGO Complex
Lodi Road, New Delhi-110 003

Dated the January 15, 2008

CIRCULAR

Subject: Applicability of EIA Notification, 2006 for Cases where Land has been Acquired before EIA Notification, 1994.

It has been brought to the notice of this Ministry that an interpretation has been taken by some of the State Pollution Control Boards that EIA Notification, 2006 shall not be applicable for the projects for which land was acquired before the EIA Notification, 1994. Further, it has been observed that State Pollution Control Boards have issued NOCs/Consent to Establish (CTE) after 14th September, 2006 without advising the project proponent to seek prior EC under EIA Notification, 2006. In this regard, the following clarification is issued-

- (i) Since the EIA Notification, 1994 has now been superseded by EIA Notification, 2006, all project activities listed under the EIA Notification, 2006 shall require prior environment clearance under the said Notification without linking it to the date of land acquisition, if the project activity has not commenced at the site.
- (ii) Only such projects listed under EIA Notification, 2006 shall not require environment clearance under the said Notification which were not listed in EIA Notification, 1994 and for which NOC was issued on or before September 14, 2006.
- (iii) All such projects listed in both EIA Notifications, 1994 and 2006, shall require prior environment clearance irrespective of issue of NOC if the project related activity has not yet commenced at site. The validity of NOC should not be extended without asking the proponent to seek prior environment clearance under the EIA Notification, 2006.

Contd.

2. In view of the above, it is advised to the State Pollution Control Boards not to grant/extend/revalidate NOC/CTE without advising the proponent to seek environment clearance under EIA Notification, 2006 for the projects which were listed in EIA Notification, 1994 and are now also listed under EIA Notification, 2006 even if they have acquired the land before January 1994. All such projects, which were issued NOC/CTE before September, 2006 and listed in both the Notifications, but have not commenced project activities at the site shall not start project activity now without obtaining prior environment clearance under EIA Notification, 2006 even if the land was acquired before January 1994.

3. This has approval of the Competent Authority.

(Sanchita Jindal)
Additional Director

To:

1. All State Environment Departments
2. All State Pollution Control Boards
3. All Officers of IA Division, MoEF
4. UT Administrations

Copy to:

1. PPS to Secretary (E&F)
2. PPS to AS (CC)
3. PPS to Adviser (CC-II)

No. 23/3/2007-IA.III
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 5th February, 2008

CIRCULAR

Sub: EIA Notification, 2006 – Consideration of Proposals of Construction Sector – Procedure - Regarding.

The EIA Notification, 2006 issued vide SO 1533(E) dated 14th September, 2006 provides for submission of approved scheme / building plan in respect of construction sector (item 8(a) and 8(b) of the schedule to the Notification) before environmental

No. J-11013/41/2006-IA.II(I)

Government of India

Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 22nd September, 2008

CIRCULAR

Sub: Environmental Clearance of Projects under the EIA Notification, 2006 – stipulation of condition to improve the living conditions of construction labour at site -- Regarding.

It has been decided that henceforth, while granting environmental clearance to developmental projects under the provisions of EIA Notification, 2006, the following condition shall be stipulated.

"Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project."

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)
Director

To

1. All Officers of IA Division.
2. Member Secretaries of all the SEIAAs

Copy for information:-

3. PS to MOS (E), PPS to Secretary (E&F), PPS to AS(JMM), Adviser (GKP), Adviser (NB).
4. Shri S.C.L. Das, Director, Prime Minister's Office.

No. J-11013/41/2006-IA.II(I)

Government of India

Ministry of Environment and Forests

I.A. Division

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-11003

Dated the 22nd September, 2008

CIRCULAR

Subject: Clarification regarding applicability of EIA Notification, 2006 in respect of the Beneficiation Plant-regarding.

State Pollution Control Board, Orissa has sought clarification regarding applicability of EIA Notification dated 14th September, 2006 to stand alone iron ore crusher, when the process involves crushing and screening (sizing of ore only) through dry route without upgrading the quality of ore. The matter has been examined in the Ministry.

It is clarified that crushing and screening (sizing of ore) without upgrading of quality of ore is not covered by the provisions of the EIA Notification, 2006. However, necessary clearance under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and any other Acts as may be applicable to such projects should be obtained.

This issues with the approval of the competent authority.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

To:

- (1) The Member Secretary, All SPCBs/ UT Pollution Control Committees.
- (2) The Secretary, Department of Environment of all States/ UTs.
- (3) The Member Secretary of all SEIAAs
- (4) All Officers of IA Division
- (5) All Regional Offices of the Ministry of Environment and Forests.

Copy to:

1. PS to MOS (E).
2. PPS to Secretary (E&F).
3. PPS to AS(JMM).

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 24th March, 2009

CIRCULAR

Sub: Increasing transparency in disposal of EC cases – Regarding.

Pursuant to the decision taken during the internal meeting of Impact Assessment Division in the Ministry of Environment & Forests held on 30th December, 2008, it has been decided that the following conditions shall specifically be stipulated in all the clearance letters to be issued henceforth.

1. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
2. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
3. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

1. PS to MOS (E),
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Adviser (GKP)
5. Adviser (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 14th May, 2009

CIRCULAR

Sub: Implementation of the Circulars no. J-11013/41/2006-IA.II(I) dated 22nd September, 2008 and 24th March, 2009 – Regarding.

Reference is invited to the earlier circulars of even no. dated 22nd September, 2008 and 24th March, 2009 vide which instructions were issued to all the Officers of IA Division to stipulate conditions in the environmental clearance letters relating to (i) Improve the living conditions of construction labour at site and (ii) Putting EC letters as well as the compliance status of EC conditions as also the monitored data on the company's website and display at project site. It has, however, been observed that these instructions are some times not being followed while submitting the files for obtaining approval of the Competent Authority for grant of environmental clearance. These conditions also need to be incorporated in the amended EC for amendments, expansions, change of name etc. of any project.

The undersigned has been directed to convey that the Member Secretaries of the EACs would be responsible to ensure that these instructions are followed scrupulously without fail.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

All Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-20012/1/2006-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 27th May, 2009

CIRCULAR

Sub: Key parameters to be monitored in respect of Mining Projects by the Project Proponents for putting on their website and for display on display board in the public domain – Regarding.

It has been recognized that self-monitoring of key environmental parameters by the respective project proponents and placing the same for information for all concerned in the public domain is crucial for ensuring effective compliance of the stipulated conditions and environmental safeguards. Accordingly, in respect of mining projects, it has been decided as under:

- I. The information to be put in public domain will be in two parts comprising of (i) static information relating to physical data about the mine lease in terms of its area, production, lease duration and date of commencement of work and (ii) dynamic parameters to be monitored periodically and put into public domain such as AAQ, quality of discharged water, area under plantation and number of trees planted and vibration due to blasting (peak particle velocity).
- II. The broad parameters to be monitored and their frequency as decided by the Committee are as under:

(i) Ambient Air Quality:

SPM, RSPM and NOx for opencast mining

Name of the Mineral	Production Capacity (\geq)	Frequency of Monitoring
Iron Ore	0.5 MTPA	15 days
Bauxite	0.1 MTPA	15 days
Lime Stone (Cement / Chemical Grade)	0.5 MTPA	15 days
Lead, Zinc, Copper	0.5 MTPA	15 days
Chromite	0.1 MTPA	15 days
Silica Sand (Glass)	0.1 MTPA	30 days
Building Stone (Dimensional Stone)	0.5 MTPA	15 days

-2-

(ii) Vibration:

Peak particle velocity at 300 m distance or within the nearest habitation, whichever is closer, for opencast mine using large diameter hole blasting (100 mm and above).

(iii) Quality of Discharge Water:

TDS, DO, PH, total suspended solids (TSS), Cr⁺⁶ (only for chromite mine)

(iv) Greenbelt / Plantation:

Number of trees planted, calendar year wise (progressive) and area covered.

- III. In case of small mines operating in clusters, it would be desirable that these mines form a cooperative and monitor the environmental parameters as a group of mines and display the monitored parameters on a display board to be located at a suitable location in the area to show the environmental conditions in the public domain.
2. It is thus brought to the information of all the project proponents of mining projects to take note of the above instructions for compliance with immediate effect.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
 2. All the Regional Offices of MoEF }
 3. Member Secretary, CPCB }
 4. Member Secretary of all SPCBs }
- with a request to give wide publicity to this circular for compliance.

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434
Dated the 3rd June, 2009

Office Memorandum

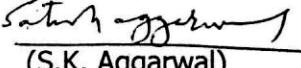
Sub: Consideration of Projects under Clause 7(ii) of the EIA Notification, 2006 – Exemption of Public Hearing - Instructions Regarding.

The EIA Notification, 2006, in Para 7 (i), sub-section III relating to public consultation unambiguously specifies the projects / activities exempted from undertaking public hearing. Para 7 (ii) relating to prior environmental clearance process for expansion or modernization or change of product mix in existing projects prescribes that the EAC / SEAC will decide on the due diligence necessary, including preparation of EIA and public consultations, for grant of environmental clearance.

2. Instances have been brought to the notice of the Ministry of Environment & Forests where public consultations have been exempted by invoking the provisions of para 7 (ii) of the EIA Notification, 2006 without giving detailed justification, in terms of increase in pollution load, requirement of additional land / water etc. for the expansion projects, stating sometimes that the project is small and pollution load may not be significant.

3. In order to enhance the transparency in decision making when the provisions of para 7 (ii) of EIA Notification, 2006 are invoked for exempting Public Hearing for any project, it is requested that this exemption should be applied judiciously, based on the available data on incremental pollution load and use of additional natural resources vis-à-vis sustainable development without compromising on environmental integrity. The reasons for invoking clause 7 (ii) while granting exemption from public hearing should also be appropriately recorded in the minutes of the EAC Meeting.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th September, 2009

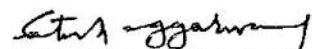
CIRCULAR

Sub: Consideration of projects for environmental clearance under EIA Notification, 1994 – Regarding.

EIA Notification, 2006 came into effect from 14th September, 2006 superseding the earlier Notification of 1994. Para 12 of the EIA Notification, 2006 has provided a time limit of one year, which was subsequently extended by one more year for operation of EIA Notification, 1994. Accordingly, the projects received for environmental clearance cannot be appraised under EIA Notification, 1994 beyond 14th September, 2008.

In view of the above, it has been decided that no proposal will be considered/appraised for environmental clearance under EIA Notification, 1994. The proposals received for environmental clearance under EIA Notification, 1994 which have not been appraised and on which a final decision is still pending shall be returned with a advice to the project proponent that they may like to submit their application as per the procedure laid down under EIA Notification, 2006, if they so desire.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)

Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 20th October, 2009

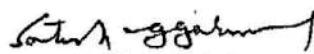
CIRCULAR

Sub: Consideration of Expansion Proposals for grant of Environmental Clearance under EIA Notification, 2006 – Regarding.

It has been decided that while considering expansion proposals for grant of environmental clearance by the respective EACs under EIA Notification, 2006, besides seeking information on various environmental issues, the information on the following may also be asked and discussed during the meeting and duly recorded in the minutes.

1. Status of compliance of the conditions and environmental safeguards stipulated in the earlier clearance letters.
2. Details of the court cases, if any, pending in any court of law against the project as well as any directions passed by the court relating to the project directly or indirectly.
3. Details of the notices, if any, given to the project under section 5 of the Environment (Protection) Act, 1986 and section 18 of the Air (Prevention and Control of Pollution) Act, 1981.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No.Z-11012/3/2010-IA-II(M)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi – 110 003
E-mail : plahujarai@yahoo.com
Telefax: 011 – 2436 3973
Dated: February 24, 2010

OFFICE MEMORANDUM

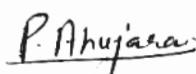
Sub: Consideration of proposals regarding mining activity under the provisions of Environmental Impact Assessment Notification, 2006 from the State of Goa – Regarding

The Ministry of Environment and Forests has been receiving a large number of proposals in the mining sector from the State of Goa for environmental clearance as per the procedure laid in the Environmental Impact Assessment Notification, 2006.

2. In view of the concerns expressed at various levels due to impact of mining activity on environment, the matter was examined in consultation with the State Government of Goa regarding consideration of proposals received in the Ministry. It has been decided to impose a moratorium on consideration of mining proposals for environmental clearance under the provisions of Environmental Impact Assessment Notification, 2006 till the Mineral Policy for the State of Goa is finalised and the Ministry of Environment and Forests is informed in this regard.

3. In view of the above, the proposals which are presently in pipeline for environmental clearance or for prescribing Terms of Reference and which would be received hereafter shall be returned to the project proponent.

4. This issues with the approval of the Competent Authority.


(Dr. P.L. Ahujarai)
Director

To

1. Chairman, Goa State Pollution Control Board

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary (E&F),
- (iii) PPS to AS (JMM),
- (iv) PS to Adviser (NB)
- (v) Website, MoEF
- (vi) Guard File

J-13012/116/2009-IA.II (T)
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS

Paryavaran Bhawan, C.G.O.Complex,
Lodi Road, New Delhi-110003.

Dated: March 22, 2010.

CIRCULAR

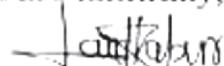
Sub: Consideration of expansion projects for environmental clearance in thermal power sector.

It has been noticed that a number of expansion projects in thermal power sector are being received in the Ministry seeking terms of reference for undertaking further expansion when either the environmental clearance for earlier proposal is yet to be granted or has recently been granted.

In view of the above, it is decided that the proposals for expansion of projects to which EC has been granted can be considered only once the implementation for the earlier phase has commenced. In case environmental clearance for the earlier proposal is yet to be accorded, the project proponent shall apply afresh and submit a comprehensive proposal for the entire project by clubbing all the phases so that the environmental issues could be addressed holistically.

This issues with the approval of the Competent Authority.

Yours faithfully,



(Lalit Kapur)
Director

Copy to:

1. All officers of IA Division
2. All SEIAAs / SEACs
3. PPS to AS (JMM)
4. Advisor (NB)
5. Website of MoEF
6. Guard File.

J-15012/29/2010-IA-II (M)
Government of India
Ministry of Environment & Forests

Tel no. 24363973
Paryavaran Bhawan,
C.G.O. Complex, Lodi Road,
New Delhi-110003

Dated, 19th April, 2010

OFFICE MEMORANDUM

Sub: Procedure for conduct of public hearing by the State / Union Territory Pollution Control Boards/Committees (SPCBs / UTPCCs) under the Environment Impact Assessment (EIA) Notification, 2006- Instructions regarding.

The Environment Impact Assessment (EIA) Notification, 2006 issued by the Ministry of Environment & Forests provides for public hearing to address the concerns of local affected persons and others who have plausible stake in the environment impacts of the project. Public hearing is one of the mandatory requirements for category 'A' or category 'B' projects listed in the schedule of the EIA Notification, 2006, requiring prior environmental clearance. A structured Public Consultation process has been put in place for conducting public hearing. Detailed procedure has been laid for conduct of public hearing by the State Pollution Control Boards to arrange in a systematic, time bound and transparent manner ensuring widest possible public participation. Further, EIA Notification amended on 1st December, 2009 has prescribed an elaborate procedure by replacing the earlier Appendix -IV regarding the procedure for conduct of public hearing.

20 The Hon'ble High Court of Delhi in Writ Petition (Civil) No. 9340/2009 & CM Appeal Nos. 7127/ 2009, 12496/2009 filed by Utkarsh Mandal and Others in its order dated 26th November, 2009 made the following observations with respect to conduct of public hearing by the State Pollution Control Board:

- "(i) While on this aspect this court would like to make observations. We find from the notice of the public hearing in the present case that as many as six public hearings were scheduled in regard to projects (including that of the Respondent No. 3) by the Goa SPCB on the same date and time and at the same venue. It is a matter of concern that the requirement of public hearing under the EIA Notification has been taken so lightly by the MoEF. This needs immediate correction.
- (ii) If the hearing has to have adequate publicity then the notices would have to be repeated and spread over a period of ten days so that as many people as possible are made aware of such public hearing.
- (iii) Secondly, the Executive Summary which is required to be commented by the participants of the public hearing has to be made available at least 30 days prior of the date of the public hearing.

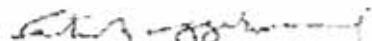
- (iv) Thirdly, there is no question of scheduling several hearings relating to different projects at the same date, time and venue. This can possibly result in avoidable chaos at such hearings. It also reduces the whole exercise to empty formality. We expect the MoEF to immediately issue necessary instructions in this regard so that public hearings in terms of Notification dated 14th September, 2006 take place with the seriousness which they deserve."

3.0 The observations made by the Hon'ble High Court of Delhi has been considered in the Ministry. The Ministry has been issuing various executive instructions relating to public hearing from time to time. The EIA Notification amended on 1st December, 2009 has prescribed an elaborate procedure for conducting public hearing. The requisite document for conduct of public hearing being made available 30 days prior to the date of public hearing is covered under the EIA Notification and for compliance by the concerned State Pollution Control Boards.

4.0 In light of the observations made by the Hon'ble Delhi High Court in its order dated 26.11.2009, all the State / Union Territory Pollution Control Boards/Committees (SPCBs/UTPCCs) are being instructed to comply with the following instructions:

- i. The State / Union Territory Pollution Control Boards/Committees (SPCBs/UTPCCs) shall clearly mention in the proceedings of the public hearing as to how adequate publicity was given to inform the local public about the public hearing and in regard to date, place and time of public hearing. Further, in the public hearing report, it shall be certified that process followed for public hearing was adequate.
- ii. The public hearings pertaining to different projects shall not be held at same venue at the same date and time. A sufficient gap of time shall be provided between different public hearings, if these are scheduled to be held on the same date and the same venue.

4.0 This issues with the approval of the Competent Authority.



(Dr. S.K. Aggarwal)
Director

To

1. Chairpersons / Member Secretaries of SPCBs / UTPCCs
2. Chairpersons / Members Secretaries of all the SEIAAs/SEAs
3. All the Officers of IA Division

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS (JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

By Speed Post

J-11013/5/2009-IA.II

Govt. of India

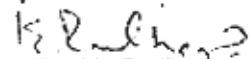
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 003.
29th June 2010

Office Memorandum

1. The Regional offices of Ministry of Environment and Forests have been entrusted with the responsibility of monitoring compliance status of the conditions stipulated while according environment clearance to various developmental projects under the EIA and CRZ Notifications. For the purpose, the officers from the Regional offices have been undertaking visits to the projects and based on the observations made during the visit, the monitoring reports are submitted to the Ministry of Environment and Forests.
2. It has been observed that the monitoring reports are often submitted very late, even in cases of serious violations, thereby, prejudicing effective action against the units found non compliant to the environment clearance conditions and defeating the very purpose of monitoring.
3. In view of the above, it has been decided that the Regional offices will, henceforth, send the monitoring reports to monitoring cell of IA division within one month of monitoring of project/ unit in respect of these projects which have been found in gross violation of environment clearance conditions. However, in all other cases, a simple statement indicating name of units monitored along with summary statement of observations made during monitoring may be sent every month for all other projects monitored in the previous month.

This issues with the approval of the Competent Authority.


(Dr. K. C. Rathore)
Scientist "F"

To

1. The Chief Conservator of Forests, Ministry of Env & Forests, Regional Office (East), A/3, Chandrasekharpur, Bhubaneswar 751023 Orissa.
2. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (South), Kendriya Sadan, 4th floor, E & F wings, 17th Main Road, Koramangala II B Bangalore-560034
3. The Chief Conservator of Forests, Ministry of Env. & Forests, Regional Office (WZ), Kendriya Paryavaran Bhawan, E-5, Arera Colony, Link Road-3, Ravishankar Nagar, Bhopal 462016, M.P.

COURT MATTER
BY SPEED POST

F.No.J-11015/627/2007- IA. II (M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan
C.G.O. Complex, Lodi Road
New Delhi-110003

T.No. 011-24362434

Dated: 6th August, 2010

ORDER

Sub: Aarpee Iron Ore Mine at village Jambhunatha, Hospet Taluka, District Bellary, Karnataka of M/s Smt. R. Mallamma – Suspension of Mining Activities regarding.

Whereas the Ministry of Environment and Forests had granted environmental clearances to the Aarpee iron ore mine of Smt. R. Mallamma (ML area 101.51 ha) at village Jambhunatha, District Bellary, Karnataka vide letter no. J-11015/330/2005-IA.II(M) dated 2nd March, 2006 and letter no. J-11015/629/2007-IA.II (M) dated 16th January, 2008 for production of 0.65 million TPA and 1.5 million TPA of iron ore respectively.

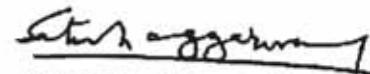
Whereas Shri K. Guruprasad Rao filed Special Leave to Appeal (Civil) No. 20180 of 2010 before the Hon'ble Supreme Court of India challenging the order of the Hon'ble High Court of Karnataka at Bangalore in W.P.9512/2009 (GM-MM-S) dated 6.8.2009; the Ministry of Environment and Forests is respondent no. 7 in this appeal.

Whereas the Hon'ble Court, while hearing the matter, vide order dated 09/07/2010 has directed that "In the meanwhile, respondents nos. 1, 2, 3, 6, 7 and 8 are directed to ensure that no mining activity is undertaken or continued at the site in question. The respondents are directed to faithfully comply with this order".

Therefore in compliance of the above referred Hon'ble Supreme Court order dated 9th July, 2010 in the SLP (Civil) No. 20180/2010, Respondent no. 7, the Ministry of Environment and Forests hereby directs the project proponent Smt. R. Mallamma of Aarpee Iron Ore Mine (ML area: 101.51 ha, Prod. Capacity: 1.5 MTPA) at village

Jambhunatha, Taluk Hospet, District Bellary in Karnataka to stop all the mining activities in the said mine lease area forthwith.

This issues with the approval of the Competent Authority.



(Dr. S.K. Aggarwal)
Director

Smt. R. Mallamma,
Aarpee Iron Ore Mine,
24/151, Bellary Road,
District Bellary,
Hospet- 583 201 (Karnataka).

Copy to:

1. Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi.
2. Secretary, Department of Environment, Government of Karnataka, Bangalore **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**
3. Secretary, Department of Mines and Geology, Government of Karnataka, Bangalore **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**
4. Secretary, Department of Forests, Government of Karnataka, Bangalore **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**
5. Chief Conservator of Forests, Regional Office (SZ), Kendriya Sadan, 4th Floor E&F, Wings 17th Main Road, 1 Block, Koranmangala, Bangalore-560 034 **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**
6. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.

-3-

7. Chairman, Karnataka State Pollution Control Board, Parisara Bhawan, 4th & 5th Floor, 49, Church Street, Bangalore - 560 001 **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**
8. Member Secretary, Central Ground Water Authority, A2, W – 3, Curzon Road Barracks, K.G. Marg, New Delhi-110001.
9. Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur-440 001.
10. Deputy Commissioner, Bellary, Government of Karnataka **with a request to ensure compliance of the order of the Hon'ble Supreme Court dated 9.7.2010.**

For Information-

1. EI Division, Ministry of Environment & Forests, Paryavaran Bhawan, New Delhi.
2. Monitoring File.
3. Website of the Ministry
4. Guard File.
5. Record File.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 16th August, 2010

OFFICE MEMORANDUM

Sub : Consideration of proposals regarding in Ratnagiri and Sindhudurg districts, Maharashtra.

The Ministry of Environment and Forests has been receiving a large number of proposals in various sectors and in particular from the districts of Ratnagiri and Sindhudurg for seeking the Terms of Reference and/or Environmental Clearance under the Environment Impact Assessment (EIA) Notification, 2006.

2. Further, Ministry has been receiving representations expressing concern relating to the environmental impacts and ecological degradation due to large number of projects being proposed in the region as well as the projects under implementation. It is, therefore, necessary to take regional approach during appraisal of projects.

3. The Ministry has constituted the Western Ghats Ecology Expert Panel for conservation, protection and rejuvenation of Western Ghat region and to suggest effective measures in this regard. The matter regarding developmental trends in Ratnagiri and Sindhudurg districts was referred to the Western Ghat Panel.

4. Therefore, it has been decided to impose a moratorium on consideration of projects under the EIA Notification, 2006 received by this Ministry or by Maharashtra SEIAA, after 16th August, 2010 for TOR and/or EC from these two districts of Maharashtra till December, 2010. The moratorium will be applicable to both category 'A' and 'B' projects.

This issues with the approval of the Competent Authority.

N/Bhat
(Dr. Nalini Bhat)
Adviser

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(E&F)/PPS to AS(JMM)/PS to Adviser(NB)/Website, MoEF/Guard File

J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex, Lodi Road,
New Delhi-110003
Telefax: 24362434

Dated: 1st November, 2010

CIRCULAR

**Sub: Consideration of Projects of Thermal Power, Steel Sector etc.
for Environmental Clearance with sourcing of Coal from
dedicated Coal Blocks / Coal India Ltd. - Regarding.**

The EIA Notification, 2006 requires all developmental projects listed there under to obtain prior environmental clearance under the provisions thereof, which inter-alia include thermal power projects and metallurgical projects such as manufacture of steel and sponge iron. These projects require a large quantity of coal to be used as raw material. Availability of requisite quantity of coal is therefore essential to ensure the viability of these projects. In order to assess the likely adverse environmental impacts of such projects, it is desirable to have information about the quality of coal to be used in the project, its source and distance with respect to the location of the project. The quality of coal, besides environmental loading, also has a bearing on the land requirement for the project. In the absence of the correct data on the quality of coal, the carrying capacity of the area may be computed wrongly, which may adversely affect the futuristic planning of the area, based on environmental considerations.

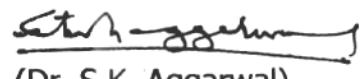
2. Cases have come to light where substantial progress and investment has been made for setting up a power or steel plant without requisite environmental and forestry clearances in place for the captive coal mines / blocks or the coal linkage from the mines of M/s Coal India Ltd. (CIL) and its subsidiaries. It is, therefore, necessary that the status of environment and forestry clearance of the linked coal source is ascertained well in advance to avoid a fait accompli situation arising there from as also the public interest involved in preventing blockage of financial resources due to the absence of the raw material, i.e. coal.

3. In view of the above, it has been decided that all the proposals relating to thermal power projects, steel, sponge iron and any other such projects, which are largely dependent on availability of coal as a raw material, shall be considered only after the firm coal linkage is available and the status of environment and forestry clearance of the coal sourced i.e. the linked coal mine / coal block is known. In case of projects which are based on imported coal, a copy of the firm MOU signed between the coal supplier and the project proponent shall be required.

-2-

4. In the light of the forgoing, it has also been decided that all such proposals relating to thermal power, steel manufacture and sponge iron which are pending in the MoEF or with State Level Environment Impact Assessment Authorities (SEIAAs) / State Expert Appraisal Committees (SEACs) concerned for consideration of environmental clearance shall be deferred and delisted till the status of environment and forestry clearance of the coal supply source for Indian coal or the MOU for imported coal as stated in para 3 above has been established and furnished. This procedure shall come into force with immediate effect.

This issues with the approval of the Competent Authority.

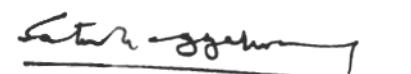

(Dr. S.K. Aggarwal)
Director

To

All officers of IA Division

Copy to:

1. All SEIAAs/ SEACs
2. PS to MEF
3. PPS to Secretary
4. PPS to AS (JMM)
5. PS to Advisor (NB)
6. Website of MoEF
7. Guard File.


(Dr. S.K. Aggarwal)
Director

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 3rd January, 2011

OFFICE MEMORANDUM

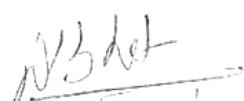
Sub: Consideration of proposals regarding in Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's circular of even No. dated 16th August, 2010 and its amendment dated 26th August, 2010 regarding imposition of a moratorium upto 31st December, 2010 on consideration of projects under the EIA Notification, 2006 received by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA), after 16th August, 2010 for TOR and/or EC from the districts of Ratnagiri and Sindhudurg, Maharashtra.

The matter was referred to the Western Ghat Ecology Expert Panel and the Report of this Panel is awaited for deciding on consideration of projects.

The above referred moratorium, therefore, is extended upto 30th June, 2011 in respect of consideration of proposals in Ratnagiri and Sindhudurg districts of Maharashtra.

This issues with the approval of the Competent Authority.


(Nalini Bhat)
Adviser

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(E&F)/PPS to AS(JMM)/
MoEF Website/Guard File

No. J-11013/41/2006-IA,II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated 19th January, 2011

CIRCULAR

Sub: Consideration of projects of thermal power, steel sector etc for environmental clearance with sourcing of coal from dedicated coal blocks / Coal India Ltd – Clarification - Regarding.

Ministry of Environment & Forests had issued a circular of even no. dated 1st November, 2010 on the above mentioned subject, which required that all such projects which are largely dependent on availability of coal as raw material shall be considered only after the firm coal linkage is available and status of environment and forestry clearance of the coal source i.e. the linked coal mine / coal block is known. In this regard, it has been brought to the notice of this Ministry that some of the State Level Expert Appraisal Committees (SEACs) are insisting on firm coal linkage even at the stage of TOR.

The matter has been considered in the Ministry. It is clarified that firm coal linkage is required to be ensured at the stage of consideration of grant of Environmental Clearance and not at the stage of TOR.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS (JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 6th April, 2011

Office Memorandum

Sub: Stipulation of Additional Conditions in respect of Mega Projects already granted Environmental Clearance – Regarding.

In accordance with the recommendations contained in the Report of the Monitoring Committee constituted to examine the issues relating to monitoring of projects (hosted on MoEF website) and their acceptance by the Competent Authority, it has been decided that henceforth all mega projects namely; (i) Coal based thermal power plant with a capacity of 500 MW and above, (ii) Integrated steel plants with a capacity of 1 million TPA and above and (iii) Cement plant with a capacity of 3 million TPA and above, which have already been accorded environmental clearance, besides effectively complying with the conditions stipulated in the environment clearance letter issued to the respective projects, shall also comply with the following additional conditions:

- (i) Continuous monitoring of stack emissions as well as ambient air quality (as per notified standards) shall be carried out and continuous records maintained. Based on the monitored data, necessary corrective measures as may be required from time to time shall be taken to ensure that the levels are within permissible limits. The results of monitoring shall also be submitted to the respective Regional Office of MoEF regularly. Besides, the results of monitoring will also be put on the website of the company in the public domain.
- (ii) The six monthly monitoring report as well as the monitored data on various parameters as stipulated in the environment clearance conditions shall be put on the website of the company and also regularly updated. The monitored data shall also be submitted to respective State Pollution Control Board / UTPCCs and the Regional Office of MoEF.

-2-

- (iii) The ambient air quality data as well as the stack emission data will also be displayed in public domain at some prominent place near the main gate of the company and updated in real time.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(Dr. S.K. Aggarwal)

Director

To

1. All the Officers of IA Division
2. All the Regional Offices of MoEF }
} They are requested to bring the
} above to the notice of various project
} proponents of aforesaid categories of
} projects in their jurisdiction, directly
} and through Industry Association etc.
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 26th April, 2011

OFFICE MEMORANDUM

Sub: Corporate Environmental Responsibility.

(A) Background

The Ministry of Environment and Forests has notified various Acts and Rules for environmental governance. The Environmental Impact Assessment (EIA) Notification, 2006 elaborates the procedure for seeking environmental clearance and preparation of Environmental Impact Assessment Reports and Environment Management Plans. However, there is a need to integrate the environmental concerns including those related to forestry, wildlife and bio-diversity, wherever applicable, into the main stream of the Corporate Policies. It would, therefore, be appropriate that the Corporate Houses, major Public Sector Undertakings (PSUs) and Companies have in place Corporate Environmental Policies for protection of environment.

2. In light of the recommendations made by the Committee on Monitoring of projects, a separate Office Memorandum was issued on 6th April, 2011 to stipulate additional conditions in respect of major projects which have already been accorded environmental clearance.

3. Now the matter has been further reviewed and deliberated to bring into focus environmental commitment in the Corporate sector, so that all the project proponents integrate environmental concerns into their day - today - functioning especially the compliance with the conditions of the clearances.

(B) Corporate Environment Policy

In view of the above, it is felt appropriate that all the major PSUs and Companies, as detailed in Section 'C' below, need to :

- (i) Adopt well laid down Corporate Environment Policy;
- (ii) Ensure, as a part of this Policy, adherence with the environmental clearances and forestry clearances wherever applicable, granted to the Company;
- (iii) Ensure that inter-alia the Company functions in conformity with the Policy;
- (iv) Ensure that deviations, if any, from this Policy and cases of violations of environmental and forestry clearances conditions that have been found by this Ministry or other public authorities should be duly reported to its Board of Directors and desirably reflected thereafter on its website and its Annual Report;
- (v) Identify and designate responsible person(s) at all levels of their hierarchy for ensuring adherence to this Policy and compliance with Environmental Laws and Regulations

These measures to promote environmental consciousness and secure compliance will surely protect the project's stakeholders just like financial systems and audit mechanisms protect the shareholders of a company.

(C) Major PSUs and Companies

The above measures may be adopted by major PSUs and Companies namely;

- (i) All Central PSUs
(ii) All Major Projects

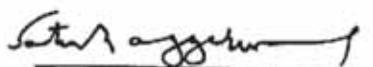
- Coal Based Thermal Power Plants with capacity of 500 MW and above
- Integrated Steel Plants with capacity of 1 MTPA and above and
- Cement Plant with capacity of 3 MTPA and above
- Petroleum Refining Industries

The respective EACs would henceforth suitably incorporate appropriate Terms of Reference (TOR) in respect of the status of Corporate Environment Policy and its implementation, as at B above, which would need to be addressed in the EIA/EMP Reports. For all projects proposals in future at the appraisal stage the EACs and FACs where appropriate, would deliberate on the aspects related to the Corporate Environment Policy, especially with regard to adequacy and comprehensiveness.

(D) Other Projects not covered in (C) above

In respect of projects proponents other than those specified in Section C above, the respective EACs and the FAC, where applicable, on a case to case basis, based on sectoral imperatives, locational aspects, size of the company, past track record etc. may stipulate, through a speaking recommendation, the course of action as in Section B at TOR or appraisal stage, as the case may be.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All Officer of the IA Division
2. Chairperson/Member Secretaries of all the EACs/SEIAAs/SEACs

Copy to:

1. PS to MEF
2. PPS to Secretary(E&F)
3. PPS to SS(JMM)
4. Adviser(NB)
5. Website of the MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 13th May, 2011

Office Memorandum

Sub: Applicability of environmental clearance for Solar Photo Voltaic (PV) Power Projects – Regarding.

A reference has been received in this Ministry seeking clarification regarding applicability of EIA Notification, 2006 in respect of Solar Photo Voltaic (PV) Power Projects. The matter has been examined.

It is clarified that the Solar PV Power Project are not covered under the ambit of EIA Notification, 2006 and no environment clearance is required for such projects under the provisions thereof.

This issues with the approval of the Competent Authority.



(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

F. No. J-11013/2/2011-IA-II (I)
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003.

Dated: 23rd June, 2011

OFFICE MEMORANDUM

Sub: Applicability of environmental clearance for new / expansion of existing Aluminum recycling project (30,000 MTPA and above) - regarding

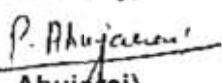
Ministry of Environment and Forests has received a reference from Metal Recycling Association of India seeking clarification regarding applicability of EIA Notification, 2006 for setting up of new / expansion of existing Aluminum recycling projects.

2. It is clarified that the Aluminum Recycling Units based on gas / oil fired furnace are not covered under the EIA Notification, 2006 and no environmental clearance is required for such projects under the provisions thereof. However, NOC under the Air and Water Acts, Authorization / Registration under the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 as may be applicable to such cases may be required.

3. It is further suggested that the raw material used should not have radioactive and harmful alloying element additions like lithium, selenium, vanadium etc. and there should not be any hazardous chemical contamination. Preferably, natural gas should be used as fuel. In case of use of oil, it should have low sulphur concentration; otherwise, lime scrubbing should be done to mitigate the SO₂ emissions.

This issues with the approval of the Competent Authority.

Yours faithfully,


(Dr. P.L. Ahuja)
Scientist 'F'

To

All the Officers of IA Division

Copy to:-

1. All SEIAAs / SEACs
2. All SPCBs / UTPCCs
3. PS to MEF
4. PPS to Secretary (E&F)
5. PPS to SS (JMM)
6. PS to Adviser (NB)
7. Website of MoEF

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 30th June, 2011

OFFICE MEMORANDUM

Sub: Environment Clearance for setting up of Solar Thermal Power Plants under JNNSM – applicability of EIA Notification, 2006 – Regarding.

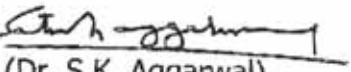
Ministry of New and Renewable Energy (MNRE) has brought to the notice of this Ministry that the State Pollution Control Boards have been asking for obtaining prior environment clearance in respect of Solar Thermal Power Projects as according to them, these projects get covered under Category 8(b) of the schedule to the EIA Notification, 2006. The matter has been examined in the Ministry of Environment & Forests, in the light of the technical and scientific information provided by MNRE vide their letter no. 29/1(1)/2011-12/JNNSM(ST) dated 22.6.2011 (copy enclosed).

2. It is clarified that Solar Thermal Power Projects are not covered by the provisions of EIA Notification, 2006. However, keeping in view the extent of land required for such projects, it has been decided that:

- State Pollution Control Board / UTPCC before issuing consent to establish under Air and Water Act to such units may ensure and satisfy themselves by undertaking a site visit that the proposed area does not involve; (i) any wet land, (ii) any agriculture land, (iii) ecologically sensitive area, (iv) areas rich in bio-diversity, (v) areas with large habitation. In case, any displacement of habitation is involved, the requisite R&R and CSR should be put in place as per the norms of the respective State Government. Further, if the area involves any forestland, it needs to be ensured that the requisite prior forestry clearance for diversion of forestland has also been obtained under FC Act.
- In addition, the site should also conform to the provisions of the CRZ Notification, 2011. Under the CRZ Notification, 2011, this activity will be prohibited in the CRZ area.
- It also needs to be ensured that the requisite prior commitment from the Competent Authority for availability of requisite quantity of water for the project is available with the proponent.
- The land so made available for the solar thermal power plant will not be deviated for any other purpose and no change of land use what so ever will be permitted without obtaining requisite clearance from the Competent Authority as applicable.
- All other clearances as may be applicable from other Regulatory Authorities under various Rules and Regulations inter-alia consent under HSM Rules etc. should be available before issue of consent by the SPCB.

3. Further, CPCB will, separately, make a study on some illustrative aspects of the actual environmental impacts of these Solar Thermal Power Plants and Solar Photovoltaic Plants with a view to report to MoEF during and after setting up of these plants i.e. construction phase and implementation phase. The SPCBs may also be kept involve in such studies to be undertaken by CPCB.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. Secretary, Ministry of New and Renewable Energy, Block no. 14, CGO Complex, Lodi Road, New Delhi-110 003.
2. All the Officers of IA Division
3. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
4. Chairman, CPCB
5. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

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3. PPS to SS(JMM)
4. Advisor (NB)
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भारत सरकार

नवीन और नवीकरणीय ऊर्जा मंत्रालय

Government of India

MINISTRY OF NEW AND RENEWABLE ENERGY

ब्लॉक नं. 14, केन्द्रीय कार्यालय परिसर, लोदी रोड, नई दिल्ली-110003
BLOCK NO. 14, C.G.O. COMPLEX, LODI ROAD, NEW DELHI - 110 003

Fax : 011-24361298

Telegram : RENEWABLE

सं.

दिनांक

No.

Dated
22/06/2011

29/1(1)/2011-12/JNNRM(ST)

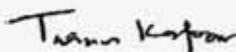
Shri J. M. Mauskar
Special Secretary
Ministry of Environment of Forests
R. No. 412, 4th Floor, Paryavaran Bhawan,
CGO Complex, Lodhi Road, N.Delhi- 110003

Subject: Environment clearance for setting up Solar Thermal Power Plants under JNNRM

Sir,

The matter refers to the representation received from Forum for Advancement of Solar Thermal (FAST) dated 12/05/2011 regarding environmental clearance for solar power projects and subsequent discussions of the MNRE and MoEF. The information provided by the solar project developers has been examined in the Ministry and a note has been prepared that covers some aspects of the solar thermal power technology and information on the environmental aspects. The note is enclosed herewith.

2. It is recommended by the Ministry that the solar thermal power projects may be exempted from Environmental Clearance requirements as
 - i) Solar power is clean power and environment friendly.
 - ii) The land used for the project is not subjected to much change or development and most of the land is used for installing solar collectors only.
 - iii) There are no polluting emissions or discharges in air or water bodies.
3. Early consideration of the matter is requested in order to be able to meet stringent time schedule set for the Mission targets.


(Tarun Kapoor)
Joint Secretary (NSM)
011-24360359

Encl: As above

F. N. 29/1(1)/2011-12/JNNSM(ST)
Ministry of New and Renewable Energy

A Note on Solar Thermal Power Plants for Environmental Clearance

Main Features

The technology of solar thermal power generation is based on the principle of producing steam by concentrating the solar radiation from a large area onto a smaller area and then turning a turbine in similar fashion as in a conventional thermal plant. The solar field, thus, is a replacement of the boilers or heaters using fossil fuels in a conventional thermal plant with balance of system remaining similar. In solar dish-Stirling technology, power is produced directly using concentrated solar heat in a Stirling engine, which is an external combustion engine.

Solar thermal power plants were built during late eighties in USA and these plants are still working to produce power. There have been a steep growth in this sector in the last couple of years and substantial capacities have been installed, especially in Spain. Presently, over 1200 MW capacity solar thermal power plants are in operation globally, and around 2000 MW capacity plants are under construction. The technology has been proven and has enormous potential for the locations blessed with solar energy.

India, located in subtropical zone has plenty of sunshine in most parts and for very good number of days in the year, and therefore, solar technologies have high relevance. This is the background to prompt Government of India to launch Jawaharlal Nehru National Solar Mission, which is one of the eight missions as a part of National Action Plan on Climate Change. This note discusses various features of solar thermal power for the purpose of environmental clearance.

Major Solar Thermal Technologies

The four most promising solar thermal technologies are parabolic trough, central receiver or solar tower, parabolic dish and Linear Fresnel collectors. The parabolic trough and linear Fresnel technologies have a line focus, whereas other two technologies have a point focus. Typically, concentration ratio for a line focusing technology is in the range of 80 and solar power plants based on these technologies operate at about 400 deg C or below. Comparatively, the conventional thermal plants operate at much higher temperatures than this. The technologies based on the principle of point focus may have higher concentration ratios, and therefore, the higher operating temperatures. Parabolic trough technology has been in commercial space for many years now, and a large number of power plants around the world, especially Spain, are being built based on this technology. Other technology configurations, which are getting attention from the developers, include solar towers, CLFR and dish-Stirling.

Solar Thermal Storage Plants

Solar heat collected during the day can be stored in the form of molten salts or other suitable media. The stored heat is used to generate power during periods of low sunshine or night. World over, about 20 plants have been constructed using thermal storage. This includes 50 MWe Andasol plants in Spain, which are designed with six to eight hours of thermal storage. The capacity utilization factor (CUF) of a solar plant without storage ranges in between 20-23% depending upon availability of solar radiation at the site and the efficiency of the technology selected for conversion of solar energy to heat. The CUF increases for solar plants incorporating thermal storage.

Use of Auxiliary Energy

As per JNNSM guidelines, the solar thermal power plants are allowed to use 10% of the energy generated from the plant for auxiliary energy consumption, while balance of the generated power is to be fed to the grid for availing tariff. However, solar thermal power plants may require some operations to be performed during evening/ night, especially the plants designed to have thermal storage. Some energy will be required for these operations from the grid. The overall requirement of this energy will be only a small fraction (about 1-2%) of the nameplate rating of the plant.

Water Requirements

A typical solar thermal power plant has a cooling cycle, which is similar to that used in conventional thermal plants. The requirement of water on per unit basis is at the similar levels, however, total water requirement on a capacity basis is 60-70% less due to lower capacity utilization factor. These plants, like conventional plants, may be designed to have air-cooled or wet cooled systems, or a combination of the two. A comparative water requirement of thermal power projects based on different technologies is given below.

Technology	Cooling	Litres/MWhr
Coal/ Nuclear	Once-through	87400-102600
	Recirculating	1520 - 2850
	Air cooling	190-250
Natural Gas	Recirculating	760
Solar tower	Recirculating	1900-2800
	Hybrid	340-950
	Air cooling	340
Parabolic trough	Recirculating	3000
	Hybrid	380-1700
	Air cooling	300
Solar Dish/Engine	Mirror washing	76
Linear Fresnel	Recirculating	3800

Reference Concentrating Solar Power Commercial Application Study: Reducing Water Consumption of Concentrating Solar Power Electricity Generation, Report to Congress, U.S. Department of Energy

Area Requirement

Solar thermal power plant typically requires an area of about 2.0 to 2.5 hectare per MW capacity depending upon plant configuration, site, and thermal storage etc. The land is mainly used for installing solar collectors in an open environment. The built up area for covered construction is approximately 600 square meters for a 100 MW plant, which is required to locate the steam turbine and the control room.

The guidelines for solar thermal power projects under phase 1 of the JNNSM, stipulated 20 MW and 100 MW as the minimum and maximum capacity.

Land Development Activities

The land areas where solar power projects will be located would typically be represented by arid and non-farming land. The land areas that would have severe slopes, natural drainage courses, environmentally sensitive zones, forests and bio-reserves are not suitable for setting up these projects. It is assessed (solareis.anl.gov/documents/dpeis/Solar_DPEIS_Appendix_M.pdf) that overall effect would not be detectable or would be so minor that they would neither destabilize nor noticeably alter any important attribute of the land resource.

The potential construction and operation impact of Solar Thermal Power Plants, as inferred from the literature (<http://www.energy.ca.gov/sitingcases>) is as follows:

Activity	Potential Impact
Pre-construction Phase Site mobilization - Includes installation of fencing, and provision of utilities	This involves minimal ground disturbance and is not expected to impact environment and ecology of the site
Construction Phase This includes grading, boring for pylons and support structures, trenching and other sub-surface soil work at site for access roads and building of project facilities.	The impact of these activities is minimal as the affected site area is very small as compared to total land area. The impact is limited to the construction phase only. The prominent land features are expected to be naturally restored after completion of construction activity.
Operation Phase	The project does not produce any effluents and polluting gases. Water is required for generating steam in a closed cycle and for washing and cleaning of mirrors. Water will be accessed from the sources allocated by the respective State governments and do not involve use of ground water.

Jawaharlal Nehru National Solar Mission

The Government launched the Jawaharlal Nehru National Solar Mission (JNNSM) on 11th January 2010 with an objective to establish India as a global leader in solar energy, by creating policy conditions for its diffusion across the country quickly and achieve a scale to drive down costs to levels required to achieve grid parity by 2022. The targets of the Mission include deployment of 20,000 MW of grid connected solar power by 2022. The Mission will be implemented in three phases.

For the Phase 1 of the Mission, a target of 1,100 MW grid connected solar plants has been set up, which includes 100 MW plants as rooftop and other small solar power plants till March 2013. 704 MW capacity grid connected solar power projects were selected by December, 2010, which comprises of 500 MW solar thermal and 204 MW PV power projects. The remaining capacity will be selected during the year.

Environment Aspects of Solar Power

Solar energy is one of the most abundant sources of clean, renewable energy. Unlike fossil fuel based power generation, solar energy does not have any harmful emissions like CO₂, SOX, NOX etc.

The pollutants commonly emitted from fossil fuel power plants—greenhouse gases —are completely absent from the solar power generation, solar thermal power stations, such as mercury, smog-forming contaminants that contaminates our water supply and food, particularly in developing fetuses. Solar particulate matter and ozone that damage air thermal and conventional power plants is as

activity.
 just don't produce any
 no polluting gases.
 required for generation

		Thermal power	Combined cycle	ST Power
1	CO ₂	Yes	No	No
2	Mercury	Yes	No	No
3	SO ₂	Yes	No	No
4	Nox	Yes	Yes	No

SI #	Water quality impact	Thermal power	Combined cycle	ST Power
1	Boiler blowdown	Yes	Yes	Low
2	Ash pond effluent	Yes	No	No
3	Cooling water blow-down	Yes	Yes	Low

SI #	Soil quality impact	Thermal power	Combined cycle	ST Power
1	On-site hazardous waste storage	Yes	No	No
2	Ash disposal site	Yes	No	No

International Energy Agency assesses that over a CSP plant's entire life-cycle, it will produce 30 times less carbon dioxide per unit of power produced than a coal-fired power plant and 13 times less than a modern natural gas-fired power plant (www.iea.org/textbase/papers/2002/renewable.pdf).

Proposal

Solar Projects do not fall under the list of projects/ activities requiring prior Environmental Clearance as per the EIA Notification of 2006. However, in a recent development, when large Solar projects have approached the respective State Pollution Control Board for Consent to Establish, they have been classified under category 8 (b) of List of projects as per above notification and instructed to obtain EC.

As per the said notification, category 8 (b) covers Townships and Area Development projects covering an area > 50 ha and/or built up area > 1,50,000 sq. mtrs. All projects under this category further fall under category 'B1' requiring preparation of an EIA report for clearance by the State Environmental Impact Assessment Authority (SEIAA).

As mentioned above, solar thermal technology uses land mainly for putting up solar collectors, which are open to the sky. The built up area for covered construction is very small compared to the threshold limit of 150,000 square meters, even under category 8(b). These plants have minimal O&M requirements and the requirement of operations staff is small. So a large solar plant irrespective of area occupied should not be considered as a township or an area development project.

Considering these facts and the non-polluting and environmental friendly nature of Solar Projects, it is proposed that solar thermal power projects may be exempted from Environmental Clearance requirements.

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 4th July, 2011

OFFICE MEMORANDUM

Sub : Consideration of proposals regarding Ratnagiri and Sindhudurg districts, Maharashtra.

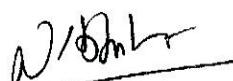
This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments dated 26th August, 2010, 3rd January, 2011 and 25th April, 2011 regarding extension of moratorium upto 30th June, 2011 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 received by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The decision on lifting of moratorium is linked to the submission of the Report by the Western Ghat Ecology Expert Panel (WGEEP). The WGEEP has requested for extension of time upto 31st July, 2011. It is also noted that important projects are proposed in these two districts and there are some projects proposed in the notified industrial estates.

Keeping in view the above and in continuation to the OM of 25th April, 2011 regarding lifting of moratorium for sand mining for two years in non-CRZ areas, the moratorium is extended for consideration of projects in Sindhudurg and Ratnagiri districts, Maharashtra upto 30th August, 2011 except for:

- (i) The projects of National importance;
- (ii) The projects which are located in the notified industrial estates, preferably with zero discharge & improved technologies and which were received for TOR or EC before the moratorium was imposed in August, 2010.

This issues with the approval of the Competent Authority.


(Nalini Bhat)
Adviser
The Chairman,

To

Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(E&F)/PPS to AS(JMM)/MoEF Website/Guard File

F.No.J-11013/4/2011-IA.I
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhavan
CGO Complex, Lodi Road
New Delhi -110 003
Telefax: +91-11-24369100

Dated: July 18, 2011.

OFFICE MEMORANDUM

Subject: Contact information of project proponents to be made part of the environmental clearance/Terms of reference (EC/TOR) letters - regarding.

During the Review meeting of the Regional Offices of the MoEF on 23rd June, 2011, an issue was raised regarding non-availability of information in the EC/TOR letters regarding details of the contact person and other contact details for various projects resulting in difficulties for initiating monitoring by the ROs.

To address this issue, it has been decided that henceforth the e-mail addresses, Fax Nos. and other contact details of the concerned project in-charge, based on the information available in project documents i.e. Form - I shall be mentioned in the TOR/EC letters.

The above procedure shall be followed by the all the concerned Officers of the Ministry /SEIAAs/SEACs.

This issues with the approval of Competent Authority.


(Dr. M.T. Karuppiah)
Deputy Director

To

1. All Officers of the IA division
2. All the Chairperson / Member Secretaries of SEIAAs/SEACs.

Copy for information:

1. PS to SS(JMM)
2. Advisor (NB)
3. Website, MoEF
4. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 20th September, 2011

OFFICE MEMORANDUM

Sub: Mining Projects from the Districts of Bellary, Tumkur and Chitradurga in Karnataka – Regarding.

The Hon'ble Supreme Court vide its order dated 29.7.2011 and 26.8.2011 have banned mining operations in the Districts of Bellary, Tumkur and Chitradurga in the State of Karnataka. In view of the same, it has been decided that all the mining projects which are pending for environmental clearance and are at different stages of consideration / processing, both in Ministry of Environment & Forests as well as in State Environment Impact Assessment Authority (SEIAA) will be delisted. Those projects which have not yet been placed before the Expert Appraisal Committee (EAC) / State Expert Appraisal Committee (SEAC), will be returned.

Further, it has also been decided that MoEF / SEIAA will not consider any mining proposal from these three Districts till the Hon'ble Supreme Court lifts the ban on consideration of projects in these areas. Accordingly, the prospective project proponents are advised not to submit any mining proposal for environmental clearance till such time the ban is lifted.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairperson / Member Secretary of SEIAA/SEAC, Karnataka
3. Chairman, CPCB
4. Chairperson / Member Secretary of Karnataka State Pollution Control Board.

Copy to:-

1. PS to MEF
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3. PPS to SS(JMM)
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Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434

Dated the 28th September, 2011

Office Memorandum

Sub: Adherence to the procedure for conduct of Public Hearing as prescribed in the EIA Notification, 2006 – Regarding.

The EIA Notification, 2006 as amended on 1st December, 2009 has prescribed the procedure for conduct of public hearing. The EIA Notification reads as under:

"The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC shall supervise and preside over the entire public hearing process."

Further, it is also stated as under:

"3.3. No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District Collector/Deputy Commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4. In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/District Collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above."

Instances have, however, come to the notice of this Ministry wherein the Public Hearing Proceedings have apparently not been chaired by the prescribed level of Officer as also the dates of the Public Hearing have been postponed. The Public Hearing Proceedings do not specify the status of the Officer who had chaired the public hearing vis-à-vis the level of Officer prescribed in the EIA Notification, 2006. The public hearing proceedings also do not specify the reasons, if any, for postponement / change of venue of the meeting. It also does not specify how the adequate publicity regarding change of date / venue was made to ensure adequate participation of all the

-2-

stakeholders. A lot of time is consumed in seeking clarifications from respective SPCBs / UTPCCs in such matters which delays in taking decision on projects.

In the light of the foregoing, it is to reiterate that all the State Pollution Control Boards / UTPCCs, during conduct of public hearing, should ensure that the provisions of the EIA Notification, 2006, as amended subsequently, are adhered to in letter and spirit.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

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No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 5th October, 2011

OFFICE MEMORANDUM

Sub: Ownership of EIA report and other documents by the project proponent – Regarding.

Ministry of Environment & Forests vide two separate Office Memorandums dated 4th August, 2009 had issued instructions, both for the project proponents and the environmental consultants, which required the environmental consultants to include an undertaking in the EIA report that the prescribed TORs have been complied with and that the data submitted is factually correct.

2. Instances have, however, been brought to the notice of this Ministry, wherein the EIA reports prepared by the Environmental Consultants contain information / data copied from other reports. As it may be time consuming for the Ministry and or the EACs to compare the contents of one report with the other to check for copied data / information, the onus of submitting the correct and factual information / data contained in the EIA report lies with the project proponent.

3. In view of the above, it has been decided that henceforth, the project proponent shall submit an undertaking as part of the EIA report, owning the contents (information and data) of the EIA report. If at any stage, it is observed or brought to the notice of this Ministry that the contents of the EIA report pertaining to a project have been copied from other EIA reports, such projects shall be summarily rejected and the proponent will have to initiate the process afresh including conduct of public hearing. In case of those projects where decision has already been taken and environment clearance granted based on copied EIA report, the environment clearance granted would be withdrawn and the procedure for obtaining environmental clearance will be initiated de-novo. Besides these actions, separate action will be initiated to delist such consultants from the list of accredited consultants.

4. The decision at para 3 above will be without prejudice to any other action as may be required in such cases under the Environment (Protection) Act, 1986.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

By Speed Post

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434

Dated the 5th October, 2011

Office Memorandum

Sub: Integrated Steel Plants and Sponge Iron Plants, which are linked to iron ore as raw material from mining operations in the Districts of Bellary, Tumkur and Chitradurga in Karnataka – Regarding.

The Hon'ble Supreme Court vide its order dated 29.7.2011 and 26.8.2011 have banned mining operations in the Districts of Bellary, Tumkur and Chitradurga in the State of Karnataka. In view of the same, and to comply with the said orders of the Hon'ble Supreme court, it has been decided that all those projects received for environmental clearance in MoEF / SEIAAs relating to integrated steel plants and sponge iron plants, which are largely dependent on iron ore as raw material to be sourced from the mines located in Districts of Bellary, Tumkur and Chitradurga in Karnataka and are at different stages of consideration / processing will be delisted. Those projects which have not yet been placed before the Expert Appraisal Committee (EAC) / State Expert Appraisal Committee (SEAC) will be returned.

Further, it has also been decided that MoEF / SEIAAs will not consider any proposal relating to integrated steel plant / sponge iron plant, which are linked to iron ore as a raw material to be obtained from these three Districts till the Hon'ble Supreme Court lifts the ban on mining in these Districts. Accordingly, the prospective project proponents are advised not to submit any such proposal for environmental clearance till such time the ban is lifted.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
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No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 25th October, 2011

OFFICE MEMORANDUM

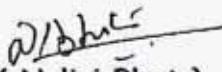
Sub: Consideration of proposals regarding Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments dated 26th August, 2010, 3rd January, 2011, 25th April, 2011 and 4th July, 2011 regarding extension of moratorium upto 30th August, 2011 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 received by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The Ministry has received the Report of the Western Ghat Ecology Expert Panel (WGEEP) and same is under consideration.

In view of the above, it has been decided to extend the moratorium for consideration of projects in Ratnagiri and Sindhudurg districts, Maharashtra till 31st December, 2011.

This issues with the approval of the Competent Authority.


(Nalini Bhat)
Adviser

Distribution :

Director(SKA)/Director(PLA)/Director(BB)/Director(TC)/Director(PBR)/Director(SJ)/Director(SG)/Director(SV)
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No.11-83/2005-IA-III(Vol.III)

Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110003.

Dated, the 8th November, 2011

OFFICE MEMORANDUM

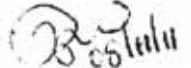
Sub: Removal of sand in the Coastal Regulation Zone area of rivers/estuaries by manual methods by traditional communities - regarding.

This is in continuation to the Ministry's Office Memorandum (OM) dated 24th February, 2011 and 9th June, 2011 with regard to guidelines for management of the sand bars including its removal.

2. The Ministry had now received request from State Government of Karnataka with regard to removal of the sand bars by manual methods by traditional communities.

3. After examining the proposal and the provisions of the Coastal Regulation Zone Notification, 2011 the Ministry hereby stipulates the following conditions for removal of sand bar by traditional coastal communities only by manual method (i.e., sand collection in non-mechanised dinghies or small boats using baskets/buckets by human beings) in various coastal States:-

- (a) The District Collector shall chair a seven-member Committee consisting of, concerned officials as also atleast one representative of each from a scientific or technical Institute, the local communities, like fisher folk and the local civil society.
- (b) Based on the recommendations of the above Committee, the District Collector may permit such removal of sand in the specified time period in a particular area alongwith specific quantity subject to such conditions, such as registration of local community persons permitted to remove the sand manually.
- (c) The Environmental Official at district level shall monitor the removal of sand and submit report to the Collector, as may be specified, say quantity of sand removed in the period concerned.
- (d) The above permit shall be renewed on yearly basis.
- (e) The agenda and the minutes of the aforesaid Committee, permits issued by Collector and monitoring reports of the removal of sand would be uploaded on the website of the Collectorate and also made available hard copy to Zila Parishad etc., as may be directed b the Collector.
- (f) The accumulation of sand bar, its removal the process etc., shall be studied by the State Government with the help of satellite imageries, GPS, etc. It shall be ensured that the permits are not accorded in such areas which are identified as eco-sensitive zones, fish migratory and breeding grounds. The permits shall be given taking into consideration the local circumstances and ecological settings.


(E. Thirunavukkarsu)
Deputy Director

To,

As per list enclosed.

LIST

1. Chairman, West Bengal Coastal Zone Management Authority, Government of West Bengal, Writer's Building, G – Block, 2nd Floor, Kolkatta – 700 001.
2. Chairman, Gujarat State Coastal Zone Management Authority & Principal Secretary, Forests and Environment Department, Block No. 14, 8th Floor, Sachivalaya, Gandhinagar – 382010, Gujarat.
3. Chairman, Karnataka State Coastal Zone Management Authority & Principal Secretary, Department of Forest, Ecology and Environment, Government of Karnataka, Multistoried Building, K.G. Road, Bangalore – 560 001.
4. Chairman, Orissa State Coastal Zone Management Authority & Principal Secretary, Science, Technology & Environment and Forests Wing, Orissa Secretariat, Bhubaneshwar – 751001.
5. Chairman, Andhra Pradesh State Coastal Zone Management Authority & Additional Chief Secretary, Government of Andhra Pradesh, Environment Forests Science and Technology Department, Secretariat, Hyderabad – 500 022.
6. Chairman, Daman & Diu Coastal Zone Management Authority & Administrator, Daman and Diu, Daman – 396210.
7. Chairman, Pondicherry Coastal Zone Management Authority & Principal Secretary, Department of Science, Technology and Environment and Housing Board, Pondicherry – 605001.
8. The Chairman, Tamil Nadu State Coastal Zone Management Authority & Principal Secretary, Department of Environment and Forests, First Floor, Panagal Building, Saidapet, Chennai – 600015, Tamil Nadu.
9. The Chairman, Maharashtra Coastal Zone Authority, Environment Department, 15th Floor, New Administrative Building Opposite Mantralaya, Madam Cama Road, Bombay – 400 020.
10. Chairman, Goa State Coastal Zone Management Authority & Chief Secretary, Secretariat, Alto Porvorim, Panjim, Goa. 40319626
11. Chairman, Kerala State Coastal Zone Management Authority, Sasthra Bhawan, Pattom, Thiruvananthapuram – 4.

Member Secretary, State/Ut Coastal Zone Management Authority

12. Member Secretary, West Bengal Coastal Zone Management Authority, West Bengal Pollution Control Board, Paribesh Bhavan, 10A, Block-L.A, Sector III, Salt Lake City, Kolkata - 700 098.
13. Member Secretary, Gujarat Coastal Zone Management Authority, & Director, Forests and Environment Department, Forests & Environment Department, Block No.14, 8th Floor, Sachivalaya, Gandhinagar – 382010.
14. Member Secretary, Karnataka State Coastal Zone Management Authority, & Director, Environment Technical Cell, Department of Forest, Ecology and Environment, Government of Karnataka, Multistoreyed Building, K.G. Road, Bangalore - 560 001.
15. Member Secretary, Orissa Coastal Zone Management Authority, & Director, Science, Technology and Environment and Forests Wing, Orissa Secretariat, Bhubaneshwar- 751001.
16. Member Secretary, Andhra Pradesh State Coastal Zone Management Authority, Government of Andhra Pradesh, Environment Forests Science and Technology Department, Secretariat, Hyderabad – 500022.
17. The Deputy Conservator of Forests, Administration of Daman & Diu, Office of the Deputy Conservator of Forests, Daman and Diu, Daman-396210.
18. Member Secretary, Pondicherry Coastal Zone Management Authority, & Director, Department of Science, Technology and Environment and Housing Board, Pondicherry – 605001.

19. Member Secretary, Tamil Nadu State Coastal Zone Management Authority, & Director, Department of Environment, Government of Tamil Nadu, Ground Floor, Panagal Building, Saidapet, Chennai-600015.
20. Member Secretary, Kerala Coastal Zone Management Authority & The Director, Science, Technology & Environment Council, Government of Kerala, Sasthra Bhavan, Pattom, Thiruvananthapuram-4.
21. Member Secretary, Maharashtra Coastal Zone Management Authority, Environment Department, Deputy Secretary, Mantralaya, New Administrative Building, 15th Floor, Madam Cama Marg, Mumbai – 400032.
22. The Member Secretary, Goa Coastal Zone Management Authority, Government of Goa, Department of Science, Technology and Environment, Opp. Saligao Seminary, Saligao, Goa-403511.

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan CGO Complex,
Lodi Road New Delhi - 110 003

Dated 11th April, 2012

OFFICE MEMORANDUM

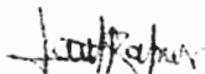
Sub : Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments regarding extension of moratorium upto 31st March, 2012 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The Ministry has received the Report of Western Ghat Ecology Expert Panel and it is under consideration.

Keeping in view the above and in continuation to the OM of 24th January, 2012 the moratorium is extended for consideration of projects from Sindhudurg and Ratnagiri districts, Maharashtra upto 30th June, 2012.

This issues with the approval of the Competent Authority.


(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(EAF)/PPS to SS(JMM)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of EA Division/ Guard/ Etc

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex, Lodi Road,
New Delhi-110003

Dated: 19th April, 2012

OFFICE MEMORANDUM

Subject : Consideration of Projects of Thermal Power, Steel Sector, etc. for Environmental Clearance with sourcing of Coal from dedicated Coal Blocks / Coal India Ltd. – Regarding

This is in continuation to this Ministry's earlier circular of even number dated 1st November, 2010 on the above mentioned subject regarding proposals relating to thermal power and other projects, which are largely dependent on availability of coal as a raw material. It was stipulated that such projects shall be considered only after firm coal linkage is available. Further, it was also required that the status of environment and forestry clearance of the coal source, i.e. the linked coal mine / coal block will be intimated for consideration of such proposals. In case of projects based on imported coal, a copy of the firm MOU signed between the coal supplier and the project proponent would be required.

2. The issue of firm coal linkage as a pre-requisite for consideration of projects for environment clearance has been further considered in order to bring in greater clarity and to elaborate the procedure for submission and processing of proposals for environment clearance.

3. It is essential to have detailed information regarding quality of coal to assess the environmental impacts of a thermal power project. The various important parameters of coal quality, inter alia, include (i) calorific value; (ii) sulphur content and (iii) ash content. The calorific value of coal would determine the quantity of coal requirement per unit of power generation, ash content would determine the land requirement for the ash pond as also the water consumption for its disposal in slurry mode and sulphur content would impact on the SO₂ emissions which, in turn, would affect the air quality.

4. Accordingly, quality of coal to be used in the project is taken into consideration while preparing the environment impact assessment (EIA) report and carrying out the environmental appraisal.

5. It is, therefore, essential to provide firm coal linkage for consideration of proposals for environment clearance of thermal power projects and other projects which are largely dependent on coal as a raw material. It is clarified that the coal linkage could either be in the form of a linkage through a specific mine or a basket of mines or through dedicated coal block, in the form of linkage accorded by Standing Linkage Committee of the Ministry of Coal or a fuel supply agreement. The

-2-

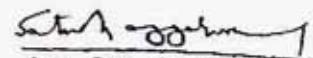
linkage/FSA must provide the details of the coal quality parameters, specifically (i) calorific value; (ii) sulphur content and (iii) ash content and such other parameters as may be prescribed by MoEF from time to time. Further, it would be necessary to indicate the location of mine as this would determine the necessity of using beneficiated washed coal.

6. In the eventuality of change in coal parameters with respect to the parameters based on which EIA was prepared, it would be necessary that the project is referred back to MoEF to revisit the environment clearance granted earlier so as to assess the adequacy of the conditions already stipulated and to incorporate any additional condition as may be necessary in the interest of environment protection including provision of FGD for control of SO_x emissions.

7. As regards the issue relating to the status of EC/FC for the linked coal mine, it is clarified that the case for environment clearance of Thermal Power Projects would be processed based on the status furnished by the proponent in line with the parallel processing being adopted for granting environment clearances of projects where forestry clearance is also required, i.e. having convergence at the last step. However, EC would be issued only after stage-I forestry clearance for linked mine has been issued.

8. The above procedure comes into force with immediate effect.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

All officers of IA Division

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary(E&F)
- (iii) PPS to SS(JMM)
- (iv) PPS to JS(RG)
- (v) All SEIAAs/SEACs
- (vi) Website of MoEF
- (vii) Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 18th May, 2012

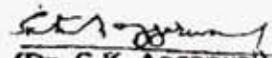
Office Memorandum

Sub: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forestland – procedure to be followed – Further Clarifications - Regarding.

In continuation to this Ministry's Office Memorandum of even no. dated 9th September, 2011 regarding the above mentioned subject, the matter has been further considered and examined in the Ministry. Accordingly, para 3(iii) of the above referred O.M. is substituted by the following:

"(iii) In the eventuality that the stage-I forestry clearance is not submitted by the project proponent within the prescribed time limit mentioned at para (ii) above, as and when the stage-I forestry clearance is submitted thereafter, such projects would be referred to EAC for having a relook on the proposal on case by case basis depending on the environmental merits of the project and the site. In such a situation the EAC may either reiterate its earlier recommendations or decide on the need for its reappraisal, as the case may be. In the eventuality, a reappraisal is asked for, the Committee will simultaneously decide on the requirement of documents / information for reappraisal as also the need for a fresh public hearing."

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MoEF
2. PPS to Secretary (E&F)
3. PPS to JS(RG)
4. Website, MoEF
5. Guard File

No. L-11011/47/2011-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 18th May, 2012

OFFICE MEMORANDUM

Sub: Order of Hon'ble Supreme Court dated 27.2.2012 in I.A. no. 12-13 of 2011 in SLP (C) no. 19628-19629 of 2009 in the matter of Deepak Kumar etc. Vs State of Haryana and Ors. – Implementation thereof - Regarding.

Reference is invited to the above mentioned order of the Hon'ble Supreme Court directing inter-alia as under:

"We in the meanwhile, order that leases of minor mineral including their renewal for an area of less than 5 ha be granted by the States / UTs only after getting environmental clearance from the MoEF."

2. The Environment Impact Assessment (EIA) Notification, 2006, as amended, requires mining projects (new projects, expansion or modernization of existing projects as also at the stage of renewal of mine lease) with lease area of 5 ha and above, irrespective of the mineral (major or minor) to obtain prior environment clearance under the provisions thereof. Mining projects with lease area of 5 ha and above and less than 50 ha are categorized as category 'B' whereas projects with lease area of 50 ha and above are categorized as category 'A'. The category 'A' projects are considered at the central level in the Ministry of Environment & Forests while category 'B' projects are considered by the respective State/UT Level Environment Impact Assessment Authority, notified by MoEF under the EIA Notification, 2006.

3. In order to ensure compliance of the above referred order of the Hon'ble Supreme Court dated 27.2.2012, it has now been decided that all mining projects of minor minerals including their renewal, irrespective of the size of the lease would henceforth require prior environment clearance. Mining projects with lease area up to less than 50 ha including projects of minor mineral with lease area less than 5 ha would be treated as category 'B' as defined in the EIA Notification, 2006 and will be considered by the respective SEIAAs notified by MoEF and following the procedure prescribed under EIA Notification, 2006.

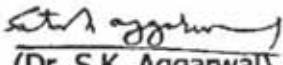
4. Further, the Hon'ble Supreme Court in its order dated 16.4.2012 in the above mentioned matter and the linked applications has observed as under:

"All the same, liberty is granted to the applicants before us to approach the Ministry of Environment and Forests for permission to carry on mining below five hectares and in the event of which Ministry will dispose of all the applications within ten days from the date of receipt of the applications in accordance with law."

-2-

Accordingly, the respective SEIAAs in dealing with the applications of the applicants referred to in the above mentioned order shall ensure that the directions of the Hon'ble Supreme Court are effectively complied with and the applications of such applicants are disposed of within the time limit prescribed by the Hon'ble Court in accordance with law.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. The Secretary, Ministry of Mines, Shastri Bhawan, New Delhi.
2. The Chief Secretaries of all the States / UTs
3. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
4. Chairman, CPCB
5. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to JS(RG)
4. All the Officers of IA Division
5. Website, MoEF
6. Guard File

F. No.2-30/2012-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi -110 003
Dated: 18th Dec, 2012

Office Memorandum

Sub: Rationalization of procedure for Environmental Clearance for Highway Projects involving borrow areas for soil and earth-Reg.

NHAI/other agencies/concessionaires executing Highway projects procure soil/earth from the borrow areas of the local farmers along the alignment of such projects. It has been felt that instead of processing Environmental Clearance (EC) for individual borrow areas, it would be more practical and workable, if the project proponent applying for EC for Highway project also combines the issues of borrow mining of soil/earth in the Environment Impact Assessment (EIA) and Environment Management Plan (EMP) report of the project.

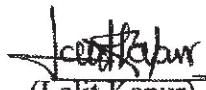
2. It has been accordingly decided to streamline the procedures relating to grant of Environmental Clearance to the highway projects involving borrow areas for soil/earth under the provisions of the EIA Notification, 2006 and put the following framework in place:-

- (i) Separate environment clearances for mining of soil/earth from borrow areas, which are part of a highway project, are not required.
- (ii) The construction/widening of highways along with the mining of soil/earth from borrow areas to be considered as a single project for appraisal under EIA Notification, 2006. The NHAI/other agencies implementing the Highway projects while submitting the proposal for Terms of Reference (ToR) / EC will submit the following additional details. While appraising such projects, the Expert Appraisal Committee (EAC) for Infrastructure may also invite appropriate Member(s) from the EAC for Non-coal Mining.
 - a. **At the stage of submitting the proposal for ToRs**
 1. Details of borrow areas along with the coordinates and quantity to be extracted should be mentioned in Form-I.
 2. Pre-feasibility report on the mining of soil/earth providing details of location, physical features such as land use, water bodies etc. should also be provided along with.
 3. Likely impact on environment due to proposed mining of soil/earth for the project.
 - b. **At the stage of submitting the proposal for EC**

-2-

3. It is clarified that:-

- i) The aforesaid framework will be limited only for Highway projects involving mining of soil/earth from the borrow areas for use in such projects.
- ii) All conditionalities as mentioned above are to be met by the proponent i.e NHAI/other agencies implementing the Highway projects.


(Lalit Kapur)
Director (IA-III)

To

- i) All the Officers of IA Division
- ii) Chairpersons / Member Secretaries of all the SEIAAs/ SEACs
- iii) Chairman CPCB
- iv) Chairpersons /Member Secretaries of all SPCBs / UTPCCs

Copy to: -

- i) PS to MEF
- ii) PPS to Secretary (E&F)
- iii) PS to JS (AT)
- iv) PS to Adviser (BS)
- v) Website MoEF.

No. J-11015/30/2004.IA.II(M)
Government of India
Ministry of Environment & Forests

Dated, New Delhi, the December 19, 2012

OFFICE MEMORANDUM

Sub: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion of up to 25% in the existing operation -reg.

The OM of even number dated 15th April, 2010 contains the guidelines for granting Environment Clearance (EC) for expansion of coal mining sector projects.

2. Now, it has been decided that in respect of existing coal mining projects which apply for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area, the guidelines stated in this OM will be applicable in supersession of the guidelines of 15th April, 2010.

3. Expansion projects for Coal Sector mining fall in two categories-(i) projects that have obtained an EC under the EIA Notification 1994 and (ii) projects that have obtained EC under the EIA Notification, 2006. The EAC may consider exempting Public Hearing for the capacity expansion proposals of existing coal mining projects, which have obtained EC under any one of these Notifications, which are for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area, under clause 7(ii) of the EIA Notification 2006 subject to the following conditions:-

- (i) Such an exemption would be considered for those expansion projects which have obtained prior EC and have undergone Public Hearing during the process of obtaining EC.
- (ii) The proposal is for one time capacity expansion of up to 25% in the existing coal mining operation.
- (iii) There is no additional mine lease area involved.
- (iv) There is no change in mining method (underground to opencast).
- (v) Application for the expansion project shall include a certified report of the Regional Office of the MoEF on the issues of compliance of EC conditions stipulated for the existing project for which EC for the expansion is being sought and necessary action taken there upon by the EAC, in terms of the MoEF Circular No. J-11011/618/2010-IA.II (1) dated 30.5.2012.
- (vi) Details of the court cases, if any, pending in any Court of Law against the project as well as directions passed by any Court relating to the project shall be furnished by the proponent directly to the Environment Appraisal Committee (EAC). The EAC will deliberate upon the same and the gist of the discussion will be reflected in the minutes of the EAC meeting.
- (vii) Details of notices, if any, issued to the project under Section 5 of the Environment (Protection) Act, 1986 will be reported by the proponent directly to the EAC. The EAC will deliberate upon the same and the gist of the discussion will be reflected in the minutes of the EAC meeting.

...contd.2/-

-2-

- (viii) If the project falls in a Critically Polluted Area (CPA) wherein the moratorium has been lifted, the EAC shall examine the measures required to be implemented by the project proponent under the Environment Action Plan prepared by the State Pollution Control Board concerned and status of their implementation. In such cases, the EAC shall also examine the monitoring data furnished by the project proponent of the environmental quality of the study area/CPA in which the project falls and after due diligence, decide if any additional mitigative measures are required for the expansion.
- (ix) 25% expansion in production capacity is subject to a ceiling of 2 MTPA of additional production where the transportation of the additional production is proposed by road and of 5 MTPA of additional production if such transportation is proposed by means of a conveyor and/or rail transport.

This issues with the approval of the Competent Authority



(Dr. Manoranjan Bota)
Director

To

- 1 PS to MEF
- 2 PPS to Secretary (E&F)
- 3 PPS to JS(AT)
- 4 All Officers of IA Division
- 5 PMO
- 6 Ministry of Coal

F. No. J-11013/41/2006-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
Tele/fax: 011 – 2436 3973
Dated: 5th February, 2013

OFFICE MEMORANDUM

Sub: Consideration of Projects of Thermal Power, Steel Sector for Environmental Clearance with sourcing of Coal from dedicated Coal Blocks/Coal India - Further Clarification – regarding

In continuation to this Ministry's Office Memorandum of even number dated 19.04.2012 on the above mentioned subject, the matter regarding coal linkage has been further considered and examined in the Ministry.

2. In case of Thermal Power projects, which are dependent on domestic coal supply from the basket of mines of CIL/SCCL with valid EC/FC, proposals for environmental clearance would be considered, if the information on the coal quality parameters i.e. (i) calorific value (ii) sulphur content and (iii) ash content in respect of the mines in the basket, is provided in the EIA/EMP report.

3. The proposals for environmental clearance of imported coal based ultra mega thermal power projects would be considered taking into consideration the following quality parameters of imported coal, namely gross calorific value (Kcal/Kg) (5000 minimum); ash content (12% maximum) & sulphur content (0.8% maximum). The validity of environmental clearance granted is subject to compliance with the coal quality parameters indicated above. Further, it would be necessary to provide details in the EIA/EMP report regarding the port for the import of coal, its capacity for coal handling, transportation of coal from port to the thermal power plant by road or rail and railway rolling stock availability etc. If it is proposed to establish port, jetty or any other coal handling facility, as also construction of road/laying of railway line, etc., the same need to be covered under the EIA/EMP report of thermal power plant.

This issues with the approval of the Competent Authority.

P. L. Ahujarai
(Dr. P. L. Ahujarai)
Adviser

To All Officers of IA Division

Copy to :

1. All SEIAAs/SEACs
2. PPS to MEF
3. PPS to Secretary
4. PPS to JS(AT)
5. Website of MoEF
6. Guard File

File No. J-11013/37/2011-IA.II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
Dated 25th February, 2013

OFFICE MEMORANDUM

Sub: Consideration of projects regarding Calcined Petroleum Coke units for environmental clearance under EIA Notification, 2006-Clarification regarding.

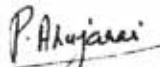
It is observed that under the EIA Notification 2006, Calcined Petroleum Coke Units are being considered under two different activities i.e. 5 (e) i.e. Petrochemical based Processing and 4 (b) i.e. Coke Oven Plants by the various States and this Ministry.

2.0 In order to avoid ambiguity and to maintain uniformity, the matter was referred to the Expert Appraisal Committee (Industry) for clarification. The Committee has recommended that Calcined Petroleum Coke Unit should be covered under schedule 4 (b) i.e. coke oven plant of the EIA Notification, 2006 because of the following reasons:

- a. Petroleum coke is a product of petroleum and not a petrochemical.
- b. Coke is a pure Carbon (98%) but not a chemical. In coke calcination, volatile and moisture are taken out from the petroleum coke.
- c. Process regarding the manufacture of Calcined Petroleum Coke as is more similar to Coke Oven Plants than manufacturing of Petrochemicals. No cracking is involved in the process.

3.0 This Ministry on the basis of recommendation of the EAC has decided to consider Calcined Petroleum Coke Units under 4 (b) (i.e. Coke Oven Plant) of the EIA Notification, 2006

4.0 This issues with the approval of the Competent Authority.


(Dr. P L Ahujarai)
Adviser

Copy to :

1. PPS to MEF
2. PPS to Secretary (E&F)
3. PS to JS (IA Div.)
4. All Officers of IA Div.
5. MS to SEIAA/SEAC
6. All State Pollution Control Boards
7. Website

**F. No.2-30/2012-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)**

**Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi -110 003.**

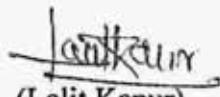
Dated: 19th March, 2013

Office Memorandum

Sub: Amendment in OM regarding Rationalization of procedure for Environmental Clearance for Highway Projects involving borrow areas for soil and earth-Reg.

The following amendment is made in this Ministry's OM dated 18th December, 2012 on the aforementioned subject:-

- i) Broad coordinates of the areas from which borrow area may be selected should be provided by the project proponent in the final EIA report at the stage of submitting the proposal for EC instead of at the TOR stage.
- ii) Likely impacts on environment due to the proposed mining of soil/earth should be addressed in the final EIA report at the stage of submitting the proposal for EC instead of at the TOR stage.


(Lalit Kapur)
Director (IA-III)

To

- i) All the Officers of IA Division
- ii) Chairpersons / Member Secretaries of all the SEIAAs/ SEACs
- iii) Chairman CPCB
- iv) Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to: -

- i) PS to MEF
- ii) PPS to Secretary (E&F)
- iii) PS to JS (AT)
- iv) PS to ADVISER(BS)
- v) Chairman & Members of EAC for CRZ & Infrastructure
- vi) Website MoEF.

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No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated: March 28, 2013

OFFICE MEMORANDUM

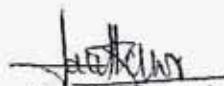
Sub: Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments regarding extension of moratorium upto 31st March, 2013 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The Ministry has received the Report of Western Ghat Ecology Expert Panel. The Ministry has since constituted a High Level Working Group under the Chairmanship of Dr.K.Kasturirangan, Member, Planning Commission, vide office order dated 17.8.2012 to *inter alia* examine the Western Ghats Ecology Expert Panel Report in a holistic and multidisciplinary fashion keeping in view the comments received from the concerned State Governments/Central Ministries/Stakeholders. This working Group is yet to submit its recommendations to the Ministry.

Keeping in view the above and in continuation of the OM of 31st December, 2012, the moratorium for consideration of projects from Sindhudurg and Ratnagiri districts, Maharashtra is further extended upto 30th April, 2013.

This issues with the approval of the Competent Authority.


(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(EAF)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated: April 30, 2013

OFFICE MEMORANDUM

Sub: Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments including amendment issued on 28th March 2013 extension of moratorium upto 30th April, 2013 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The Ministry had constituted a High Level Working Group under the Chairmanship of Dr. K. Kasturirangan, Member, Planning Commission, vide office order dated 17.8.2012 to *inter alia* examine the Western Ghats Ecology Expert Panel Report in a holistic and multidisciplinary fashion keeping in view the comments received from the concerned State Governments/Central Ministries/Stakeholders. The working Group has since submitted its report to the Ministry which is under examination.

Keeping in view the above and in continuation of the OM of 28th March, 2013, the moratorium for consideration of projects from Sindhudurg and Ratnagiri districts, Maharashtra is further extended upto 31st July, 2013.

This issues with the approval of the Competent Authority.



(Lant Kapur)
Director(IA-III)

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(EAF)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

No. 21-270/2008- IA.III
Ministry of Environment & Forests
Government of India
(IA. II I Division)

Paryavaran Bhavan
CGO. Complex, Lodi Road
New Delhi - 110 003
Dated: May 4, 2013

OFFICE MEMORANDUM

Subject: OM on High Rise Buildings dated 7th Feb, 2012

This Ministry had issued guidelines for high rise buildings vide OM of even number dated 7.2.2012 thereby linking the height of the buildings with the width of the roads on which the proposed buildings are to be located, and also the distance of Fire Stations from the buildings so that in case of emergency, the Fire Tender may reach the spot in the shortest possible time.

2. Subsequently, vide OM of even number dated 11.12.2012, this Ministry had constituted a Committee under the chairmanship of Dr. K. Kasturirangan, Member, Planning Commission to review the provisions of the EIA Notification, 2006 relating to buildings, roads and SEZ projects and aforesaid OM dated 07.02.2012 regarding guidelines for high-rise buildings. This Committee has since submitted its report which is under examination. In the meanwhile, it is clarified that pending decision on the report of the committee, the provisions of the aforesaid OM of even number dated 07.02.2012 will continue to apply.

3. This issues with the approval of the competent authority.


(Lalit Kapur)
Director (IA-III)

1. All the Officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons/Member Secretaries of all the SPCBs/UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS (MM)
4. PPS to JS(AT)
5. Website of the MOEF
6. Guard File

No.21 -270/2008-IA.III
Government of India
Ministry of Environment & Forests

Dated: June 19, 2013

OFFICE MEMORANDUM

Subject: Environment Clearance for buildings and real estate projects.

Ministry of Environment & Forests vide OM dated 11.12.2012, had constituted a Committee under the Chairmanship of Dr. K. Kasturirangan, Member, Planning Commission to review the provisions of the Environment Impact Assessment Notification (EIA), 2006, relating to granting environment clearances for roads, buildings, SEZ projects and the provisions under the OM dated 7.2.2012 related to high-rise buildings. The Committee has since submitted its report to the Ministry.

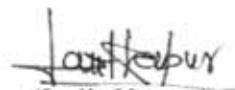
2. One of the terms of reference (ToR) of the aforesaid Committee was to review the requirement of environment clearance for buildings and real estate projects to avoid duplication considering that such projects will be covered by the local civic authorities and under the provisions of the relevant master plan, building control regulations and safety regulations. The recommendation of the Committee on this ToR has been accepted and the following has been decided:

- i. Timelines stipulated in the EIA Notification, 2006 shall be strictly adhered to by SEIAA and SEAC while processing the proposals for TOR/EC for the building and construction projects and township and area development projects. SEAC will make appropriate recommendations within sixty days of the receipt of the complete proposal from the project proponents. SEIAA shall consider the recommendations of the SEAC and convey its decision to the applicant within forty five days of the receipt of the recommendations. MoEF will regularly review the progress in disposal of cases by SEIAAs with the view to ensuring meeting of these timelines.
- ii. With the view to avoiding delay in processing of proposals, project proponents should provide complete information at the first instance only while submitting documents for TOR/EC so that the processing of proposals is not held up in the absence of requisite details. Incomplete proposals not tallying with the check -list should not be accepted by the SEIAA/SEAC.
- iii. In order to meet the stipulated timelines, to avoid duplication of work, and to speed-up the process of scrutiny, SEIAA/SEAC may only focus on the following thrust areas of environmental sustainability while appraising the 'Building and Construction' and 'Township and Area Development' projects.
 - a. **Brief Description of the Project** in terms of location and surroundings.
 - b. **Environmental Impacts on Project Land** and its surrounding developments and vice-versa.

- c. **Water Balance Chart** with a view to promote waste water treatment, recycle, reuse and water conservation.
- d. **Waste Water Treatment** and its details including target standards.
- e. Alterations in the natural slope and **drainage pattern** and their environmental impacts on the surroundings.
- f. **Ground water** potential of the site and likely impacts of the project.
- g. **Solid Waste Management** during construction and post construction phases.
- h. **Air Quality and Noise Levels;** likely impacts of the project during construction and operational phases.
- i. **Energy** requirements with a view to minimize power consumption and promote use of renewal energy sources.
- j. **Traffic Circulation System and connectivity** with a view to ensure adequate parking, conflict free movements, Energy efficient Public Transport.
- k. **Green Belt/Green cover** and the Landscape Plan.
- l. **Disaster/Risk Assessment and Management Plan.**
- m. **Socio Economic Impacts** of the project and CSR.
- n. **EMP** during construction and operational phases.
- o. **Any other** related parameter of the project which may have any other specific impact on environmental sustainability and ecology.

The SEIAA/SEAC need not focus on the other issues which are normally looked after by the concerned local bodies/ State Government Departments/SPCBs.

- iv. In case of a large pendency in a State and in case the concerned State Government feels that there is a need for another SEAC, the State Government may accordingly send the proposal to MoEF for setting up/ notifying another SEAC and MOEF may consider the same.
3. Necessary action in the matter may be taken by the State Governments, SEIAAs and SEACs.
4. This issues with the approval of the Competent Authority.


(Lalit Kapur)
Director
Telefax: 24368592

To

- 1. All the Officers of IA Division
- 2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
- 3. Chairman, CPCB
- 4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

- 1. PStoMEF
- 2. PPS to Secretary (E&F)
- 3. PPS to JS(AT)
- 4. Website of the MoEF
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No. L-11011/47/2011-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi-110003.

Dated: 24th June, 2013

OFFICE MEMORANDUM

Subject: **Guidelines for consideration of proposals for grant of environmental clearance under EIA Notification, 2006 for mining of 'brick earth' and 'ordinary earth' having lease area less than 5 ha – regarding categorization as Category 'B2'**

The Hon'ble Supreme Court, vide its order dated 27.02.2012 in I.A.No.12-13 of 2011 in SLP (C) No.19628-19629 of 2009 titled Deepak Kumar etc. Vs. State of Haryana & Ors. has inter alia ordered that leases of minor mineral including their renewal for an area less than 5 ha be granted by the State / Union Territory only after getting environment clearance (EC) from the Ministry of Environment & Forests (MoEF). In order to ensure compliance of the aforesaid order of the Hon'ble Supreme Court, MoEF issued an OM No.L-11011/47/2011-IA.II(M) dated 18.05.2012 stating inter alia that all mining projects of minor minerals including their renewal, irrespective of the size of the lease would henceforth require prior EC and that the projects of minor minerals with lease area less than 5 ha would be treated as Category "B" as defined in EIA Notification, 2006 and will be considered by the respective State Environment Impact Assessment Authorities (SEIAAs) notified by MoEF and following the procedure prescribed under the EIA Notification, 2006.

2. MoEF has received a number of representations conveying problems being faced by the brick kiln manufacturers in obtaining EC for 'brick earth' mined by them for making bricks and by the developers of road projects in respect of mining of 'ordinary earth' used for road construction. The brick kiln manufacturers have requested that as the digging of 'brick earth' for making bricks is a small scale activity requiring digging only upto a certain depth, the activity may be kept outside the purview of EC. The project proponents developing roads have represented that the 'ordinary earth' required for road construction is generally taken from the farmers / individuals along the road alignment from their borrow. It would be impractical to ask the farmers / individuals to obtain EC for such digging. In a nutshell, the arguments being put forth are that while digging of 'brick earth' for brick making and 'ordinary earth' for road making do not have serious environmental implications, the provisioning for EC for such operations is impeding these development activities because of practical problems in obtaining EC.

3. MoEF vide OM No.F.No.J-11013/12/2013-IA-II(I) dated 30.01.13 has constituted an Expert Committee, under the Chairmanship of Director, NEERI, Nagpur, to categorize Category "B" projects / activities into Category "B1" and "B2" under EIA Notification, 2006 and review classification of projects / activities into "A" and "B" and General conditions as contained in the aforesaid Notification. The issues raised by brick kiln manufacturers regarding 'brick earth' and road developers in respect of 'ordinary earth' were referred by MoEF to this Expert Committee to give their recommendations. The Committee deliberated upon these issues and has since given its recommendations in the matter.

4. The recommendations of the Committee have been examined by MoEF and the following has been decided:

(a) The activities of borrowing / excavation of 'brick earth' and 'ordinary earth', upto an area less than 5 ha, may be categorized under 'B2' Category subject to the following guidelines in terms of the provisions under '7.1 Stage(1)-Screening' of EIA Notification, 2006:

- (i) The activity associated with borrowing/excavation of 'brick earth' and 'ordinary earth' for purpose of brick manufacturing, construction of roads, embankments etc. shall not involve blasting.
- (ii) The borrowing/excavation activity shall be restricted to a maximum depth of 2 m below general ground level at the site.
- (iii) The borrowing/excavation activity shall be restricted to 2 m above the ground water table at the site.
- (iv) The borrowing/excavation activity shall not alter the natural drainage pattern of the area.
- (v) The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s).
- (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- (vii) Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
- (viii) Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- (ix) Workers / labourers shall be provided with facilities for drinking water and sanitation.
- (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.

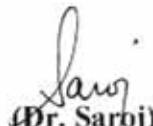
(xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of any excavation area.

(xii) The concerned SEIAA while considering granting environmental clearance for such activity for brick earth / ordinary earth will prescribe the guidelines as stated at (i) to (xi) above and specify that the clearance so granted shall be liable to be cancelled in case of any violation of above guidelines.

(b) Notwithstanding what has been stated at (a) above, the following will apply:-

- (i) No borrowing of earth / excavation of 'brick earth' or 'ordinary earth' shall be permitted in case the area of borrowing/ excavation is within 1 km of boundary of national parks and wild life sanctuaries.
- (ii) In case the area of borrowing / excavation is likely to result into a cluster situation i.e. if the periphery of one borrow area is less than 500 m from the periphery of another borrow area and the total borrow area equals or exceeds 5 ha, the activity shall become Category 'B1' Project under the EIA Notification, 2006. In such a case, mining operations in any of the borrow areas in the cluster will be allowed only if the environmental clearance has been obtained in respect of the cluster.

This issues with the approval of the Competent Authority.



Dr. Saroj

Director

Telefax : 24364067

To

1. All the Officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all the SPCBs/UTPCCs

Copy to:-

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2. PPS to Secretary(E&F)
3. PPS to ADG(F)
4. PPS to ADG(WL)
5. PPS to JS(AT)
6. PPS to IG(FC)
7. Website, MoEF
6. Guard File

No.Z-11012/32/2013-IA.II(M)
Ministry of Environment & Forests
Government of India

Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi – 110003
Dated: 1st July 2013

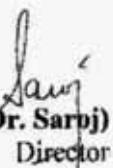
OFFICE MEMORANDUM

Sub: Integrated Steel Plants and Sponge Iron Plants, which are linked to Iron ore as raw material from mining operations in the Districts of Bellary, Tumkur and Chitradurga in Karnataka -regarding

The Hon'ble Supreme Court, vide its order dated 29.7.2011 and 26.8.2011 in W.P. (C) No.562 of 2009 had banned iron ore mining operations in the districts of Bellary, Tumkur and Chitradurga in the State of Karnataka. Consequently, this Ministry vide OM No.J-11013/41/2006-IA.II(I) dated 5th October, 2011 had decided that the Ministry / SEIAAs will not consider any proposal relating to Environment Clearance (EC) to integrated steel plants / sponge iron plants, which are linked to iron ore as a raw material to be obtained from these three districts till the Hon'ble Supreme Court lifts the ban on mining in these districts.

2. Now, since the Hon'ble Supreme Court vide order dated 18.04.2013 in the aforesaid writ petition has allowed resumption of mining operations in aforesaid three districts in all Category 'A' mines and 63 Category 'B' mines subject to certain conditions, it is hereby decided to lift the moratorium for consideration of proposals for EC for integrated steel plants / sponge iron plants, as imposed earlier vide OM of 5th October, 2011. However, while considering such proposals, the EAC / SEACs will look into and satisfy themselves about availability of requisite iron ore, transportation requirements and other parameters of Environment law and rules for such projects.

3. This issues with the approval of the competent authority.


(Dr. Saroj)
Director

To

1. All the Officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS (HKP) & PPS to AS(SS)
4. PPS to JS(AT)
5. Website of the MoEF
6. Guard File

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated: July 31, 2013

OFFICE MEMORANDUM

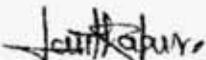
Sub: Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

This has reference to the Ministry's Office Memorandum of even No. dated 16th August, 2010 and its subsequent amendments including OM issued on 30th April 2013 regarding extension of moratorium upto 31st July, 2013 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

The Ministry had constituted a High Level Working Group under the Chairmanship of Dr.K.Kasturirangan, Member, Planning Commission, vide office order dated 17.8.2012 to *inter alia* examine the Western Ghats Ecology Expert Panel Report in a holistic and multidisciplinary manner keeping in view the comments received from the concerned State Governments/Central Ministries/Stakeholders. The working Group has since submitted its report to the Ministry and the same is under consideration.

Keeping in view the above and in continuation of the OM of 30th April, 2013, the moratorium for consideration of projects from Sindhudurg and Ratnagiri districts, Maharashtra is further extended upto 31st August, 2013.

This issues with the approval of the Competent Authority.


(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(EAF)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

No. J.21011/58/2010-IA-1

Government of India

Ministry of Environment and Forests

Paryavaran Bhawan

CGO Complex, Lodi Road

New Delhi - 110 003

Dated: September 30, 2013

OFFICE MEMORANDUM

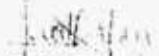
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The Ministry had constituted a High Level Working Group under the Chairmanship of Dr.K.Kasturirangan, Member, Planning Commission, vide office order dated 17.8.2012 to *inter alia* examine the Western Ghats Ecology Expert Panel Report in a holistic and multidisciplinary manner keeping in view the comments received from the concerned State Governments/Central Ministries/Stakeholders. The working Group has since submitted its report to the Ministry and the same is under consideration.

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This issues with the approval of the Competent Authority.


(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to :

PS to MEF/PPS to Secretary(EAF/MoEF) Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated: 17th October 2013

OFFICE MEMORANDUM

Sub: Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

1. This has reference to the Ministry's Office Memorandum of even no. dated 16th August, 2010 and its subsequent amendments including OM issued on 26th September 2013 regarding extension of moratorium upto 31st October, 2013 on consideration of projects from the districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA).

2. The Ministry of Environment and Forests had appointed a High Level Working Group (HLWG) under the Chairmanship of Dr. K. Kasturirangan, Member (Science), Planning Commission vide office order dated 17.8.2012 in order to study and make recommendations on how to protect, preserve and nurture the rich biodiversity and environmental integrity of the Western Ghats and suggest steps and the way forward to prevent further degradation of the fragile ecology of the Western Ghats. The HLWG was also tasked with the mandate to take a holistic view of the issue and to bring synergy between protection of environment and biodiversity and the imperatives of equity for the indigenous residents of the Western Ghats area, particularly disadvantaged sections of society, so that their rightful aspirations for inclusive growth and sustainable development are also protected and addressed.

3. The HLWG submitted its report to the MoEF on 15th April 2013 and it was thereafter put in public domain by hosting on the MoEF website, and also disseminated to all stakeholders including the 6 Western Ghat States for feedback and comments. All Stakeholders were also invited to offer their views. Thereafter, on completion of a transparent process, MoEF has accepted in principle the HLWG report and the definition of Western Ghats as demarcated by HLWG.

4. The High Level Working Group has noted that a substantial portion of the Sindhudurg and Ratnagiri Districts where moratorium has been imposed falls outside the definition of Western Ghats as identified by HLWG. The High Level Working Group has recommended the lifting of moratorium in Ratnagiri and Sindhudurg Districts subject to certain stipulations.

Contd. p 2

The relevant extract of the HLWG report is quoted below

"Sindhudurg and Ratnagiri districts have three categories of areas: (i) area under ESA, (ii) area under non ESA within Western Ghats and (iii) area outside Western Ghats region. HLWG recommends that the moratorium imposed should be lifted with the following conditions. As per the recommendations of this report, in the area of these two districts, which has been categorized as ESA, the sectoral restrictions and regulations will apply. In addition, all development projects located within 10 km of the Western Ghats ESA and requiring Environment Clearance (EC) shall be regulated as per the provisions of the EIA Notification, 2006. In the remaining area, including the area outside ESA but within Western Ghats, environment and forest processes and regulations will continue to apply. However, in order to ensure that such development projects do not adversely impact the environmental balance of the two districts, MoEF should monitor on regular basis the cumulative impact of projects, which may come up in these districts and take policy decisions at appropriate time based on such findings."

ESA: Ecologically Sensitive Area

5. Further, there is also an ongoing Public Interest Litigation (PIL No. 179 of 2012) pending in the High Court of Bombay in the matter of Awaaz Foundation Vs Union of India & Ors relating to declaration of Sawantwadi-Dodamarg Corridor as an Ecologically Sensitive Area. Both Sawantwadi and Dodamarg Talukas are part of Sindhudurg District. The Sawantwadi Taluka falls inside the Western Ghats as defined by HLWG while the Dodamarg Taluka falls outside Western Ghats. The Hon'ble Court has linked the current moratorium with the present case to prevent any degradation of Ecology of the Sawantwadi Dodamarg area.

6. The Ministry has examined the recommendation given by the High Level Working Group on the moratorium for consideration of projects from the Districts of Ratnagiri and Sindhudurg, Maharashtra under the EIA Notification, 2006 by this Ministry or by the Maharashtra State Environment Impact Assessment Authority (SEIAA) as also the implications of the ongoing PIL in the Hon'ble Bombay High Court.

7. Keeping in view that the process for declaration of Ecologically Sensitive Area in Western Ghats as recommended by HLWG may take some time as also the ongoing Public Interest Litigation in the High Court of Bombay, the Ministry has presently decided to lift the moratorium in non-Western Ghats area of Ratnagiri and Sindhudurg districts only except for Dodamarg Taluka. This would help in maintaining the ecology of the Western Ghats areas as also the Sawantwadi-Dodamarg Corridor.

8. Accordingly, the Moratorium would be lifted from all the Talukas in Ratnagiri and Sindhudurg District of Maharashtra except for the following talukas:

S.No. District Ratnagiri

- 1 Khed
- 2 Chiplun
- 3 Sangameshwar
- 4 Lanja
- 5 Rajapur

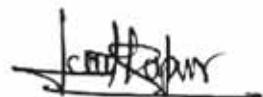
Contd. p 3

S.No. District Sindhudurg

- 1 Kankavli
- 2 Sawantwadi
- 3 Dodamarg
- 4 Deogad
- 5 Vaibhavwadi
- 6 Kudal

The Moratorium in the above mentioned Talukas would continue till further orders.

This issues with the approval of Competent Authority.



(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to:

PS to MEF/PPS to Secretary (E & F)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

No. J-13012/12/2013-IA-II (I)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Dated 24th December, 2013

OFFICE MEMORANDUM

Subject: Guidelines for consideration of proposals for grant of environmental clearance Environmental Impact Assessment (EIA) Notification, 2006 and its amendments – regarding categorization of Category 'B' projects/activities into Category 'B1' & 'B2'.

The EIA Notification, 2006 mandates prior Environmental Clearance (EC) for new projects or activities including expansion, or modernization of existing projects listed in its Schedule. The Category 'A' projects shall obtain EC from the Central Government and Category 'B' projects from the concerned State Level Environment Impact Assessment Authority (SEIAA)/Union Territory Environment Impact Assessment Authority (UTEIAA). The EIA Notification, 2006 prescribes that Category 'B' projects, will be further categorized as category 'B1' and 'B2' (except for Township and Area Development Projects) for which the Ministry of Environment & Forests (MoEF) shall issue appropriate guidelines from time to time - provisions under '7.1 Stage(1)-Screening' of the Notification refer. The projects categorized as B1 will require EIA Report for appraisal and to undergo public consultation process (as applicable). Projects categorized as 'B2' will be appraised based on the application in Form-I accompanied with the Pre-feasibility Report and any other documents.

2. In compliance with such a requirement under the EIA Notification and to examine other issues, the MoEF had constituted vide O.M No. J-11013/12/2013-IA-II(I) dated 30.01.2013, an Expert Committee, under the Chairmanship of Director, NEERI, Nagpur. The Committee has since submitted its report. The recommendations of the Committee have been examined by MOEF and the following has been decided w.r.t. categorization of Category 'B' projects/activities into Category 'B1' & 'B2' listed in the Schedule of EIA Notification, 2006 and its amendments:

I. Mining of Minerals

Mining of minor minerals

As of now, mining projects of minor minerals with less than 50 ha of mining lease area are categorized as Category 'B' as per Notification S.O.2731(E) dated 9th September, 2013. Also vide OM No.L-11011/47/2011-IA.II(M) dated 24.06.2013, guidelines have been issued regarding categorization of mining projects of 'brick earth' and 'ordinary earth' having lease area less than 5 ha as category 'B2' subject to stipulations stated therein.

In the above backdrop, the projects of mining of minor minerals, categorized as Category 'B' are hereby categorized as 'B2' as per the following:

- (i) 'Brick earth' / 'Ordinary earth' mining projects having lease area less than 5 ha will be considered for granting EC as per the aforesaid guidelines issued by MOEF on 24.6.2013.
- (ii) 'Brick earth' / 'Ordinary earth' mining projects with mining lease area \geq 5 ha but $<$ 25 ha and all other minor mineral mining projects with mining lease area $<$ 25 ha, except for river sand mining projects will be appraised as Category 'B2' projects. These projects will be appraised based on following documents:
 - (a) Form -1 as per Appendix-I under EIA Notification, 2006
 - (b) Pre-feasibility report of the project
 - (c) Mining plan approved by the authorized agency of the concerned State Government

Provided, in case the mining lease area is likely to result into a cluster situation, i.e., if the periphery of one lease area is less than 500 m from the periphery of another lease area and the total lease area equals or exceeds 25 ha, the activity shall become Category 'B1' Project under the EIA Notification, 2006. In such a case, mining operations

II. Other projects or activities

The guidelines for categorizing some of the other category of projects or activities into 'B1' or 'B2' out of the category 'B' projects listed in schedule to EIA Notification, 2006, as amended from time to time, are as follows. These projects will be appraised based on Form-1 as per Appendix-I under EIA Notification, 2006, as amended and pre-feasibility report of the project.

S. N. of Schedule	Activities	Category B2	Category B1
1 (d)	Thermal Power Plants	Thermal power plants based on coal/lignite/naphtha and gas of capacity ≤ 5 MW.	Thermal power plants based on coal/lignite/ naphtha and gas of capacity > 5 MW and < 500 MW.
2 (b)	Mineral Beneficiation	The mineral beneficiation activity listed in the Schedule as Category 'B', with throughput $\leq 20,000$ TPA, involving only physical beneficiation.	All other mineral beneficiation activity falling in the Schedule as Category 'B'.
3 (a)	Metallurgical Industries (ferrous & non-ferrous)	All non toxic secondary metallurgical processing industries involving operation of furnaces only, such as induction and electric arc furnaces, submerged arc furnaces, and cupola with capacity $> 30,000$ TPA but $< 60,000$ TPA provided that such projects are located within the notified Industrial Estates.	All other non toxic secondary metallurgical processing industries falling in the Schedule as Category 'B'.
3 (b)	Cement Plants	All stand-alone grinding units listed in the Schedule as Category 'B' subject to the condition that transportation of raw material and finished products shall be primarily* through Railways.	All stand-alone grinding units listed in the Schedule as Category 'B' where the transportation of raw material and finished products is not primarily through Railways.
4 (d)	Chlor Alkali Industry	All Chlor Alkali plants with production capacity < 300 TPD (located within notified industrial area) listed in the Schedule as Category 'B'.	All Chlor Alkali plants with production capacity < 300 TPD (located outside notified industrial area) listed in the Schedule as Category 'B'.
4 (f)	Leather/Skin/Hide Processing Industry	All new or expansion projects of leather production without tanning, located within a notified industrial area/estate, listed in the Schedule as Category 'B'.	All others projects listed in the Schedule as Category 'B'

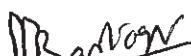
5 (a)	Chemical Fertilizers	Single Super Phosphate (SSP) plants involving only the activity of granulation of SSP powder.	All other Phosphate (SSP) plants listed in the Schedule as Category 'B'.
5 (d)	Manmade Fibres Manufacturing	All manmade fibre manufacturing units producing fibres from granules or chips.	All other manmade fibre manufacturing units listed in the Schedule as Category 'B'
7 (g)	Aerial Ropeways	All Aerial Ropeway projects, listed in the Schedule as Category 'B', should be categorized as Category B2.	

* *transportation by railways should not be less than 90% of the traffic (inward and outward put together)*

3. The guidelines for categorization of Category 'B' projects/activities into Category 'B1' & 'B2' are applicable only to those projects/activities mentioned above. All the other Category 'B' projects/activities listed under the Schedule of EIA Notification, 2006 and its amendments shall be considered as Category 'B1' projects and appraised as per the procedure prescribed in the EIA Notification.

4. The information filled in Form-1 by the project proponent inter-alia relates to land, water and energy requirement, use of hazardous substances, disposal of hazardous waste, emissions from combustion of fossil fuels, emissions from production process, handling and disposal of hazardous waste, etc. In case the concerned SEAC, based on the information provided by the project proponent in Form-1, comes to the conclusion that a project though falling in Category 'B2' as per these guidelines needs to be appraised as 'B1' Category project, it will accordingly be appraised as 'B1' category project notwithstanding the provisions under these guidelines.

This issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi)
Director
Telefax : 24342436

To,

1. All the Officers of I.A Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons/Member Secretaries of all the SPCBs/UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to ADG (F)
4. PPS to ADG (WL)
5. PPS to JS (AT)
6. PPS to IG (FC)
7. Website, MoEF
8. Guard File

No. J-11013/41/2006-IA.II (I)
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003
Dated: 30th December, 2013

OFFICE MEMORANDUM

Subject: Consideration of Environment Clearance (EC) for UMPPs Linked to Captive Coal Blocks.

The matter regarding consideration of Environment Clearance (EC) for UMPPs linked to captive coal blocks has been raised by the Ministry of Power with this Ministry on several occasions and the same has been under the consideration of this Ministry.

2. As regards Forest Clearance for a coal block involving forest land, linked to a UMPP, the Forest Clearance will be required to be obtained as per the provisions under the Forest (Conservation) Act 1980 and rules and guidelines framed there under. MoEF had constituted a Committee in March 2012 under the Chairmanship of the then Secretary, MoEF to formulate parameters for identification of inviolate forest areas. The Committee has since submitted its recommendations which are now in the public domain. Till a final view is taken on these recommendations, MoEF would review the details of such linked coal blocks using the criteria suggested in the report.

3. Based on such a review, if the coal blocks in question do not fall under the category of inviolate areas, MoEF would consider granting environment clearance for UMPP, without linking it with the issue of EC and Stage-I Forestry Clearance of the linked coal block. To that extent, the provisions under Para 7 of the O.M. dated 19.04.2012 on the subject "Consideration of projects of Thermal Power, Steel Sector, etc. for Environmental Clearance with sourcing of Coal from dedicated Coal Blocks / Coal India Ltd. – regarding" stand amended for UMPPs linked to captive coal blocks. Notwithstanding the above, grant of environment and forest clearances for the linked coal blocks would be decided only on the basis of merits of individual cases.

4. This issues with the approval of the Competent Authority.



Dr. Sanjiv
Director

Telefax:011-24364067

To

All officers of IA Division.

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary(E&F)
- (iii) PPS to JS(AT)
- (iv) PS to JS(SPSP)
- (v) All SEIAAs/SEACs
- (vi) Website of MoEF
- (vii) Guard File

No. J-11015/30/2004-IA.II (M)
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003
Dated: 07 January, 2014

OFFICE MEMORANDUM

Subject: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation – reg.

The O.M. of even number dated 19.12.2012 deals with the guidelines for granting Environment Clearance (EC) for expansion of coal mining projects involving one time capacity expansion of up to 25% in the existing operation.

2. The Ministry of Coal have been taking up with this Ministry, the case of smaller coal mining projects and have argued that the cap of capacity expansion up to 25% for such projects, as per the existing guidelines vide O.M. dated 19.12.2012, is inadequate as it results in relatively small increase in production in absolute terms for such mines. They have requested for increasing the limit of capacity expansion in respect of smaller projects.

3. The matter has been considered in the Ministry of Environment & Forests and it has been decided that for expansion proposals of existing coal mining projects having production capacity up to 8 MTPA as per the EC letter, the limit of one time capacity expansion may be considered as 50% or incremental production upto 1 MTPA, whichever is more, in the existing mining operation, within the existing mine lease area, by the EAC for exempting Public Hearing under Clause 7(ii) of the EIA Notification, 2006. All other stipulations stated in earlier O.M. of even number dated 19.12.2012 will continue to apply in such cases.

4. For coal mining projects having production capacity more than 8 MTPA, the provisions of the earlier O.M. of even number dated 19.12.2012 will continue to apply in toto.

This issues with the approval of Competent Authority.



(Dr. Manoranjan Hota)
Director

To

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to JS(AT) / PS to JS(MS)
4. All officers of IA Division
5. PMO
6. Ministry of Coal

No.J-11013/36/2014-IA-I

Government of India
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
C.G.O Complex, Lodhi Raod,
New Delhi-110 003

Dated the 16th May, 2014

OFFICE MEMORANDUM

Subject: Exemption from Public Consultation for the projects/ activities located within the Industrial Estates/ Parks.

The undersigned is directed to inform that on the above mentioned subject, the following is clarified by the Ministry of Environment and Forests:

- (i) The exemption from public consultation, as provided for under para 7(i) III.Stage(3)(i)(b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification, 2006, as provided for under item 7(c) of the Schedule.
- (ii) The expression 'concerned authorities' as stated in the aforesaid para of EIA Notification, 2006 implies the competent authorities in the State Governments/ Central Government, which approve setting-up of such industrial estates or parks.

This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Director

1. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
2. Chairman of all the Expert Appraisal Committees
3. Dr. T. Chandni, Director
4. Dr. Saroj, Director
5. Dr. V. P. Upadhyay, Director
6. Dr. M. Hota, Director
7. Dr. P.B. Rastogi, Director
8. Dr. Lalit Kapoor, Director
9. Dr. B.B. Burman, Director
10. S.O. IA-I(for record)

Copy for information:

1. PPS to Secretary(E&F)
2. PPS to AS(SS)
3. PS to JS(AT)

Issued

No. J-15012/30/2004-IA.II (M)
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003
Dated: 30th May, 2014

Subject: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation – reg.

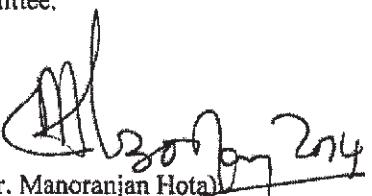
This O.M. may be read in continuation of earlier O.M. of even number dated 07th January, 2014 on the subject cited above.

2. The Ministry of Coal had requested this Ministry that the dispensation given for one time capacity expansion for coal mining projects of production capacity up to 8 MTPA as per OM of 07th January, 2014 may also be extended to those coal mining projects which have already availed dispensation of one time production capacity expansion under earlier OM of 19th December, 2012. They have also pointed out an anomalous situation which has arisen in respect of coal mining projects with capacity above 8 MTPA and up to 16 MTPA, where the transportation of additional production of coal is proposed by means of a conveyor and / or rail transport. While as per OM dated 07th January, 2014, the additional production allowed for such projects up to 8 MTPA capacity would be 4 MTPA, for projects with capacity more than 8 MTPA and less than 16 MTPA, the additional production allowed as per the earlier OM of 19th December, 2012 would be less than 4 MTPA. They have requested for removing this anomaly.

3. The matter has been considered in the Ministry of Environment & Forests and it has been decided that the dispensation given for one time capacity expansion for coal mining projects having production capacity up to 8 MTPA, as provided for in the OM dated 07th January, 2014, will also be applicable to the projects with capacity up to 8 MTPA, which have already availed the dispensation earlier under OM of 19th December, 2012. It has also been decided that the coal mining projects with production capacity exceeding 8 MTPA and up to 16 MTPA may be given further dispensation under the O.M. dated 19.12.2012 to the effect that they could have one time capacity expansion, with additional production up to 4 MTPA if the transportation of additional production of coal is proposed by means of a conveyor and / or rail transport. The other provisions under O.M. dated 19.12.2012 and 07.01.2014 will continue to apply.

4. The above dispensation would be subject to satisfactory compliance with environmental clearance(s) issued in the past as judged by the concerned Expert Appraisal Committee.

This issues with the approval of the Competent Authority.



(Dr. Manoranjan Hota)
Director

To

1. PS to MEF
2. PPS to Secretary (E&F) / PPS to AS (SS)
3. PPS to JS (AT) / PS to JS (MS)
4. All Officers of IA Division
5. PMO
6. Ministry of Coal

No. L-11011/15/2012-IA.II (M) (pt.)

Government of India
Ministry of Environment and Forests
Impact Assessment Division

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003

Dated: June 02, 2014

OFFICE MEMORANDUM

Subject: Clarification with regard to requirement of Environmental Clearance for "Mining of minerals" at the time of mine renewal, under the provisions of EIA Notification, 2006, as amended from time to time –regarding

This is regarding the requirement of environmental clearance at the time of renewal of mining lease in respect of mining projects, which have already been obtained environmental clearance under the EIA Notification, 2006 as amended from time to time.

2. As per amendment notification S.O. 674 (E) dated 13th March, 2013, no fresh environmental clearance is required for a mining project or activity at the time of renewal of mining lease, which has already obtained environmental clearance under the EIA Notification, 2006.

3. Ministry has received representations with regard to the applicability of aforesaid notification dated 13th March 2013, i.e., will it apply to the mine leases falling for renewal after 13th March, 2013 or it will also apply to the mine leases having environmental clearance under the EIA notification 2006 which have applied for environmental clearance to MoEF/SEIAA at the time of mine renewal and whose cases are pending for taking decision.

4. The matter was referred to the Ministry of Law and Justice, who has opined as follows:

"It is implied from the notification as amended in 2013, that the requirement of environmental clearance shall not be applicable at the time of renewal of mining lease for all cases including pending cases if the environmental clearance has already been obtained under the notification of 2006."

5. Necessary action in the matter may be taken as per aforesaid advice of the Ministry of Law & Justice.

6. This issues with the approval of the Competent Authority.

W.W.W
(Dr. V.P. Upadhyay)
Director

To:-

1. All the officers of I.A. Division / ROs of MoEF.

6/6

Page 1 of 2

2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs.
3. Chairman, CPCB.
4. Chairpersons/Member Secretaries for all SPCBs/UTPCCs.

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7. Guard File.

u u
(Dr. V.P. Upadhyay)
Director

8/1

No. J.21011/58/2010-IA-I
Government of India
Ministry of Environment, Forests and Climate Change

Indira Paryavaran Bhawan
Jorbagh Road, Aliganj
New Delhi - 110 003
Dated: 25th July 2014

OFFICE MEMORANDUM

Sub: Consideration of proposals from Ratnagiri and Sindhudurg districts, Maharashtra.

1. This has reference to the Ministry's Office Memorandum of even number dated 17th October 2013, wherein, the moratorium was lifted on consideration of projects from the non-Western Ghats Talukas of Ratnagiri and Sindhudurg Districts, Maharashtra except for Dodamarg Taluka, under the EIA Notification, 2006.
2. The Ministry has since issued Directions under Section 5 of the Environment (Protection) Act, 1986 on 13th November 2013, for providing immediate protection to the Western Ghats and to maintain its environmental integrity, thereby, putting a moratorium on consideration of Environment Clearance for certain identified categories of new and/or expansion projects/activities, which have maximum interventionist and damaging impacts on ecosystems, in the proposed Ecologically Sensitive Area (ESA), as identified by the High Level Working Group.
3. The Government of Maharashtra have represented that while the proposed ESA has been demarcated at the village level by the HLWG, moratorium has been continued in the Western Ghats taluks of Ratnagiri and Sindhudurg Districts by this Ministry vide aforesaid OM dated 17th October 2013. They have argued that the moratorium should be restricted only to the villages of Ratnagiri and Sindhudurg Districts in the ESA as identified by HLWG. The Ministry has examined the matter and decided to consider the matter as requested by the Government of Maharashtra.
4. Further, it is noted that the Public Interest Litigation (PIL No. 179 of 2012) is still pending before the High Court of Bombay in the matter of Awaaz Foundation Vs Union of India & Ors relating to declaration of Sawantwadi-Dodamarg Corridor in District Sindhudurg as an Ecologically Sensitive Area. The Hon'ble High Court has linked the issue

of existing moratorium in Sindhudurg District with this PIL to prevent any degradation of ecology of the Sawantwadi-Dodamarg Corridor. Thus, the moratorium would need to continue in the villages covered under this PIL till the case is decided by the Court.

5. Keeping in view that the proposed ESA in Western Ghats region of Ratnagiri and Sindhudurg Districts, demarcated at the village level, is protected from the identified projects/activities which have maximum interventionist and damaging impacts on ecosystems through the Directions issued on 13th November 2013 under Section 5 of the Environment (Protection) Act, 1986, this Ministry has decided to lift the moratorium with immediate effect from the villages falling in non-Ecologically Sensitive Area of the Taluks mentioned in OM of even number dated 17th October 2013, except for the villages covered under PIL No. 179 of 2012 pending in the High Court of Bombay. While the list of villages of Ratnagiri and Sindhudurg Districts covered in the ESA identified by HLWG (where moratorium will continue) is already annexed to Directions issued on 13th November 2013 under Section 5 of the Environment (Protection) Act, 1986, the list of villages covered in the PIL No. 179 of 2012, where also the moratorium will continue is appended as Annexure I to this OM.

This issues with the approval of Competent Authority.



(Lalit Kapur)
Director

To

The Chairman, Maharashtra Pollution Control Board/Maharashtra, SEIAA/SEAC

Copy to:

PS to MEF/PPS to Secretary (E & F)/MoEF Website/ Member Secretaries of sector specific Expert Appraisal Committees and Officers of IA Division/Guard File

Annexure I

List of Villages in Sindhudurg district of Maharashtra which are subject matter of further hearing of PIL no. 179/2012 filed by Awaz Foundation in High Court, Bombay* and from where moratorium has not been lifted as per order of the Hon'ble High Court of Bombay

Taluka Sawantwadi

1. Asaniye
2. PadweMajgaon
3. Bhalawal
4. Tamboli
5. Saramale
6. Nevli
7. Dabhil
8. Otawane
9. Konshi
10. Gharpi
11. Udeli
12. Kesri-Phanasawade

Taluka Dodamarg

1. Kumbral
2. Panturli
3. Talkat
4. Zolambe
5. Kolzar
6. Shirwal
7. Ughade
8. Kalane
9. Bhikekonal
10. Kumbhawade
11. Khadpade

Taluka Banda

1. Bhekurli
2. Phukeri

Total 25 villages in 3 Talukas of Sindhudurg District

*** As per village list provided by Government of Maharashtra**

No. J-11015/30/2004-IA.II (M)
Government of India
Ministry of Environment, Forests and Climate Change

Paryavaran Bhawan,
C.G.O. Complex, Lodi Road,
New Delhi-110 003
Dated: 28th July, 2014

OFFICE MEMORANDUM

Subject: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation – reg.

This O.M. may be read in continuation of earlier O.M. of even number dated 19.12.2012, 07.1. 2014 and 30.5. 2014 which deal with the above subject.

2. The Ministry of Environment and Forests has, vide OM dated 19 December, 2012 issued guidelines for exemption from public hearing in respect of existing coal mining projects which apply for one time capacity expansion of up to 25% in the existing mining operation, within the existing mine lease area. The 25% expansion in production capacity is subject to a ceiling of 2 MTPA of additional production where the transportation of the additional production is proposed by road and a ceiling of 5 MTPA if such transportation is proposed by conveyor and/or rail transport.

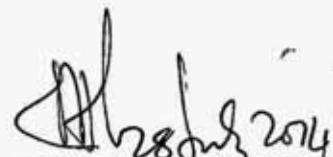
3. The Ministry of Coal has been taking up the matter with this Ministry requesting for further dispensation arguing the need for quick ramping up of coal production considering the power generation requirements in the Country. They had argued that in the case of smaller coal mining projects the cap of capacity expansion up to 25% was inadequate as it resulted in relatively small increase in production in absolute terms for such mines. They had requested for increasing the limit of capacity expansion in respect of smaller projects. The matter was considered in the Ministry of Environment & Forests and it was decided that for expansion proposals of existing coal mining projects having production capacity up to 8 MTPA as per the EC letter, the limit of one time capacity expansion may be considered as 50% or incremental production upto 1 MTPA, whichever is more, in the existing mining operation, within the existing mine lease area, by the EAC for exempting Public Hearing under Clause 7(ii) of the EIA Notification, 2006. An OM of even number dated 7.01.2014 was accordingly issued.

4. The Ministry of Coal had again requested this Ministry that the dispensation given for one time capacity expansion for coal mining projects of production capacity up to 8 MTPA as per OM of 07th January, 2014 may also be extended to those coal mining projects which have already availed dispensation of one time production capacity expansion under earlier OM of 19th December, 2012. They had also pointed out an anomalous situation in respect of coal mining projects with capacity above 8 MTPA and up to 16 MTPA, where the transportation of additional production of coal was proposed by means of a conveyor and / or rail transport. While as per OM dated 07th January, 2014, the additional production allowed for such projects up to 8 MTPA capacity would be 4 MTPA, for projects with capacity more than 8 MTPA and less than 16 MTPA, the additional production allowed as per the earlier OM of 19th December, 2012 would be

less than 4 MTPA. They had requested for removing this anomaly. The matter was again considered in the Ministry of Coal and Mines. The Ministry of Coal and Mines has decided that the dispensation for coal mining projects having production capacity up to 8 MTPA, as on 31st January, 2014, would also be applicable to the coal mining projects which had already availed the dispensation earlier under the EIA Notification, 2006. It is decided that the coal mining projects with production capacity up to 8 MTPA may be given further dispensation under the EIA Notification, 2006. They could have one time capacity expansion, with the condition that the transportation of additional production of coal was to be done by rail transport. The above dispensation was conveyed to the concerned coal mining projects.

It is further decided that for coal mining projects with production capacity exceeding 16 MTPA, the EAC may after due diligence consider exempting public hearing subject to the ceiling of additional production up to 5 MTPA if the transportation of additional production of coal is proposed by means of a conveyor and / or rail transport. The above dispensation would be subject to satisfactory compliance with environmental clearance(s) issued in the past as judged by the EAC.. All other stipulations stated in earlier O.Ms. of even number dated 19.12.2012, 07.01.2014 and 30.5.2014 will continue to apply in such cases.

This issues with the approval of the Competent Authority.



28/03/2014
(Dr. Manoranjan Hota)
Director

To

1. PS to MEF
2. PPS to Secretary (E&F) / PPS to AS (SS)
3. PPS to JS (AT) / PS to JS (MS)
4. All Officers of IA Division
5. PMO
6. Ministry of Coal

No.J-11013/25/2014-IA.I
Government of India
Ministry of Environment & Forests

Indira ParyavaranBhawan,
JorBagh Road, Ali Ganj,
New Delhi-11003

Dated the 11th August, 2014

OFFICE MEMORANDUM

Subject: Environment sustainability and CSR related issues-guidelines

The Environment Impact Assessment (EIA) Notification 2006, issued under the Environment (Protection) Act 1986, as amended from time to time, prescribes the process for granting prior environment clearance (EC) in respect of certain development projects / activities listed out in the Schedule to the notification.

2. Sustainable development has three components, viz., social, economic and environmental. All the three components are closely inter-related and mutually re-enforcing. Considering this, the general structure of EIA document, under Appendix-III to the notification, prescribes inter-alia public consultation, social impact assessment and R&R action plan besides environment management plan (EMP).

3. It is noticed that while there is clarity on the guidelines on EMP, as regards sustainability related issues, different formulations have been prescribed in the conditions in EC letters for the projects under different sectors listed out in Schedule to the EIA Notification, 2006. Thus, there is a need to issue guidelines on the subject.

4. Section 135 of the Companies Act, 2013 deals with corporate social responsibility and Schedule-VII of the Act lists out the activities which may be included by companies in their CSR Policies. The activities relating to "ensuring environmental sustainability", are listed in this schedule. Further, Ministry of Corporate Affairs has also notified the Companies (Corporate Social Responsibility Policy) Rules, 2014.

5. The concept of CSR as provided for in the Companies Act, 2013 and covered under the Companies (Corporate Social Responsibility Policy) Rules, 2014 comes into effect only in case of companies having operating projects and making net profit as also subject to other stipulations contained in the aforesaid Act and Rules. The environment clearance given to a project may involve a situation where the concerned company is yet to make any net profit and / or is not covered under the purview of the aforesaid Act and Rules. Obviously, in such cases, the provisions of aforesaid Act and Rules will not apply.

6. The matter has been further examined in the Ministry of Environment, Forests & Climate Change (MoEF&CC). It has been decided that in respect of valid concerns expressed during the public consultations, mitigation issues emerging from social impact assessment and R&R Plan, the project proponents, in EIA / EMP report will clearly state the activity-wise costs involved (both capital as well as recurring costs), the phasing of these activities along with costs and also as to how such expenditure would be met. The costs and the timelines for various activities as prepared by the project proponent may be looked into by the concerned Expert Appraisal Committee (EAC) for their reasonableness and appropriate recommendations in the matter reflected in the minutes of EAC meeting. In case these activities (or some of these activities) are proposed to be covered by the project proponent under CSR activities, the project proponent should commit providing for the same. In either case, the position regarding the agreed activities, their funding mechanism and the phasing should be clearly reflected in the EC letter.

7. The obligation on part of the project proponents, as mentioned in para 5 above, should be stated at the TOR stage itself as one of the TORs for the project.

8. All Sectoral EACs will follow the aforesaid procedure on environment sustainability and CSR related issues while appraising the projects and do away with the existing practices being followed on the subject, if any.

9. These guidelines will apply mutatis mutandis to SEACs/SEIAAs.

10. This issues with the approval of the Component Authority.


(Dr. Satish C. Garkoti)
Scientist 'F'

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs / SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (EF&CC)
3. PPS to AS(SS)
4. PPS to JS(AT)
5. Website of MoEF&CC
6. Guard File

*18/06/14 Special/02/2
19/8/14*

No. J-11015/30/2004-IA.II (M)
Government of India
Ministry of Environment and Forests

Indira Paryavaran Bhavan,
Jor Bagh Road,
New Delhi-110 003

Dated: 02 September, 2014

OFFICE MEMORANDUM

Subject: Guidelines for granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation – reg.

This O.M. may be read in continuation of earlier O.M. of even number dated 19.12.2012, 07.1.2014, 30.5.2014 and 28.7.2014 which deal with the above subject.

2. Considering the request of Ministry of Coal, for further dispensation in the matter of granting Environment Clearance for expansion of Coal Mining Projects involving one time Production Capacity Expansion in the existing operation so as to quickly ramp-up coal production for enhancing power production in public interest, it has been decided that in respect of one time capacity expansion proposals of existing coal mining projects with production capacity exceeding 20 MTPA, the EAC may after due diligence consider exempting public hearing subject to the ceiling of additional production up to 6 MTPA if the transportation of additional production of coal is proposed by means of a conveyor and/ or rail transport. The above dispensation would be subject to satisfactory compliance with environmental clearance(s) issued in the past as judged by the EAC. All other stipulations stated in earlier O.Ms. of even number dated 19.12.2012, 07.01.2014 30.5.2014 and 28.7.2014 will continue to apply in such cases.

This issues with the approval of the Competent Authority.



02 Sept 2014
(Dr. Manoranjan Hota)
Director

To

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS (SS)
4. All Officers of IA Division
5. PMO
6. Ministry of Coal

L-11011/17/2014-IA.I (T)
Government of India
Ministry of Environment, Forests and Climate Change

Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi-110003

Dated: 25th September, 2014.

OFFICE MEMORANDUM

Subject: Environment (Protection) Amendment Rules, 2014 – Notification No. G.S.R. 02(E) dated 2nd January, 2014 regarding supply and use of coal with ash content not exceeding 34% to coal based Thermal Power Plants – compliance reg.

The Ministry of Environment, Forests and Climate Change vide the above Notification has mandated supply and use of raw or blended or beneficiated coal with ash content not exceeding 34%, on quarterly average basis for certain categories of coal based Thermal Power Plants. The said Notification is also available on the Ministry's website at <http://www.moef.nic.in/amendments-to-principal-rules>.

2. The Ministry has been receiving representations alleging the non-compliance to the said Notification. The subject matter is also being heard by the Hon'ble NGT. It is reiterated that the said Notification shall be strictly complied by all the concerned. Further, to ensure the said compliance, the following is recommended.

- (i) The Thermal Power Plants attracting the said Notification shall submit its compliance to the Ministry's Regional Office and SPCB concerned along with the compliance reports of the environmental safeguards stipulated in the ECs and Consents.
 - (ii) The Ministry's Regional Offices and SPCBs shall ensure the above and take necessary action. Any non-compliance shall be brought to the notice of this Ministry and CPCB.
 - (iii) The concerned EACs/SEACs shall look into the compliance of the said Notification while appraising the proposals for EC, especially the expansion cases and accordingly stipulate requisite condition(s).
3. This issues with the approval of the Competent Authority.

[Signature]
(Dr. Sarej)
Scientist 'F'

To

1. All the officers of IA Division
2. Chairpersons/ Member Secretaries of all the SEIAAs/ SEACs
3. Chairman, CPCB
4. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs
5. All R.O. of MoEF.

Copy to:

1. PS to MEF & CC
2. PPS to Secretary (E,F&CC)
3. PPS to AS (SS)
4. PPS to JS (AT)
5. Website of MoEF & CC
6. Guard File

F.No. 22-76/2014-IA-III

Government of India

Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 7th October, 2014

OFFICE MEMORANDUM

Subject: Status of land acquisition w.r.t. project site while considering the case for environment clearance under EIA Notification, 2006-regarding

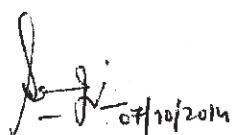
It has been brought to the notice of this Ministry that in the absence of any guidelines, different EACs/SEACs adopt different criteria about the extent to which the land w.r.t. the project site should be acquired before the consideration of the case for environment clearance (EC). Some of the Ministries in the Government of India and some industrial associations have represented that full acquisition of land for the project site should not be insisted upon before consideration of the case for EC and instead initiation of land acquisition process should be sufficient for the consideration of such cases. The argument being that land acquisition process can go on in parallel and that consideration of EC need not await full land acquisition.

2. The matter has been examined in the Ministry. The EC granted for a project or activity under the EIA Notification 2006, as amended, is site specific. While full acquisition of land may not be a pre-requisite for the consideration of the case for EC, there should be some credible document to show the status of land acquisition w.r.t project site when the case is brought before the concerned EAC/SEAC for appraisal. It has been accordingly decided that the following documents relating to acquisition of land w.r.t. the project site may be considered as adequate by EACs/SEACs at the time of appraisal of the case for EC:

- (i) In case the land w.r.t. the project site is proposed to be acquired through Government intervention, a copy of preliminary notification issued by the concerned State Government regarding acquisition of land as per the provisions of Land Acquisition, Rehabilitation and Resettlement , Act, 2013.

-2-

- (ii) In case the land is being acquired through private negotiations with the land owners, credible document showing the intent of the land owners to sell the land for the proposed project.
3. It may, however, be noted that the EC granted for a project on the basis of aforesaid documents shall become invalid in case the actual land for the project site turns out to be different from the land considered at the time of appraisal of project and mentioned in the EC.
4. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MOS(Independent Charge)
2. PPS to Secretary(EF&CC)
3. PPS to AS(SS)
4. PS to JS(AT)
5. Website, MoEF&CC
6. Guard File

F. No. 22-78/2014-IA.III
Government of India
Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 7th October, 2014

CIRCULAR

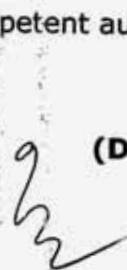
Subject: Categorization of environment clearance conditions in the environment clearance document for different phases of implementation of the project - regarding.

As per the present practice, the environment clearance (EC) granted to a project or activity under EIA Notification 2006, as amended, contains a number of conditions, generally segregated as 'Specific' and 'General' conditions. Some of the industrial associations have requested the Ministry that these conditions should be appropriately categorized for the different phases of implementation of the project and stated separately in the EC with a view to having clarity in the matter.

2. The matter has been examined in the Ministry. While some of the EC conditions may apply for the entire life of the project, others may specifically apply for the different phases of implementation of the project. Accordingly, it has been decided that henceforth the conditions stipulated in the EC, both 'General' and 'Specific', and for both Category 'A' and Category 'B' projects, may be categorized under the following categories:

- (i) Conditions for pre-construction phase
- (ii) Conditions for construction phase
- (iii) Conditions for post-construction/operation phase
- (iv) Conditions for entire life of the project

3. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)

Scientist 'F'

...2/-

-2-

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
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4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MOS(Independent Charge)
2. PPS to Secretary(EF&CC)
3. PPS to AS(SS)
4. PS to JS(AT)
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6. Guard File

No. Z-11013/57/2014-IA.II (M)

Government of India

Ministry of Environment, Forests and Climate Change

Impact Assessment Division

Indira Paryavaran Bhavan,
JorBagh Road, Aliganj,
New Delhi-110 003

Dated: 29th October, 2014

OFFICE MEMORANDUM

Subject: Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area- Regarding.

The Ministry has been receiving mining proposals wherein the habitations and villages are part of mine lease areas or habitations and villages are surrounded by the mine lease area.

2. To discuss the impact of mining activities on habitations and to develop a code of practice on these issues, a meeting was held under the Chairmanship of Shri M.S. Nagar, Chairman EAC (Non Coal Mining Sector) on 23.06.2014. After detailed deliberations by the Experts, the following suggestions were made as part of mitigation measures to avoid adverse impact of mining operations in the case of such habitations/villages:-

- a) The Project Authority shall adopt Best Mining Practice for the given mining conditions. In the mining area, adequate number of check dams, retaining walls/structures, garland drains and settling ponds should be provided to arrest the wash-off with rain water in catchment area.
- b) The natural water bodies and or streams which are flowing in and around the village should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Authorities have to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table.
- c) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. The Project Proponents (PPs) must ensure that the biological clock of the villagers is not disturbed by orienting the floodlights/ masks away from the villages and keeping the noise levels well within the prescribed limits for day/night hours.
- d) The Project Authority shall make necessary alternative arrangements, where required, in consultation with the State Government to provide alternate areas for livestock grazing. In this context, Project Authority should implement the directions of the Hon'ble Supreme Court with regard to acquiring grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun should be scrupulously guarded against felling, lest the cattle abandon the grazing ground or return home by noon.

- e) Where ever blasting is undertaken as part of mining activity, the Project Authority shall carry out vibration studies well before approaching any such habitats or other buildings to evaluate the zone of influence and impact of blasting on the neighbourhood. Within 500 meters of such sites vulnerable to blasting vibrations, avoidance of use of explosives and adoption of alternative means of mineral extraction, such as ripper/dozer combination/rock breakers/ surface miners etc. should be seriously considered and practiced wherever practicable. A provision for monitoring of each blast should be made so that the impact of blasting on nearby habitation and dwelling units could be ascertained. The covenant of lease deed under Rule 31 of MCR 1960 provides that no mining operations shall be carried out within 50 meters of public works such as public roads and buildings or inhabited sites except with the prior permissi

based door to door survey' by established Social Institutes/Workers on the lines as required under TOR. "R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village located in the mine lease area will be shifted or not. The issues relating to shifting of Village including their R&R and socio-economic aspects should be discussed in the EIA report."

3. The matter was examined in the Ministry and accordingly, it has been decided that the above mentioned conditions at para-2 (a-k) may be included as a condition of Environmental Clearance letter to mitigate the adverse impact of mining operations in the case of such habitations/villages.
4. This issues with the approval of Competent Authority.

(Dr. V.P. Upadhyay)
Director(s)
Tel: 24695304
Email- vp.upadhyay@nic.in

To:

1. All the Officers of IA Division/ROs of MoEF &CC
2. Chairpersons/Member Secretaries of all SEIAAs/SEACs.
3. Chairpersons/Member Secretaries of all SPCBs/UTPCCS

Copy to:-

1. PS to MEF.
2. PPS to Secretary (E&F).
3. PPS to AS (SS).
4. PS to JS (MKS).
5. PS to JS (MS).
6. PS to JS (BS).
7. Website, MoEF.
8. Guard File.

(Dr. V. P. Upadhyay)
Director(s)

CHAPTER-4

PUBLIC HEARING

By Speed Post

No. J-11013/56/2004-IA.II(I)-Pt. file
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax 2436 2434

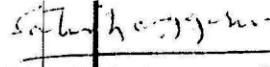
Dated the 6th May, 2008

Sub: Scrutiny by SPCBs of Draft EIA/EMP Reports submitted by the project proponents for conducting of public hearing in terms of the provisions of the EIA Notification, 2006 – Regarding.

It has been brought to be notice of the Ministry of Environment & Forests that some of the State Pollution Control Boards are refusing to give receipt of Draft EIA/EMP reports submitted to them by the project proponents for conduct of public hearing in terms of the provisions of the EIA Notification, 2006 on the plea that these reports are required to be checked for their completeness in terms of the prescribed TORs. This action leads to avoidable delay in conduct of public hearing. The matter has been considered in the Ministry.

All the State/ UT Pollution Control Boards / Committees are hereby directed that as soon as the request for conduct of public hearing along with requisite number of hard and soft copies of the Draft EIA/EMP Report and other documents as prescribed in the EIA Notification, 2006 is submitted by the project proponent, an acknowledgment for the same should be issued immediately and further necessary action for conduct of public hearing should be initiated as per the procedure laid down.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

Member Secretaries of all the State / UT SPCBs/ Committees

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434
Dated the 3rd June, 2009

Office Memorandum

Sub: Consideration of Projects under Clause 7(ii) of the EIA Notification, 2006 – Exemption of Public Hearing - Instructions Regarding.

The EIA Notification, 2006, in Para 7 (i), sub-section III relating to public consultation unambiguously specifies the projects / activities exempted from undertaking public hearing. Para 7 (ii) relating to prior environmental clearance process for expansion or modernization or change of product mix in existing projects prescribes that the EAC / SEAC will decide on the due diligence necessary, including preparation of EIA and public consultations, for grant of environmental clearance.

2. Instances have been brought to the notice of the Ministry of Environment & Forests where public consultations have been exempted by invoking the provisions of para 7 (ii) of the EIA Notification, 2006 without giving detailed justification, in terms of increase in pollution load, requirement of additional land / water etc. for the expansion projects, stating sometimes that the project is small and pollution load may not be significant.

3. In order to enhance the transparency in decision making when the provisions of para 7 (ii) of EIA Notification, 2006 are invoked for exempting Public Hearing for any project, it is requested that this exemption should be applied judiciously, based on the available data on incremental pollution load and use of additional natural resources vis-à-vis sustainable development without compromising on environmental integrity. The reasons for invoking clause 7 (ii) while granting exemption from public hearing should also be appropriately recorded in the minutes of the EAC Meeting.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 24th August, 2009

Office Memorandum

Sub: Consideration of Projects under Clause 7(ii) of the EIA Notification, 2006 – Exemption of Public Hearing - Instructions Regarding.

In continuation to this Ministry's earlier O.M. of even no. dated 3rd June, 2009 regarding the subject mentioned above, it has further been decided as under:

The developmental projects which have been accorded environmental clearance, prior to the EIA Notification, 2006, coming into force, if received for seeking environmental clearance for its expansion of activities, the public consultation for all such expansion projects shall be carried out, irrespective of the size / magnitude of expansion, as per the procedure prescribed under the EIA Notification, 2006. No exemption from public hearing shall be given in any such project by invoking clause 7(ii) of the EIA Notification, 2006.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.

Telefax: 24362434

Dated the 22nd January, 2010

CIRCULAR

Sub: Consideration of proposals relating to change in location after public hearing has been held or after environment clearance has been accorded – procedure to be followed - Regarding.

Instances have come to the notice of this Ministry wherein the project proponents have changed the project site after the said project has been granted environmental clearance or after the public hearing has been held. The project proponents have approached this Ministry to revalidate the environment clearance so granted without undergoing afresh the procedure prescribed for obtaining environmental clearance. The matter has been considered in the Ministry. The change in project site would lead to change in project affected people as well as the change in study area and the impact zone. As such the Environment Impact Assessment Report and Public Hearing conducted for a particular location cannot be taken valid for the changed location.

Accordingly, it has been decided that any shift in project site location after holding of public hearing will be deemed to be a new proposal and will be appraised afresh as per the procedure prescribed under EIA Notification, 2006 provided the respective Expert Appraisal Committee is satisfied that the shift is so minor as to have no change in EIA / EMP, duly recorded in the minutes and prior approval of Advisor (In-charge) / SEIAA for Category 'A' / Category 'B' projects respectively is obtained for not holding the public hearing for the changed location afresh.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. All the SEIAAs / SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Website of MoEF
5. Guard File.

By Speed Post

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434

Dated the 25th January, 2010

Sub: Conducting of Public Hearing as per EIA Notification, 2006 – Regarding.

It has been brought to the notice of this Ministry that some of the State Pollution Control Boards (SPCBs)/Union Territory Pollution Control Committees (UTPCCs) are not adhering to the procedure prescribed under the EIA Notification, 2006 for conduct of public hearing in respect of the proposals submitted to them. In this regard, para (I) of the earlier circular of even no. dated 21st November, 2006 relating to "EIA Notification dated 14th September, 2006 – Interim Operational Guidelines till 13th September, 2007 in respect of Categories of Projects which were not in EIA Notification, 1994" and circular no. J-11013/56/2004-IA.II(I).Pt file dated 6th May, 2008 relating to "Scrutiny by SPCBs of Draft EIA/EMP Reports submitted by the project proponents for conducting of public hearing in terms of the provisions of EIA Notification, 2006", both of which are available on the website of the Ministry www.envfor.nic.in, are reiterated for their compliance by the SPCBs/UTPCCs.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(Dr. S.K. Aggarwal)
Director

To

Member Secretaries of all the SPCBs/ UTPCCs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Website of MoEF
5. Guard File.



MINISTRY OF ENVIRONMENT & FORESTS, GOI

No.J-15012/30/2004-TA.TT(M)

Paryavaran Bhawan,
CGO Complex, Lodi Road,
New Delhi-110003.

Dated: 15th April 2010

OFFICE MEMORANDUM

Sub: Guidelines for Expansion of Coal Mining Sector Projects --regarding

Expansion projects for Coal Sector fall in two categories – (i) projects that have obtained an environmental clearance under the EIA Notification 1994 and (ii) projects that have obtained EC under the EIA Notification 2006. Projects falling under (i) above, require to have a Public Hearing conducted as and when they expand their production under the provisions of EIA Notification 2006. MOEF Circular dated 24.08.2009 has been issued clarifying the above position. For expansion of projects that have obtained EC under EIA Notification 2006 is concerned, Section 7.2 provides for exemption from conduct of Public Hearing after due diligence.

2. The following aspects will be considered by the Expert Appraisal Committee (Thermal & Coal) for exemption from conduct of Public Hearing for expansion projects under Section 7(ii), which have obtained prior environmental clearance under EIA Notification 2006:

- (a) Exemption from conduct of Public Hearing could be for an expansion project which has obtained prior EC under EIA Notification 2006 at least once and has undergone Public Hearing at least once.
- (b) Exemption may be granted once in five years for an expansion project, sub-para (a) above.
- (c) An expansion project (with prior EC and having conducted a Public Hearing at least once) could be considered for exemption of conduct of Public Hearing, provided it meets the following criteria:
 - i. There is no additional lease/project area involved
 - ii. There is no change in mining method (underground to opencast)
 - iii. Increase in production is by better housekeeping/efficiency/better technologies
 - iv. There is no additional manpower involved*
 - v. There is no additional equipment involved*
 - vi. There is no additional water requirement involved or additional water requirement is met by recycling or by rainwater harvesting*

-2-

- vii. There is no additional road transportation involved* or involving dedicated conveyor-cum-rail mode of transport)
- viii. Levels of environmental quality parameters are within prescribed limits
- ix. There is no additional R&R involved and earlier R&R has been completed
- x. Compliance of earlier EC (no violations)
- xi. Compliance of issues raised in earlier Public Hearing
- xii. Involving underground mining method without involving additional surface rights.

* Either by the concerned company or by outsourcing or by both

This issues with the approval of the competent authority.



(Dr.T.Chandini)
Director

To

- 1. All the Officers of IA Division
- 2. PMO
- 3. Ministry of Coal/Coal India Ltd, New Delhi
- 4. Chairpersons/Member Secretaries of SEIAAs/SEACs
- 5. Chairman, CPCB
- 6. Member-Secretaries of all SPCBs/UTPCCs.
- 7. Website of MOEF.

Copy to

- 1. PS to MEF
- 2. PPs to Secretary (E&F)
- 3. PPS to AS (JMM)
- 4. Advisor (NB)
- 5. Website, MOEF
- 6. Guard File

No.J-11013/36/2014-IA-I

Government of India

Ministry of Environment and Forests

IA Division

Paryavaran Bhawan,
C.G.O Complex, Lodhi Raod,
New Delhi-110 003

Dated the 16th May, 2014

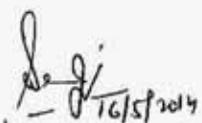
OFFICE MEMORANDUM

Subject: Exemption from Public Consultation for the projects/ activities located within the Industrial Estates/ Parks.

The undersigned is directed to inform that on the above mentioned subject, the following is clarified by the Ministry of Environment and Forests:

- (i) The exemption from public consultation, as provided for under para 7(i) III.Stage(3)(i)(b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification, 2006, as provided for under item 7(c) of the Schedule.
- (ii) The expression 'concerned authorities' as stated in the aforesaid para of EIA Notification, 2006 implies the competent authorities in the State Governments/ Central Government, which approve setting-up of such industrial estates or parks.

This issues with the approval of the competent authority.



16/5/2014

(Dr. Satish C. Garkoti)
Director

1. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
2. Chairman of all the Expert Appraisal Committees
3. Dr. T. Chandni, Director
4. Dr. Saroj, Director
5. Dr. V. P. Upadhyay, Director
6. Dr. M. Hota, Director
7. Dr. P.B. Rastogi, Director
8. Dr. Lalit Kapoor, Director
9. Dr. B.B. Burman, Director
10. S.O. IA-I(for record)

Copy for information:

1. PPS to Secretary(E&F)
2. PPS to AS(SS)
3. PS to JS(AT)

F. No. 22-83/2014-IA.III

Government of India

Ministry of Environment, Forests and Climate Change
Impact Assessment Division

.....
Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 9th October, 2014

C I R C U L A R

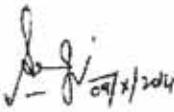
Subject: Conduct of Public Hearing by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC) - regarding.

Clause '7 (i) III. Stage(3)-Public Consultation' of the EIA Notification, 2006, as amended, provides for Public Consultation as one of the stages of the environmental clearance (EC) process for a project. The provision inter-alia provides for conduct of public hearing by the concerned SPCB / UTPCC in the manner prescribed therein. As per the prescribed procedure, the project proponent submits the draft EIA / EMP report along with request of public hearing to the concerned SPCB / UTPCC. The SPCB / UTPCC is thereafter required to get the public hearing done and forward the proceedings to MoEF&CC / SEIAA within 45 days.

2. It has been brought to the notice of this Ministry that sometime the concerned SPCB / UTPCC comment on the draft EIA / EMP report submitted to them and specify additional requirements to the project proponent. Also, concerns have been raised regarding delays in getting the public hearing done.

3. It is hereby clarified that the EIA / EMP report is to be prepared as per the TORs issued by MoEF&CC / SEIAA based on the recommendations of the EAC / SEAC. Thus, there is no case for the SPCB / UTPCC to specify additional requirements to the project proponent. Also, it is reiterated that the SPCBs / UTPCCs should complete the public hearing process in a time-bound manner as prescribed under the EIA Notification 2006. The procedure for conduct of public hearing as prescribed in Appendix-IV of EIA Notification 2006, as amended, may be strictly followed in this regard.

4. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Scientist 'F'

To

The Chairpersons / Member Secretaries of all SPCBs/ UTPCCs.

...2/-

-2-

Copy to:

1. PS to MOS(Independent Charge)
1. PPS to Secretary (E,F&CC)
2. PS to JS (AT)
3. NIC, MoEF&CC: for uploading on the Ministry's Website

CHAPTER-5
FOREST CLEARANCE
&
WILD LIFE CLEARANCE

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 2nd December, 2009

OFFICE MEMORANDUM

Sub: Procedure for consideration of proposals for grant of environmental clearance under EIA Notification, 2006, which involve forestland and or wildlife habitat – Regarding.

The issue regarding the procedure to be followed for consideration of proposals for grant of environmental clearance under EIA Notification, 2006, which involve forestland and or wildlife habitat has been under consideration of this Ministry. The issue has been discussed and deliberated at length and the provisions of EIA Notification, 2006 as contained in para 8 (v) of the said notification have also been considered.

2. It has now been decided that the following procedure shall be adopted in dealing with such cases.

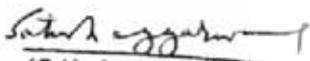
- (i) The proposals for environmental clearance will not be linked with the clearances from forestry and wildlife angle even if it involves forestland and or wildlife habitat as these clearances are independent of each other and would in any case need to be obtained as applicable to such projects before starting any activity at site.
- (ii) While, considering such proposals under EIA Notification, 2006, specific information on the following should be obtained from the proponent:
 - (a) Whether the application for diversion of forestland involved in the project has been submitted? If so, what is the status of grant of forestry clearance? It would be essential that in such cases, the application for diversion of forestland has been submitted by the project proponent before they come for environment clearance and a copy of the application submitted for forestry clearance along with all its enclosures should also be submitted by the proponent along with their environment clearance application.
 - (b) Information about wildlife clearance, as applicable to the project should also be obtained. The project proponent should submit their application for wildlife clearance / clearance from Standing Committee of the National Board for Wildlife to the Competent Authority before coming for environment clearance and a copy of their application should be furnished along with environment clearance application.
- (iii) The proposal from environmental angle will be appraised by the respective Expert Appraisal Committee and recommendations made on the same which will be processed by the Competent Authority. However, while involving forestland, wildlife habitat (core area) within 10 km of the National Park /

Wildlife Sanctuary (at present the distance of 10 km has been taken in conformity with the order dated 4.12.2006 in writ petition no. 460 of 2004 in the matter of Goa Foundation Vs Union of India), a specific condition shall be stipulated that the environmental clearance is subject to their obtaining prior clearance from forestry and wildlife angle including clearance from the Standing Committee of the National Board for Wildlife as applicable. Further, it will also be categorically stated in the environment clearance that grant of environmental clearance does not necessarily implies that forestry and wildlife clearance shall be granted to the project and that their proposals for forestry and wildlife clearance will be considered by the respective authorities on their merits and decision taken. The investment made in the project, if any, based on environmental clearance so granted, in anticipation of the clearance from forestry and wildlife angle shall be entirely at the cost and risk of the project proponent and Ministry of Environment & Forests shall not be responsible in this regard in any manner.

- (iv) A copy of the clearance letter, besides others, shall also be endorsed to (i) IGF(FC), MoEF, (ii) IGF(WL), MoEF, (iii) PCCF of respective States and (iv) Chief Wildlife Warden of the State.

Note: There will not be any need to refer the files relating to grant of environmental clearance from IA Division to FC Division and or Wildlife Division during consideration of proposals under EIA Notification, 2006, as done at present in view of the course of action stipulated at paras 2(i) – (iv) above.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. PPS to ADG(F)
3. PPS to ADG (Wildlife)
4. IGF(FC)
5. Advisor (GKP)
6. Advisor (NB)
7. Director (PLA) with a request to issue necessary instructions to all the SEIAAs/SEACs to follow the above instructions.
8. Website of the Ministry.

No.J.11011/97/2003- IA (II) I (part file)
Government of India
Ministry of Environment & Forests
(I. A. Division)

E mail: plahujarai@yahoo.com
Tele fax: 24363973
Paryavaran Bhavan, CGO Complex,
Lodi Road, New Delhi-110003
Telephone No.24363973
Dated: March 11, 2010

OFFICE MEMORANDUM

Sub: Compensatory plantation for laying the pipeline for transportation of oil and gas in non-forest area

The proposals regarding crude and product pipeline for transportation of oil and gas required environmental clearance under the EIA Notification, 1994. The Ministry has accorded environmental clearance to a number of project proponents for laying of pipelines for transportation of oil and gas.

2. The Environmental Impact Assessment Notification, 1994 has been superseded by the Environmental Impact Assessment (EIA) Notification dated 14th September, 2006. The oil and gas transportation pipeline (crude and refinery/ petrochemical products), passing through national parks/ sanctuaries/ coral reefs/ ecologically sensitive areas including LNG terminal require environmental clearance under the EIA Notification, 2006.

3. The laying of pipeline at times involves cutting of trees on one or both its sides. For compensatory plantation, the Ministry has been stipulating following condition for compliance by the project proponent:

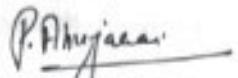
"The project authorities shall plant a minimum of 10 trees for every tree cut along the pipeline route in consultation with the local DFO (s). This will be in addition to the compensatory afforestation. The company shall develop a social forestry programme to benefit the project affected local people in consultation with the local DFO/village panchayat / NGO. Approval under Forest (Conservation) Act, 1980 shall also be obtained for forest area falling under the pipeline route before initiating construction of the pipeline in the forest area."

4. Instances have come to the notice of the Ministry that some of the companies have commissioned the pipeline project; however, there is a practical difficulty in implementation of the above condition due to non-availability of land along the pipeline route or in non-forest land for compensatory plantation.

-2-

5. The Ministry of Environment and Forests has reviewed the matter. It has been decided that in future, all such oil and gas pipeline projects will be permitted subject to the condition that there is a provision for compensatory plantation of adequate width along the pipeline route or in non-forest land in lieu of the trees to be cut.

6. This issues with the approval of the Competent Authority.


(Dr. P.L. Ahujarai)
Director

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary (E&F),
- (iii) PPS to AS (JMM),
- (iv) PPS to Addl IGF(Forests)
- (v) PS to Adviser (NB)
- (vi) Website, MoEF
- (vii) Guard File

No. J-11015/200/2008-II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 31st March, 2011

Office Memorandum

Sub: Consideration of projects for grant of environmental clearance under EIA Notification, 2006 which involve forestland – Procedure to be followed – Regarding.

Ref: Office Memorandum no. J-11013/41/2006-II(I) dated 2nd December, 2009 regarding Procedure for consideration of proposals for grant of environmental clearance under EIA Notification, 2006, which involve forestland and or wildlife habitat.

The issue regarding consideration of proposals especially mining project for grant of environmental clearance under EIA Notification, 2006, which also involve diversion of forestland has been under consideration for quite some time and circulars / guidelines have been issued in the past in this regard from time to time. In this regard, reference is also invited to para 8 (v) of the EIA Notification, 2006 reads as follows:

“Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.”

According to the above provision, the environmental clearance under EIA Notification, 2006 is independent of other clearances and submission of clearances under other relevant Acts and Rules as may be applicable to a project is not a prerequisite for obtaining environmental clearance except in specific cases where it is sequentially dependent on such clearance either due to requirement of law or for necessary technical reason. This aspect was earlier discussed and deliberated and the office memorandum dated 2nd December, 2009 referred to above was an outcome of the same.

However, in view of the complexity of the issues involved, the matter has been considered further in the Ministry and in supersession of the earlier instructions, it has now been decided to adopt the following procedure for consideration of such projects.

I. Projects in Pipeline:

(A) Projects received for TORs and yet to be considered by EAC:

In case of the proposals which have been received for prescribing TORs and involve forestland, in part or in full, and are yet to be considered by the EAC, during consideration of such proposals, clarifications will be obtained from the project proponent regarding feasibility of undertaking the project only in non forestland. In case, the project proponent confirms to undertake the project in non forest area only, the proponent may be advised to submit the revised proposal by deleting the forestland involved in the project. In case, it is not possible to undertake the project without involving diversion of forestland, the project proponent will be asked to first apply for stage-I forestry clearance for the forestland involved in the project and thereafter submit the proposal for obtaining terms of reference as per the procedure prescribed under EIA Notification, 2006.

(B) Projects for which TORs have already been prescribed but the proposal for environmental clearance is yet to be submitted:

In case of the proposals, which involve forestland, in part or in full, and for which TORS have already been prescribed, the project proponents are advised to ensure that the requisite stage-I forestry clearance has been granted and its copy is submitted along with their application / proposal for environment clearance. Alternatively, the proponent should delete from their land requirement, the forestland involved in the project and the proposal so amended without any forestland may be submitted for appraisal by the EAC.

In case of projects where forest diversion (Stage I Clearance) has been approved for part of the total forestland involved in the project, the proposal will be considered only for the land for which forest diversion has been approved and the non forestland, if any. For the purpose, the onus of demonstrating that the project activities will be limited to that much area only would lie with the project proponent and necessary supporting documents will be submitted in this regard.

(C) Projects submitted for environmental clearance based on the TORs prescribed by EAC:

The proposals already submitted for environmental clearance will be appraised by the EAC on their merit and in case of involvement of forestland, the proponent will be asked either to delete the forestland and submit the revised proposal or approach the EAC after the stage-I forestry clearance for

the forestland involved in the project has been granted, till which time the proposal will stand delisted.

In case of projects for which diversion of forestland has been granted for part of the forestland, the proposal will be appraised taking into account that much of land only (land for which FC granted + Non forestland) for the project activities and the proponent should demonstrate the viability of the project with requisite supporting documents.

(D) Projects already considered by EAC and recommended for grant of environmental clearance:

In accordance with the recommendations of EAC, such projects will be processed on file for obtaining approval of the MEF for grant of environment clearance. After MEF has approved, a communication will be sent to the project proponent informing that the Competent Authority has approved the project; however, the formal environmental clearance will be issued only after the stage-I forestry clearance for the forestland involved in the project has been obtained and submitted. For the purpose, a maximum time limit of one year will be provided to the proponent during which time the proposal will be kept in abeyance. In case, the formal forestry clearance is not submitted within this time frame, the proposal will stand rejected and the process for obtaining environmental clearance will have to be initiated, de-novo, as per the procedure prescribed under EIA Notification, 2006.

II. Expansion Projects:

- (i) Mining Projects involving enhancement of production by increasing the depth and or number of shifts, without any increase in lease area and having already obtained the forestry clearance for the forestland involved in the mine lease, shall be considered on merit and decision taken.
- (ii) The Expansion projects involving horizontal spread with additional land requirement will be dealt with as green field projects, if additional forestland is to be diverted.

III. Greenfield Projects:

- (i) If any green field project does not envisage any diversion of forest land, it would be considered as per the provisions of EIA Notification, 2006.
- (iii) In case of any green field project, which involves diversion of forest land, the project proponents are advised to re-examine the requirement of forestland and submit the proposal without forestland for consideration of the EAC. Otherwise, the proponent should submit the proposal for TORS under the EIA Notification, 2006 only after

applying the stage-I forestry clearance for the forestland involved in the project.

- (iii) All cases of grant / renewal of EC for any abandoned mine or sick project under revival etc. would be considered as a green field project for appraisal under EIA Notification, 2006 and the procedure mentioned above will be followed.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 26th April, 2011

OFFICE MEMORANDUM

Sub: Procedure for consideration of proposals for grant of environmental clearance under the EIA Notification, 2006, which involve Forests - regarding.

In continuation of this Ministry's earlier OM of even No. dated 31.03.2011 regarding above mentioned subject, the Ministry Environment and Forests has further deliberated the matter and decided that for all mining projects involving forests and for such non-mining projects which involve more than 40 ha of forests, the project proponent shall submit following documents at the appraisal of its application for environmental clearance in accordance with the provisions of the EIA Notification, 2006.

- (i) High Resolution Satellite Imagery of the proposed area clearly showing the land use and other ecological features of the study area (core and buffer zone).
 - (ii) A Certificate from the Competent Authority in the State Forest Department confirming the involvement of forest land, if any in the project area, or otherwise, based on land use classification (revenue record) as also in terms of the definition of forest as pronounced in the judgement of the Hon'ble Supreme Court of India in the matter of T.N. Godavarman Vs. Union of India. In the event of any claim by the project proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
2. Stipulations will be made in line with the above in the Term of Reference (TOR) for all future projects and for projects for which TOR is yet to be prescribed. For pipeline projects, the matter will be looked in to by EACs/SEACs at the appraisal stage. In case of projects where recommendations have already been given by EACs/SEACs for grant of EC, the competent authority will take a view on merit on each case.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

To

1. All Officer of the IA Division
2. Chairperson/Member Secretaries of all the EACs/ SEIAAs/SEACs

Copy to :

1. PS to MEF
2. PPS to Secretary(E&F)
3. PPS to SS(JMM)
4. Adviser(NB)
5. Website of the MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 9th September, 2011

OFFICE MEMORANDUM

Sub: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forestland – Procedure to be followed – further clarifications - Regarding.

Ministry of Environment & Forests had earlier issued an office memorandum vide no. J-11015/200/2008-IA.II(M) dated 31.3.2011 prescribing the procedure to be followed for consideration of projects for environmental clearance, which involve forestland.

2. Based on the experience gained in implementation of the instructions contained in the above referred O.M. and taking into consideration the inputs / feedback received from various stakeholders as also in light of the judgment of the Hon'ble Supreme Court dated 6.7.2011 in the IA No. 1868, 2091, 2225-2227, 2380, 2568 & 2937 in W.P. No. 202 of 1995 – T.N. Godavarman Thirumulpad Vs. UOI & Ors in Lafarge Mining / Forest case, the matter has been further considered.

3. Now, therefore, in partial amendment of the above referred O.M. dated 31.3.2011, it has been decided that the following procedure shall be adopted for consideration of projects for environmental clearance, which involve forestland:

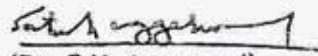
- (i) At the stage of consideration of proposals for TOR in respect of the projects involving forestland, the project proponents would submit a credible proof in support of the fact that they have already submitted their application to the concerned Competent Authority for diversion of the forestland involved in the project.
- (ii) At the stage of consideration of proposals for EC in respect of projects involving forestland, the project proponent would inform the respective EACs about the status of their application for forestry clearance along with necessary supporting documents from the concerned Forest Authorities. It will clearly be informed to the EAC whether the application is at the State level or at the Central level. The EAC will take cognizance of the involvement of forestland and its status in terms of forestry clearance and make their recommendations on the project on its merits. After the EAC has recommended the project for environmental clearance, it would be processed on file for obtaining decision of the Competent Authority for grant of environmental clearance. In the cases where the Competent Authority has approved the grant of environmental clearance,

the proponent will be informed of the same and a time limit of 12 months, which may be extended in exceptional circumstances to 18 months, a decision on which will be taken by the Competent Authority, will be given to the proponent to submit the requisite stage-I forestry clearance. The formal environmental clearance will be issued only after the stage-I forestry clearance has been submitted by the proponent.

- (iii) In the eventuality that the stage-I forestry clearance is not submitted by the proponent within the prescribed time limit mentioned at para (ii) above, the proposal for environmental clearance will stand rejected and the entire process of obtaining environmental clearance will have to be initiated de-novo as per the procedure prescribed under EIA Notification, 2006.

4. The requirement of information / data / documents for such projects as specified in office memorandum no. J-11013/41/2006-IA.II(I) dated 26.4.2011 will, however, continue to be completely followed .

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex, Lodi Road,
New Delhi-110003

Dated: 19th April, 2012

OFFICE MEMORANDUM

Subject : Consideration of Projects of Thermal Power, Steel Sector, etc. for Environmental Clearance with sourcing of Coal from dedicated Coal Blocks / Coal India Ltd. – Regarding

This is in continuation to this Ministry's earlier circular of even number dated 1st November, 2010 on the above mentioned subject regarding proposals relating to thermal power and other projects, which are largely dependent on availability of coal as a raw material. It was stipulated that such projects shall be considered only after firm coal linkage is available. Further, it was also required that the status of environment and forestry clearance of the coal source, i.e. the linked coal mine / coal block will be intimated for consideration of such proposals. In case of projects based on imported coal, a copy of the firm MOU signed between the coal supplier and the project proponent would be required.

2. The issue of firm coal linkage as a pre-requisite for consideration of projects for environment clearance has been further considered in order to bring in greater clarity and to elaborate the procedure for submission and processing of proposals for environment clearance.

3. It is essential to have detailed information regarding quality of coal to assess the environmental impacts of a thermal power project. The various important parameters of coal quality, inter alia, include (i) calorific value; (ii) sulphur content and (iii) ash content. The calorific value of coal would determine the quantity of coal requirement per unit of power generation, ash content would determine the land requirement for the ash pond as also the water consumption for its disposal in slurry mode and sulphur content would impact on the SO₂ emissions which, in turn, would affect the air quality.

4. Accordingly, quality of coal to be used in the project is taken into consideration while preparing the environment impact assessment (EIA) report and carrying out the environmental appraisal.

5. It is, therefore, essential to provide firm coal linkage for consideration of proposals for environment clearance of thermal power projects and other projects which are largely dependent on coal as a raw material. It is clarified that the coal linkage could either be in the form of a linkage through a specific mine or a basket of mines or through dedicated coal block, in the form of linkage accorded by Standing Linkage Committee of the Ministry of Coal or a fuel supply agreement. The

-2-

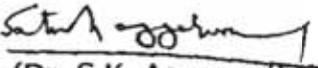
linkage/FSA must provide the details of the coal quality parameters, specifically (i) calorific value; (ii) sulphur content and (iii) ash content and such other parameters as may be prescribed by MoEF from time to time. Further, it would be necessary to indicate the location of mine as this would determine the necessity of using beneficiated washed coal.

6. In the eventuality of change in coal parameters with respect to the parameters based on which EIA was prepared, it would be necessary that the project is referred back to MoEF to revisit the environment clearance granted earlier so as to assess the adequacy of the conditions already stipulated and to incorporate any additional condition as may be necessary in the interest of environment protection including provision of FGD for control of SO_x emissions.

7. As regards the issue relating to the status of EC/FC for the linked coal mine, it is clarified that the case for environment clearance of Thermal Power Projects would be processed based on the status furnished by the proponent in line with the parallel processing being adopted for granting environment clearances of projects where forestry clearance is also required, i.e. having convergence at the last step. However, EC would be issued only after stage-I forestry clearance for linked mine has been issued.

8. The above procedure comes into force with immediate effect.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

All officers of IA Division

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary(E&F)
- (iii) PPS to SS(JMM)
- (iv) PPS to JS(RG)
- (v) All SEIAAs/SEACs
- (vi) Website of MoEF
- (vii) Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 18th May, 2012

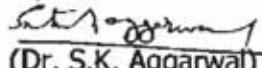
Office Memorandum

Sub: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forestland – procedure to be followed – Further Clarifications - Regarding.

In continuation to this Ministry's Office Memorandum of even no. dated 9th September, 2011 regarding the above mentioned subject, the matter has been further considered and examined in the Ministry. Accordingly, para 3(iii) of the above referred O.M. is substituted by the following:

"(iii) In the eventuality that the stage-I forestry clearance is not submitted by the project proponent within the prescribed time limit mentioned at para (ii) above, as and when the stage-I forestry clearance is submitted thereafter, such projects would be referred to EAC for having a relook on the proposal on case by case basis depending on the environmental merits of the project and the site. In such a situation the EAC may either reiterate its earlier recommendations or decide on the need for its reappraisal, as the case may be. In the eventuality, a reappraisal is asked for, the Committee will simultaneously decide on the requirement of documents / information for reappraisal as also the need for a fresh public hearing."

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to JS(RG)
4. Website, MoEF
5. Guard File

F. No. 6-18/2011/WL-I
Government of India
Ministry of Environment and Forests
(Wildlife Division)

Room No.116
Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi-110003
Dated 12.10.2012

OFFICE MEMORANDUM

Subject: Permission for erection of structure within Tillangchong Sanctuary, Andaman and Nicobar Islands for temporary use by Indian Navy – reg.

A proposal of Indian Navy was received in the Ministry of Environment and Forests for consideration of the Standing Committee of National Board for Wildlife (NBWL), seeking recommendation for use of 2m x 2m area within Tillangchong Wild Life Sanctuary, A & N Islands, for erection of a structure as target for practice missiles from sub marines, for 7 to 10 days in a year. The location is proposed to be used for firing of the practice versions of the missiles to be conducted (no explosives) as a part of acceptance trials of upgraded systems of Indian Navy. The alternatives considered included the Isles of Man Island, which does not meet the trials firing parameters, and the Little Nicobar Island, which has large number of dwelling units, therefore not permitted by A & N Administration. It has been informed that the area of impact is less than 50 ha with use of 2m x 2m for erection of target and a circular error of probability of 50 meters.

2. The area has been notified as a Wild Life Sanctuary in 1985. Island is about 15 km long and 1 km in width, with a total area of 16.83 sq km. In the report of the Wildlife Warden, proposed diversion measures to 4 sq km, with an effective requirement of 50 sq km. The island supports tropical evergreen vegetation.

3. The proposal was considered in the 23rd meeting held on 14th October 2011 wherein a site inspection was prescribed and entrusted to Dr A Rahmani, Member, along with the Chief Wildlife Warden, A & N Islands, for submitting a report to the Committee. Site inspection was carried out by Dr Rahmani on February 12, 2012, along with the representatives of A & N Forest Department and Indian Navy. Dr Rahmani reported that the area is important for presence of the endemic Nicobar Megapode, *Megapodius nicobariensis nicobariensis*, a sub species of the Nicobar Megapode, occurring on seven islands of the Noncowry group. The population of this sub species has declined to less than 200 from above 2000 breeding pairs in 1990s and Tillangchong is the only island holding the safest population of the sub species. He also reported presence of a few other endemic species in the area like Nicobar bulbul, Nicobar Sparrowhawk, coconut crab etc. The island is considered sacred by the Nicobarese communities and hunting of birds is not allowed. They had expressed their opinion against the proposal of the Navy. Dr Rahmani recommended that the proposal should not be recommended due to the unique status of this habitat, and potential destruction of the habitat in the nearby area in case of misfire. The report was considered in the 25th meeting held on 13th June 2012. In the meeting it was generally felt that the area, being among the last remaining habitats of an endemic bird, must be preserved. In the meeting, was also considered to permit one pilot testing to understand the impact.

4. Subsequently several representations and more information have been received in the Ministry related to the conservation value of the island. It is indicated that the proposed missile testing is likely to have highly damaging consequences on the ecosystem including the endemic species. At the same time, the local customs and culture, wherein customary practice of use and conservation are still vibrant, need to be respected.

5. In the deliberations on the issue in 25th Standing Committee meeting, the matter was extensively discussed and several members expressed their strong opposition to the proposal. Representative of the Indian Navy made a very persuasive presentation of the importance of the project. The matter has been considered in context of the facts detailed above.

6. Accordingly it is recommended that the proposal for use of forest land for installation of a structure as target for use of the practice versions of the missiles to be conducted for acceptance trials of upgraded missiles systems in the Sanctuary can not be permitted. The proponents, Indian Navy, are requested to identify alternate locations, where high conservation values of this nature are not at stake, for ensuring the defence preparedness and security of the country.

7. This issues with the approval of the Minister of State (Independent Charge) Environment and Forests, and the Chairperson of the Standing Committee for NBWI.



(Dr S K Khandu
Inspector General of Forests
Tele: 011-2436 476

- i) Chief Secretary, Andaman and Nicobar Islands, Port Blair.
- ii) Principal Secretary, Forests and PCCF, Andaman and Nicobar Islands, Port Blair.
- iii) Principal Secretary (WL) and Chief Wildlife Warden, Andaman and Nicobar Islands, Port Blair.
- iv) Copy to: Technical Director (NIC) for uploading the O.M. on the Ministry website.

F. No. 11-362/ 2012-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510.
Dated: 1st February, 2013

To

1. The Principal Secretary (Forests),
All State / Union Territory Governments
2. The Principal Secretary (Environment),
All State/ Union Territory Governments

Sub: Guidelines for diversion of forest land for non-forest purposes under the Forest (Conservation) Act 1980- Submission of proposals to obtain approval for diversion of entire forest land located within the mining lease and grant of environment clearance to mining projects.

Sir,

It has been observed that the Central Government is receiving proposals from various State/Union Territory Governments to obtain prior approval of Central Government under the Forest (Conservation) Act, 1980 (FC Act) for diversion of a part of the forest land located within the mining leases. The Central Government after examination of the matter observed that no forest land can be leased/ assigned without first obtaining the approval under the FC Act. Therefore, the forest area approved under the FC Act should not be lesser than the total forest area included in the mining lease approved under the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act). Both necessarily have to be the same.

The issue has been examined in its entirety in considerable depth by this Ministry and after careful considerations; this Ministry hereby takes the following decisions:

- (i) Henceforth, in case of mining leases having forest land in part or in full, approval under the FC Act for diversion of entire forest land located within the mining shall be obtained before execution/renewal of the lease under the MMDR Act. Applications seeking prior approval under FC Act for diversion of the entire forest land (and not a portion thereof) located within the area proposed to be assigned on lease shall only be accepted by the Nodal Officers in the concerned State/ Union Territory Governments.
- (ii) All State/UT Governments shall within a period of three months submit to this Ministry details of all such mines where approval under the FC Act for diversion of only a part of forest land has either been obtained or is presently under examination in the State/Central Government. The State Governments in all such cases shall request the concerned user agencies to submit application to obtain approval under the FC Act for diversion of the remaining forest land located within the mining lease. Mining in such leases after two years will be allowed only if the user agency either obtains approval under the FC Act for the entire forest land located within the mining lease or surrenders such forest land for which approval under FC Act has not been obtained and execute a revised mining lease for the reduced lease area.

W/10/2013

(iii) As regards Environment Clearance (EC) cases of existing mining operations, where approval under the FC Act for the full forest area in the mining lease area is not available, granting of EC may be considered and the following process will be adopted for processing such cases:

- (a) Grant of EC may be considered only for the non-forest area plus the forest area within the mining lease for which FC is available. No mining activities will be allowed in forest area for which the FC is not available; and
- (b) The project proponent will seek and obtain approval under the FC Act for diversion of the entire forest land located within the mining lease within a period of two years from the date of issue of these guidelines, failing which the mining lease area will be reduced to the non forest area plus the forest area for which the project proponent has been able to obtain the FC at the end of this time period. In the case of reduction in mine lease area, the project proponent will need to get a revised mining plan approved from the competent authority for reduced area and enter into a new mining lease as per reduced lease area. The EC will be construed to be available for the mining lease area as per the revised mining lease deed.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.

Yours faithfully,

20/12/2006
(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Secretary, Ministry of Mines, Government of India.
2. Secretary, Ministry of Coal, Government of India.
3. Secretary, Ministry of Steel, Government of India.
4. Principal Chief Conservator of Forests, all State/UT Governments.
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT.
6. All Regional Offices, Ministry of Environment & Forests.
7. Joint Secretary, in-charge, Impact Assessment Division, MoEF.
8. Chairman, State Environment Impact Assessment Authority, all State/UT Governments.
9. Member-Secretary, State Environment Impact Assessment Authority, all State/UT Governments.
10. All Advisors/ Directors/ Dy. Directors in the Impact Assessment Division, MoEF.
11. All Assistant Inspector General of Forests in Forest Conservation Division, MoEF.
12. Director, Regional Office (Headquarters), Ministry of Environment & Forests, New Delhi.
13. Monitoring Cell, Forest Conservation Division, MoEF for placing a copy of the extant guidelines on website of the Ministry.
14. Guard File.

20/12/2006
(H.C. Chaudhary)

Assistant Inspector General of Forests

J-11015/200/2008-IA.II(M)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003.
Dated: 19th March, 2013

OFFICE –MEMORANDUM

Sub.: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forest land – Procedure to be followed – further clarifications.

This Ministry had earlier issued an Office Memorandum vide No. J-11015/200/2008-IA.II (M) dated 31.3.2011 stipulating the procedure to be followed for consideration of projects for environmental clearance, which involve forest land.

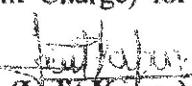
2. The sum and substance of the said O.M. 31.03.2011 is that in case a project involves forest

7. The Hon'ble Supreme Court in their order dated 12.3.2013 in the said I.A. was pleased to clarify that their decision in Lafarge Umiam Mining Pvt. Ltd. vs. Union of India [(2011 7 SCC 338] case shall not stand in the way of the Government in making suitable amendments in the guidelines dated March 31, 2011 to deal specially with the linear projects in the nature of roads, pipelines and similar others, as described in the said I.A.

8. Now, therefore, in partial modification of this Ministry's said O.M. of even number dated 9th September 2011, it has been decided that pending grant of stage-I approval under the Forest (Conservation) Act, 1980 for non-forestry use of the forest land, environment clearance to linear projects may be issued subject to the following additional conditions:

- (i) Work on non-forest land may only be executed upto such point (to be selected by the user agency) on either side of forest land if it is explicitly certified by the user agency that in case approval under the Forest (Conservation) Act, 1980 for diversion of forest land is declined, it is technically feasible to execute the project along an alternate alignment without involving diversion of forest land. Details of all such stretches along with alternate alignments identified to bypass the forest land should be explicitly provided in the proposal seeking approval under the Forest (Conservation) Act, 1980 and the EIA Notification, 2006.
- (ii) Commencement of work on non forest land will not confer any right on the user agency with regard to grant of approval under the Forest (Conservation) Act, 1980.
- (iii) The projects involving widening/ upgradation of existing roads will only be allowed to be executed on the entire stretch located in non- forest land, provided the user agency submits an undertaking that execution of work on non-forest land shall not be cited as a reason for grant of approval under the Act and in case approval under the Act for diversion of forest land is declined, width of the portion of road falling in the forest land will be maintained at its existing level.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.


(Lalit Kapur)
Director(IA-III)

To

1. All Officers of the IA Division.
2. Chairpersons/ Member-Secretaries of All the SEIAAs/ SEACs.
3. Chairperson, CPCB.
4. Chairpersons/ Member-Secretaries of all SPCBs/ ITPs

Copy to:-

1. PS to MoEF.
2. PPS to Secretray (E & F)
3. PPS to JS (AT)
4. Website, MoEF.
5. Guard File.

No. J-11013/I/2013-IA-I
Government of India
Ministry of Environment & Forests
IA-I Division

Dated: 28th May, 2013

OFFICE MEMORANDUM

Subject: Streamlining of process of Environment Clearance (EC) and Forest Clearance (FC) cases by Expert Appraisal Committee (EAC) & Forest Advisory Committee (FAC) respectively for Hydropower and River Valley Projects (HEP & RVP)-regarding.

This Ministry has reviewed the issues which are normally considered by the EAC and FAC while examining the EC and FC cases respectively in respect of hydropower and river valley projects with a view to streamlining the processes and avoiding duplication of efforts by two Committees.

2. EAC and FAC function under two different statuses. However, there are certain issues which may need attention and consideration of both the Committees. It is felt that one an issue has been examined and looked into by one Committee, the details and findings could be shared with the other Committee to avoid duplication of efforts. It has been further noted that between the two processes, i.e. for EC and FC, generally processing of EC is quicker, largely on account of the fact that the project proponents submit their applications for EC directly to MoEF whereas in case of FC, the application is initially processed through various levels in the State Government.

3. Taking into account the composition of Committees and subject/domain expertise available in both EAC and FAC, the following has been decided on the issues relating to environmental flow, bio-diversity component, cumulative impact study and carrying capacity study in respect of hydropower and river valley projects.

(i) Environmental Flow:

As EAC has got requisite expertise, this aspect may be considered by EAC alone and outcome be shared with FAC.

(ii) Bio-diversity Component:

Examination of bio-diversity issues is a highly specialized task and the consultants involved in preparation of EIA/EMP report may not be equipped to do full justice to this subject. Some institutes in the country are well equipped with expertise and resources with regard to examination of bio-diversity issues. Therefore, their knowledge

and expertise may be harnessed on Bio-diversity aspect for ensuring a sound assessment of this cardinal component in EIA Studies and preparing an effective EMP. It has been decided that WII and ICFRE, Dehradun will provide a State-wise list of such institutes and based on their inputs. MoEF would finalize a list of institutes which would be displayed on MoEF's website. The developers would then choose from amongst such institute to conduct such a study. The standard ToRs for a bio-diversity study for a hydro power project may be prepared by EAC and shared with FAC for modifications, if any. The same template be then used by EAC/FAC (taking into account which Committee considers the project first) with suitable project specific modifications, if required. Once the bio-diversity study report is ready, the same could then be shared between EAC and FAC.

(iii) Cumulative Impact Study :

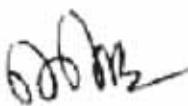
Cumulative Impact study of a basin would reflect the cumulative impact of commissioned/up-coming hydro-power projects in the basin on environmental flow, bio-diversity, muck disposal sites, traffic flow in the region, R&R issues, etc. While, the first project in a basin could come up without insisting on cumulative study, for all subsequent hydro-power projects in the basin, it should be incumbent on the developer of the second/other project(s) to incorporate all possible and potential impact of other project(s) in the basin to get a cumulative impact assessment done. This condition shall be stipulated at the ToRs stage itself during the EC process. Once such a cumulative impact study has been done, the same could be shared by EAC with FAC. The Cumulative impact study in respect of bio-diversity component may be separately got done by one of the specialized Institutes as stated at (ii) above. While making recommendation on EC/FC for such projects, the EAC/FAC will take into account the results of such cumulative studies.

(iv) Carrying Capacity Study:

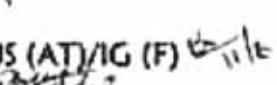
The carrying capacity study of a river basin is important to plan optimal number of power projects in a basin. All State Governments will be required to get such studies done for river basins in their State. The process may be initiated in the next three months and completed within a period of two years, after which the carrying capacity study report would be made a pre-requisite for considering EC/FC cases of projects of any basin. All State Governments will send the details of river basins where such studies are to be done and confirm initiation of studies to MoEF within 3 months of issuance of this OM. The institutes for such studies may be settled by the State Government in consultation with the EAC.

- 3 -

4. This issues with the approval of MoS (I/C) for Environment & Forests.


(B. B. Barman)
Director

Copy to :

- 1/16/15
- (i) PS to Minister (E&F)
 - (ii) PS to Secretary (E&F) /DG (Forests/ JS (AT)/IG (F) 
 - (iii) Chief Secretaries of all States 
 - (iv) Additional Secretary, Ministry of Power, Sharam Shakti Bhawan, New Delhi-110001, Fax: 23350780
 - (v) Environment & Forests Secretaries/ Principal Secretaries of all States
 - (vi) Joint Secretary, Ministry of Power, Sharam Shakti Bhawan, New Delhi-110001, Fax: 23350780
 - (vii) WII, Dehradun and ICFRE, Dehradun
 - (viii) All SEIAAs/all Directors in IA Division
 - (ix) Website of MoEF

No. J-15012/5/2013-IA-I
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan
C.G.O. Complex, Lodhi Road
New Delhi-110003

Dated 1st August, 2013

OFFICE MEMORANDUM

Subject: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forest land - Procedure to be followed - partial modification reg.

Ministry of Environment & Forests had earlier issued Office Memorandum vide No.J-11013/41/2006-IA.II(I) dated 9th September, 2011 prescribing the procedure to be followed for consideration of projects for environmental clearance, which involve forest land.

2. It has been brought to the notice of this Ministry that in case of hydro-power projects, the actual siting of the dam would be guided by geo-technical studies carried out after the TOR stage, and hence, difficulty in estimating forests submergence prior to TOR stage. Thus, for such projects, it may not be feasible to submit application for forest clearance before the issuance of the TORs. The matter has been examined and it has been decided that the following provision shall be added at the end of sub-para(i) of para 3 of aforesaid O.M. dated 9th September, 2011:

"Provided that in case of hydro-power projects, MoEF will consider granting TOR without insisting on submission of application for forest clearance. In case it is decided to grant TOR, the same will be issued subject to a condition that application to obtain prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land required for such projects will be submitted as soon as the actual extent of forest land required for the project is known to the project proponent, and in any case, within 6 months of issuance of TORs. However, no proposal will be put up before EAC without submission of application for forest clearance, wherever applicable."

This issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi)
Director

To:

1. All the Officers of IA Division.
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs.
3. Chairman, CPCB
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to DG (Forest)
4. Advisor (IA)
5. Website, MoEF
6. Guard File

F. No. J-11013/12/2013-IA-II (I) (part)

Government of India

Ministry of Environment, Forests and Climate Change
IA Division

Paryavaran Bhawan,
C.G.O Complex, Lodhi Raod,
New Delhi-110 003

Dated the 19th June, 2014

OFFICE MEMORANDUM

Subject: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forestland-procedure to be followed-further clarifications-regarding.

The Hon'ble Supreme Court judgement dated 6th July 2011 in Writ Petition (C) No. 202 of 1995 in Lafarge case pronounced *inter-alia* that the environment clearances in respect of projects involving forest land will only be granted after the Project Proponent obtains Stage-I forestry clearance in respect of the forest land involved in the project. The Court order states that these guidelines are required to be given so that *fait accompli* situations do not recur.

2. As per procedure being followed in the Ministry, the environment clearance and forest clearance cases are processed in parallel in the Ministry of Environment and Forests, as these clearances are issued under different statutes i.e., Environment Impact Assessment (EIA) Notification, 2006 issued under Environment (Protection) Act, 1986 and Forest (Conservation) Rules, 2003 and Guidelines issued under Forest (Conservation) Act, 1980. The Office Memorandums No.J-11013/41/2006-IA.II(I) dated 09.09.2011 and 18.05.2012 issued by the Ministry elaborate on the procedure for dealing with environment clearance cases involving forest land and stipulate that in case Stage-I forest clearance is not obtained within 18 months of approval of environmental clearance, in that eventuality, after the submission of Stage-I clearance, such proposals would be referred to Expert Appraisal Committee for having a re-look on the proposal on case by case basis depending on the environmental merits of the project and the site.

3. The matter has been further examined in the Ministry and it is felt that the clause of 18 months ceiling in above said Office Memorandums needs to be reviewed. It may be noted that another Office Memorandum No. J-11013/41/2006-IA.II(I) dated 22.03.2010, prescribing outer limit for the validity period of Terms of Reference (TORs), *inter alia* stipulates that the primary data in the EIA/ EMP report submitted after public consultation

should not be more than three years old. It would be logical to stipulate similar criteria in Office Memorandum dated 18th May, 2012.

4. Thus it has been decided to substitute para 3(iii) of the Office Memorandum dated 9th September, 2011 as amended on 18th May, 2012, with the following:

"(iii) In the event that the state-I forestry clearance is not submitted by the project proponent within the prescribed time limit mentioned at para (ii) above, as and when the stage-I forestry clearance is submitted thereafter, such project would be referred to EAC for having a relook, in case the primary data used in preparation of EIA report is more than three years old. In such a situation, the EAC may get the fresh data collected and on that basis and after due diligence, either reiterate its earlier recommendations, or decide for reappraising the project proposal on account of valid reasons, as the case may be. In case it is decided to reappraise the project, the Committee may also decide on the requirements of documents/information for reappraisal as also the need for a fresh public hearing."

5. This issues with the approval of the competent authority.



(Dr. Satish C. Garkoti)
Director

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MOS(Independent Charge)
2. PPS to Secretary(E&F)
3. PPS to AS(SS)
4. PS to JS(AT)
5. Website, MoEF
6. Guard File

F.No. J-11013/41/2006-IA-II(I)(part)

Government of India

Ministry of Environment, Forests and Climate Change
IA Division

Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj,
New Delhi-110 003

Dated the 20th August, 2014

OFFICE MEMORANDUM

Subject: Consideration of development projects located within 10 km of National Park and Sanctuaries seeking environmental clearance under EIA Notification, 2006 – clarification regarding.

This Ministry vide Circular No.L-11011/7/2004-IA.II(I) (Part) dated 27.02.2007 and Office Memorandum(OM) No.J-11013/41/2006-IA.II(I) dated 02.12.2009 clarified procedure for consideration of developmental projects located within 10 km of Protected Areas (PAs), i.e., National Parks and Wild-life Sanctuaries and also involving wild-life habitat, for grant of environmental clearance (EC) under EIA Notification, 2006. The aforesaid Circular / OM were *inter-alia* issued pursuant to Supreme Court Order dated 04.12.2006 in W.P.(C) No.460 of 2004. It is noted that the last line of the aforesaid Circular dated 27.02.2007 states that "... shall be accorded environmental clearance subject to their Project Proponents obtaining clearance under the Wildlife (Protection) Act, 1972; a condition to this effect being stipulated explicitly in the clearance letter". The phrase, "obtaining clearance under the Wildlife (Protection) Act, 1972", in the Circular may be read as "prior clearance from the Standing Committee of the National Board for Wild-life".

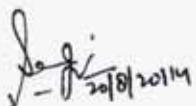
2. Over a period of time, this Ministry has notified a number of Eco Sensitive Zones (ESZs) around PAs. Many of development activities are prohibited / regulated in these ESZs as per the notifications issued for their constitution. It may be noted that, for regulated activities requiring prior ECs within such ESZs prior clearance of the Standing Committee of NBWL will be required in view of aforesaid Supreme Court Order dated 04.12.2006, the only difference being that the distance of 10 km gets substituted by the boundary limits of such ESZs.

3. With a view to facilitating early decision making by the Standing Committee of NBWL in respect of development projects requiring prior EC and located within 10 km of PAs / within the ESZs around PAs, the following procedure has been decided:-

1.2/-

- (i) While prescribing TORs for such projects requiring prior EC, henceforth, additional TORs as per Annexure shall be mandatorily incorporated in the TORs.
- (ii) Copies of TORs issued to such projects shall be endorsed to the Wildlife Division of the Ministry.
- (iii) After examining a proposal for EC, the concerned EAC would make appropriate recommendations and in case it recommends the proposal for EC, it would forward the case along with detailed information obtained from the Project Proponent on issues as brought out in the Annexure, to the Wildlife Division who would get the matter placed before the Standing Committee of NBWL for obtaining their recommendations on the proposal. In the meetings of Standing Committee of NBWL wherein such proposals will be considered, the Standing Committee may invite the Chief Wildlife Warden of the concerned State to give views on the proposal in the meeting.
- (iv) The Wildlife Division may thereafter record the recommendations of the Standing Committee of NBWL on the proposal and return the case to the IA Division for further processing and obtaining approval of the Competent Authority on the issue of grant of EC to the project.

5. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Director

Enc. Annexure

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs
6. IGF(WL), MoEF&CC

Copy for information:

1. JS(AT)
2. PS to MOS(Independent Charge)
2. PPS to Secretary (E&F)
3. PPS to AS (SS)
4. Website, MoEF
5. Guard File

Form for providing information for consideration of Standing Committee of NBWL

Annexure

1. Name and area (ha.) of national park/sanctuary involved
2. Type of forest in which the proposed area falls.
3. Conservation value/critical wildlife habitats in the PA.
4. Prevalent land use categories within 10km distance/ ESZ around the PA.
5. Is any project of similar nature already located within 10km of the PA boundary/ ESZ around the PA? If so, please give the following details separately for each project.

Name of Project

Distance from PA

Size (Capacity/output in appropriate units)

Impact if any on the conservation status of PA perceived

6. Provide your assessment of the likely POSITIVE AND NEGATIVE impact/s of the proposed project giving scientific and technical justification for each impact.
7. Whether the project applicant has ever committed violation of the Wild Life (Protection) Act, 1972 or Forest Conservation Act, 1980 in the past. If yes, provide the details of the offences and the present status of each case.
8. Have you examined the Project Appraisal document and the alternatives as provided in EC application form?

...2/

-2-

9. Any information that would like to bring to the notice of the National Board for Wildlife or its Standing Committee that may be relevant and assist in decision making.

10. Do you recommend the project?
(please provide full justification to support your recommendation)

11. Conditions, if any, to be ensured in the interest of protection and conservation of the PA for according EC to the project?

Chief Wildlife Warden

CHAPTER-6

VIOLATION OF EIA NOTIFICATIONS

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.

Dated 19th August, 2010

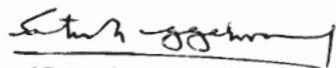
Office Memorandum

Sub: Activities which can be undertaken without prior Environmental Clearance - Clarification regarding.

Instances have come to the notice of this Ministry where the project proponents have undertaken construction activities relating to the project at site without obtaining the requisite prior environmental clearance as is mandated under the EIA Notification, 2006. It is to reiterate that the EIA Notification, 2006 mandates prior environment clearance to be obtained in respect of all the activities listed therein following the prescribed procedure. No activity relating to any project covered under this Notification including civil construction, can be undertaken at site without obtaining prior environmental clearance except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s).

All the project proponent may note that any contravention of the provisions of the EIA Notification amounts to violation of the Environment (Protection) Act, 1986 and would attract penal action under the provisions thereof. The project proponent may also note that in case of any project where TORs have been prescribed for undertaking detailed EIA study and where construction activities relating to the project have been initiated by them, the TORs so prescribed may be suspended / withdrawn in addition to initiating penal action under the provisions of the EP Act, 1986.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PS to AS(JMM)
2. Advisor (NB)
3. Website, MoEF
4. Guard File

No. J-11013/41/2006-IA.II(I) .
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 16th November, 2010

Office Memorandum

- Sub: 1. Consideration of proposals involving violation of the Environment (Protection) Act, 1986 or Environment Impact Assessment (EIA) Notification, 2006 / the CRZ Notification, 1991, there under – Regarding.**
2. Corporate Environment Policy - Regarding.

The Environment Impact Assessment (EIA) Notification, 2006 requires all new projects or activities and or expansion and modernization of those existing projects or activities listed in the schedule to the said Notification with capacity beyond the threshold limits prescribed there under, to obtain prior environmental clearance under the provisions thereof.

2. Instances have come to the notice of the Ministry of Environment & Forests where substantial physical progress relating to construction of the project has been made at site and significant investments have been made for setting up of new projects as also for the expansion components of various existing projects such as thermal power plants, integrated steel plants, mining projects etc. without obtaining a requisite prior environmental clearance as is mandated under the EIA Notification, 2006.

3. As per the existing practice being followed in the Ministry for considering such violation cases as and when these are submitted for environmental clearance, while environmental clearance is granted to deserving projects prospectively, based on their merit, in accordance with the recommendation of the Expert Appraisal Committees, simultaneously the concerned State Governments, under the powers delegated to [REDACTED] (Protection) Act, 1986 are requested to [REDACTED] these units have operated in violation

[REDACTED] Ministry and it has been decided to [REDACTED] with such cases of violations:

[REDACTED] e submitted to the Ministry of [REDACTED] environmental clearance would be referred to the respective Expert Appraisal Committee (EAC) / SEACs for their consideration based on the merit of the proposal. After the EAC / SEAC have made its recommendations on the project, the proposal will be processed on file for obtaining the approval of the Competent Authority.

- (ii) After the Competent Authority has approved the proposal for grant of environmental clearance, MoEF / SEIAA will send a communication to the project proponent informing that although the proposal has been approved by the Competent Authority, formal environmental clearance will be issued to the project only after the matter relating to the violations have been put up to the Board of Directors of the Company or to the Managing Committee / CEO of the Society, Trust, partnership / individually owned concern for consideration of its environment related policy / plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF / SEIAA to ensure that violations of the Environment (Protection) Act etc. will not be repeated. For the purpose, a time limit of 90 days will be given to the project proponent. In the meantime, the project will be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 90 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, where after the procedure for obtaining environmental clearance will have to be initiated de-novo by such project proponents.
- (iii) The respective State Government will be informed of the violation cases for their initiating legal action against the Company as per the procedure prescribed.
- (iv) The details of the project proponents and a copy of the commitment etc. mentioned at para 4(ii) above will be put on the website of MoEF / SEIAA for information of all / stakeholders.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(Dr. S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. All SEIAAs / SEACs
2. All SPCBs / UTPCCs
3. PS to MEF
4. PPS to Secretary (E&F)
5. PPS to AS(JMM)
6. PS to Advisor (NB)
7. Website of MoEF

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
CGO Complex, Lodhi Road
New Delhi – 110003

E-mail: pb.rastogi@nic.in
Telefax: 011-24362434

Dated 12th December, 2012

Office Memorandum

Subject: Consideration of proposals for TORs/Environment Clearance/ CRZ Clearance involving violation of the Environment (Protection) Act, 1986 / Environment Impact Assessment (EIA) Notification, 2006 / Coastal Regulation Zone (CRZ) Notification, 2011 - reg.

The Environment Impact Assessment Notification (EIA), 2006 and its amendments thereafter require all new projects or activities and / or expansion and modernization of existing projects or activities listed in the schedule to the said Notification with capacity beyond threshold limits prescribed thereunder, to obtain prior Environment Clearance under the provisions thereof. Similarly, CRZ Notification, 2011 imposes certain restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ.

2. Instances have come to the notice of this Ministry where without obtaining the required clearance under the aforesaid Environment Impact Assessment Notification, 2006 and / or CRZ Notification, 2011, the construction / physical / operation activities relating to the projects have been started at the sites. Such activities amount to violations under the Environment (Protection) Act, 1986 / EIA Notification, 2006 / CRZ Notification, 2011 (henceforth referred to as violations).

3. The cases for granting Environment Clearance / CRZ Clearance for such projects are at present being dealt with in terms of OM of even number dated 16.11.2010. Now, it has been decided in that in supersession of this OM, the procedure henceforth stated in this OM will be followed while dealing with such cases.

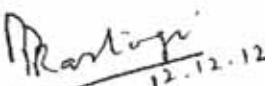
4. The violations could come to the notice of the Ministry at various stages of processing of the proposals, i.e.:

- i. Processing the case in the Ministry before referring the same to the Expert Appraisal Committee (EAC) for TOR / Environment Clearance / CRZ Clearance;
- ii. During the deliberations in the EAC meeting and recorded as such in the minutes of the meeting; and;
- iii. Processing the case in the Ministry after the receipt of recommendations of the EAC but before granting TOR / Environment Clearance/CRZ Clearance.

5. As soon as any case of violation comes / is brought to the notice of the Ministry / EAC, the Ministry / EAC will proceed to verify the veracity of the complaint through the concerned Regional Office of MoEF / State Government / CZMA. Of course, such a verification will not be required in case

the project proponent does not contest the allegation of violation. Once the Ministry / EAC is satisfied that it is a violation case, before proceeding any further in the matter, the following will need to be ensured in the matter:

- i. The matter relating to the violation will need to be put up by the Project Proponent to the Board of Directors of its Company or to the Managing Committee / CEO of the Society, Trust, partnership / individually owned concern for consideration of its environment related policy / plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF to ensure that violations will not be repeated. For this purpose, a time limit of 60 days will be given to the project proponent. In the meantime, the project will be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 60 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, whereafter the procedure will have to be initiated *de novo* by such project proponents.
 - ii. The State Government concerned will need to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken.
 - iii. The details of the project proponent and a copy of the commitment, etc., mentioned at (i) above will be put on the website of MoEF for information of all stakeholders.
6. Once action as per para 5 above has been taken, the concerned case will be dealt with and processed as per the prescribed procedure for dealing with cases for grant of TORs / Environment Clearance / CRZ Clearance and appropriate recommendation made by the EAC/decision taken by the Ministry as per the merit of the case.
7. It may be clarified that the consideration of proposals for giving TORs/ Environment clearance / CRZ clearance for violation cases will not be a matter of right for the project proponent. In cases of serious violations, the Ministry reserves the right to outrightly reject such proposals and not consider the same at all.
8. The aforesaid procedure, as stated in para 4 to 7 above will apply *mutatis mutandis* to the cases handled at the State level by the State Environment Impact Assessment Authorities (SEIAAs)/ State Level Expert Appraisal Committees (SEACs).
9. This issues with the approval of the competent authority.



12.12.12
(Dr. P.B. Rastogi)
Director

To:

1. All the Officers of IA Division.
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs.
3. Chairman, CPCB, N. Delhi.
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs.

Copy to:

1. PS to MEF.
2. PPS to Secretary (E&F).
3. PPS to JS (AT).
4. Website of the MoEF .
5. Guard File.

No.J-11013/41/2006-IA.II(I)

Government of India

Ministry of Environment & Forests

Paryavaran Bhavan
C.G.O. Complex, Lodhi Road
New Delhi-110003

Dated: 27th June, 2013

OFFICE MEMORANDUM

Subject: Consideration of proposals for TORs / Environment Clearance / CRZ Clearance involving violation of the Environment (Protection) Act, 1986 / Environment Impact Assessment (EIA) Notification, 2006 / Coastal Regulation Zone (CRZ) Notification, 2011 – reg.

1. This Ministry, vide OM of even number dated 12.12.2012 on the subject cited above, has circulated guidelines for considering proposals for Terms of Reference (ToR) / Environment Clearance (EC) / Coastal Regulation Zone (CRZ) Clearance involving violations under the Environment (Protection) Act, 1986 / Environment Impact Assessment Notification, 2006 / CRZ Notification, 2011.

2. The matter has been further examined. It is felt that in addition to these guidelines circulated vide aforesaid OM dated 12.12.2012, in case of violation cases, the Project Proponent needs to be restrained, through appropriate directions under Section 5 of the Environment (Protection) Act, 1986 from carrying out any construction or operation activity without the required clearance or beyond the level / capacity stated in the existing clearance, as the case may be, till it procures the requisite EC / CRZ Clearance for the same.

3. In view of the above, it has been decided to insert the following as sub-para (iv) below sub-para (iii) of para 5 of the aforesaid OM dated 12.12.2012:

“(iv) Directions under Section 5 of the Environment (Protection) Act 1986 will be issued by MoEF to the Project Proponent in respect of the violations and compliance of Project Proponent obtained to such directions especially with regard to:

- (a) In case the project is at construction stage and the violation is on account of carrying out construction without valid EC/CRZ Clearance or in contravention of the conditions stated in the EC/CRZ Clearance, the construction activities will need to be suspended at the existing level till EC/CRZ Clearance is obtained or the required amendment to EC/CRZ Clearance is obtained.
- (b) In case the project is in operation and the violation is on account of enhanced production beyond the capacity stated in the EC/CRZ Clearance, the production will need to be restricted to the capacity stated in the EC/CRZ Clearance till EC/CRZ Clearance is obtained for enhanced capacity. In case of operation without a valid EC/CRZ Clearance, the production will need to stop till the required EC/CRZ Clearance is obtained.

...contd.2/-

(c) In case the violation is on account of carrying out modernization of existing project and/or change in product-mix in an existing manufacturing unit, the status quo as existing prior to such modernization and/or change in product-mix will be maintained till the required EC/CRZ Clearance is obtained for the modernization and/or change in product-mix.

In case of any violation to aforesaid directions, legal action as per the provisions of the Environment (Protection) Act, 1986 will be taken against the Project Proponent and the case of TOR/EC/CRZ Clearance summarily rejected.

4. This issues with the approval of the competent authority.



(Dr. P.B. Rastogi)
Director

Telefax: 011-2436 2434

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to JS(AT)
4. Website of the MoEF
5. Guard File

CHAPTER-7

INTERNAL PROCESSING

NoJ-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment and Forests
(IA. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road,
New Delhi – 110 003

Dated 13th October, 2006

CIRCULAR

Sub: **EIA Notification 14th September, 2006 – Follow-up action.**

Pursuant to the New Environment Impact Assessment (EIA) Notification coming into force with effect from 14th September, 2006 and a number of new activities viz. coal washeries, mineral beneficiation, coke oven plants, sugar industry, industrial estates/EPZs/SEZs, TSDFs, CETPs, Common Municipal Solid Waste Management Facilities are included in the Schedule to the New Notification, these activities are to be clubbed with appropriate sectors for the purpose of appraisal of such proposals by the respective sectoral Expert Committees.

Accordingly, the following clubbing for the purpose of appraisal in respective sectoral committees is to be followed:

New Activity	Concerned Sectoral Expert Committee for Appraisal
Coal Washerries	Expert Committee (Mining)
Mineral Beneficiation	Expert Committee (Mining)
Sponge Iron Manufacturing > 200 TPD	Expert Committee (Industry)
All Toxic and Heavy Metal Producing units \geq 20,000 tonnes/annum	Expert Committee (Industry)
Coke Oven Plant \geq 2,50,000 TPA	Expert Committee (Industry)
Sugar Industry	Expert Committee (Industry)

Soda Ash Industry	Expert Committee (Industry)
All Ship Breaking Yards including the Ship Breaking Units	Expert Committee (Infrastructure)
Industrial Estates/Parks/Complexes/EPZs/SEZs/Bio-tech, Leather Complexes.	Expert Committee (Infrastructure)
Common Hazardous Waste Treatment Storage and Disposal Facilities (TSDF)	Expert Committee (Infrastructure)
Aerial Ropeways	Expert Committee (Infrastructure)
Common Effluent Treatment Plants CETPs	Expert Committee (Infrastructure)
Common Municipal Solid Waste Management Facilities	Expert Committee (Infrastructure)

This issues with the approval of the Competent Authority.


 (G.V. Subrahmanyam)
 Director

To

All Officers of IA Division.

Copy to:

1. PPS to Secretary (E&F)
2. PPS to AS (CC)
3. PS to JS (CC-II)

Ministry of Environment of Forest
IA Division

File No- J- 13011/81/2006-IA II (I)

Date: 6th February 2007

C I R C U L A R

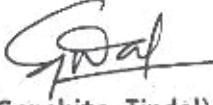
Subject: Clarification regarding Consideration of Integrated Projects.

It has been decided that the consideration of the integrated projects having components from industry, power projects, townships, mining etc. sectors by various Expert Committees will be done as follows:

- (i) If the core proposal is for Industry sector along with Captive Power Plant, it will be considered by the "Industry" Committee.
- (ii) Stand-alone Power Projects, captive or otherwise, will be considered by the "Thermal" Committee.
- (iii) Industry Projects with mining component will be considered by the "Industry" Committee.
- (iv) Stand-alone Mining Projects will be considered by "Mining" Committees.
- (v) Projects involving Townships will be considered by the respective Committees considering the Core Project.

2. The experts in the relevant field may be co-opted from the other sector Committee, if required, with the approval of the Joint Secretary (IA Division).

This is issued with the approval of Special Secretary.


(Sanchita Jindal)
Additional Director

To,

All Officers of IA Division

F.No.J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests
(IA. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003

Dated 15th February, 2007

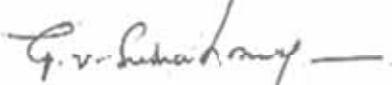
C I R C U L A R

Sub: EIA Notification dated 14th September, 2006 – Follow up action reg.

In continuation of earlier circular dated 13th October, 2006 wherein it is clearly mentioned that no cases are to be considered in-house without obtaining recommendations of the Expert Appraisal Committee as per EIA Notification, 2006. The internal processing of all the proposals under EIA Notification, 1994 whose investment is less than Rs. 5.00 Crores has been completely dispensed with as mentioned in the above referred circular. The developmental activities under the EIA Notification, 2006 are categorized based on the potential impacts and not on investment criteria. Therefore, in-house processing of the proposals with investment less than Rs. 5.00 Crores as used to be under the earlier EIA Notification, 1994 is not applicable any more under the new notification.

In view of the above, all the concerned officers are requested not to process any developmental project costing less than Rs. 5.00 Crores in-house internally. Instead, all the developmental proposals should be invariably placed before the Expert Appraisal Committee for consideration for the award of Term of Reference or grant of Environmental Clearance as the case may be as per EIA Notification, 2006.

This issues with the approval of the Competent Authority.


(G.V. Subrahmanyam)
Director

Copy to:

1. All Officers of IA Division
2. PPS to Secretary (E&F)
3. PPS to Special Secretary (CC)
4. PPS to JS (CC-II)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 31st July, 2008

CIRCULAR

Sub: Environmental Clearance of Projects under the EIA Notification, 2006 and related matters - Procedure for submissions of files and level of decision making – Regarding.

It has been decided that the present system for submission of files and levels of decision making relating to grant of Environmental Clearance under the EIA Notification, 2006 and the related matters, as given hereunder, shall continue to be followed.

S.No	Activity	Route of Submission	Level of Decision Making
1.	Constitution of State Level Environment Impact Assessment Authorities (SEIAA) and State Expert Appraisal Committee (SEAC)	Director →Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
2.	Notifications and their amendments	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
3.	Category 'A' projects, EIA, 2006	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/ rejection by MOS(Env.)
4.	Category 'B' Projects, EIA, 2006	AD→Director→Adviser →AS(JMM) →MOS(Env.)	Approval/ rejection by MOS(Env.)

5.	Clearance under CRZ Notification, 1991	AD→Adviser(NB) →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/rejection by MOS(Env.)
6.	Amendments to the environmental clearance letters issued to the projects	(a) : Amendments for corrections relating to factual information and if there is no change in project capacity : AD→Director→Adviser →AS(JMM) (b) : Amendments of technical nature, change of scope etc. after approval by sector specific EACs : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
7.	Consideration of projects out of turn	(a) Projects of PSUs and Defence related activities : AD→Director→Adviser →AS(JMM) (b) Other projects : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
8.	Transfer environmental clearance	AD→Director→Adviser →AS(JMM)	AS(JMM)
9.	Terms of Reference (TOR) for projects	AD→Director→Adviser	Adviser
10.	Changes in TOR	AD→Director→Adviser	Adviser
11.	De-listing of projects from pendency list due to non-submission of information	AD→Director→Adviser →AS(JMM)	AS(JMM)
12.	Monitoring approved projects	(a) Routine matters : Director→Adviser (b) Directions and Policy	Adviser AS(JMM)

		matter : Director→Adviser → AS(JMM)	
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This issues with the approval of the Competent Authority.

(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

PS to MOS (E), PPS to Secretary (E&F), PPS to AS(JMM), Adviser (GKP), Adviser (NB).

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th November, 2008

CIRCULAR

Sub: Instructions for maintenance of transparency and streamlining of procedure for disposal of EC cases in IA Division - Regarding.

The Impact Assessment (IA) Division in the Ministry of Environment & Forests has been entrusted with the responsibility of appraisal of developmental projects in terms of the provisions of the EIA Notification, 2006 and CRZ Notification, 1991. As part of the process, interaction with various stake holders including project authorities, their authorized officials, NGOs and the Consultants, who prepare the EIA Report for their clients becomes unavoidable. Instructions have already been issued for submission of all the documents by the project proponent in the Central Registry (CR) Section and from where it will internally reach IA Section. The status of various projects thus received in the IA Section will be displayed on Ministry's website. It has, however, been observed that the project authorities and other persons continue to come to IA Division and interact with various Officers and staff members to enquire about the status of their project and also to expedite clearances at all levels.

2. Recognizing the sensitivity involved in dealing with the various stakeholders including the representative of the project proponent, it has been decided that unnecessary public interaction by various officials and staff members of IA Division should be avoided to ensure transparency in its functioning. In case where meeting is unavoidable and absolutely necessary, it would only be done at the level of the concerned Member Secretaries / Directors dealing with the particular Sector or the Advisors.

3. The following guidelines will be noted for immediate compliance by all concerned:

- (1) All the projects documents would be submitted in the Central Registry (CR) Section and no individual officer or staff of IA Division would receive them. On receipt of the project documents from CR Section, the Member Secretaries would take up the projects in chronological order of their receipt, except in case of certain public sector projects and others with prior approval of the Competent Authority.
- (2) All the project authorities shall be requested to provide mail ID and various communications should be through e-mail in addition to the conventional system of postal dispatch of TORs, clearance letter and queries etc.
- (3) Only the Member Secretaries/Director level Officers dealing with the concerned Sectors or the Advisors should interact with project proponents. The other Officers and staff of IA Division should avoid any public interaction.

- (4) All the receipts received in the section should be submitted within five days to the respective officers for their consideration.
- (5) The EAC would follow the Guidelines issued from time to time and particularly that the cases would be either recommended for approval or rejection. If additional information is sought by the Committee, the case would be deferred; however, the time frame for its submission would be clearly indicated. The file examination of supplementary information submitted by the proponent should be avoided to the maximum possible extent.
- (6) Any queries, as raised by Expert Appraisal Committees (EACs), would be communicated by the Member Secretaries of respective EACs and it would be clearly indicated in the letter that responses would be addressed only to the Member Secretaries with proper reference Number.
- (7) For deferred cases, time limit for submission of additional information / clarification will be indicated and project would de-listed in case information is not submitted within the stipulated time.
- (8) The present practice of uploading Minutes would be further streamlined and copies would be mailed to Advisor concerned.
- (9) For maintaining transparency, the list of projects, minutes of the meeting and environmental clearances shall be reviewed and uploaded on a regular basis.
- (10) The procedure for submission of files and the level of the decision-making shall be as per the enclosed circular of 31st July, 2008.

This issues with the approval of the Competent Authority.

(Dr. S.K. Aggarwal)
Director

To

1. All Officers of IA Division.
2. Section Officer (IA.I) / IA.II / IA.III

Copy for information:-

PPS to Secretary (E&F), PPS to AS(JMM), Adviser (GKP), Adviser (NB).

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
 C.G.O. Complex, Lodi Road,
 New Delhi-110003.
 Telefax: 24362434

Dated the 23rd February, 2009

CIRCULAR

Sub: Environmental Clearance of Projects under the EIA Notification, 2006 and related matters - Procedure for submissions of files and level of decision making – Regarding.

In partial modification of para 8 only to this Ministry's earlier circular of even no. dated 31st July, 2008 on the above mentioned subject, it has been decided that the following system for submission of files and levels of decision making relating to grant of Environmental Clearance under the EIA Notification, 2006 and the related matters, as given hereunder, shall be followed.

S.No	Activity	Route of Submission	Level of Decision Making
1.	Constitution of State Level Environment Impact Assessment Authorities (SEIAA) and State Expert Appraisal Committee (SEAC)	Director →Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
2.	Notifications and their amendments	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
3.	Category 'A' projects, EIA. 2006	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/ rejection by MOS(Env.)
			Approval/ rejection by MOS(Env.)

5.	Clearance under CRZ Notification, 1991	AD→Adviser(NB) →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/rejection by MOS(Env.)
6.	Amendments to the environmental clearance letters issued to the projects	(a) : Amendments for corrections relating to factual information and if there is no change in project capacity : AD→Director→Adviser →AS(JMM) (b) : Amendments of technical nature, change of scope etc. after approval by sector specific EACs : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
7.	Consideration of projects out of turn	(a) Projects of PSUs and Defence related activities : AD→Director→Adviser →AS(JMM) (b) Other projects : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
8.	Transfer environmental clearance	(a) Change of name without change of ownership AD→Director→Adviser →AS(JMM) (b) Change of name with change of ownership AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS (Env.)
9.	Terms of Reference (TOR) for projects	AD→Director→Adviser	Adviser
10.	Changes in TOR	AD→Director→Adviser	Adviser

11.	De-listing of projects from pendency list due to non-submission of information	AD→Director→Adviser →AS(JMM)	AS(JMM)
12.	Monitoring of approved projects	(a) Routine matters : Director→Adviser (b) Directions and Policy matter : Director→Adviser → AS(JMM)	Adviser AS(JMM)

This issues with the approval of the Competent Authority.

(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

1. PS to MOS (E),
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Adviser (GKP)
5. Adviser (NB)
6. JS (Admn.)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 24th March, 2009

CIRCULAR

Sub: Increasing transparency in disposal of EC cases – Regarding.

Pursuant to the decision taken during the internal meeting of Impact Assessment Division in the Ministry of Environment & Forests held on 30th December, 2008, it has been decided that the following conditions shall specifically be stipulated in all the clearance letters to be issued henceforth.

1. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
2. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
3. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

1. PS to MOS (E),
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Adviser (GKP)
5. Adviser (NB)

No.Z.11011/2/2009-IA-II(I)
Ministry of Environment and Forests
(IA Division)

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi – 110 003.

Dated 29th April, 2009

Sub: Time bound issue of Environmental Clearances – Guidelines regarding.

The Impact Assessment Division is responsible for appraisal of developmental projects in a time bound manner. There is a general perception that there are delays in processing of the proposals after their recommendations by the respective sector specific Expert Appraisal Committees (EACs). This perception needs to be removed and our aim has to be to avoid delays in processing of proposals after recommendation by the respective EACs have been received. Hence, the process has to be further streamlined.

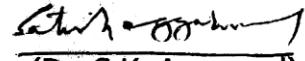
2. In view of the above, the Member Secretaries of EAC(s) should adhere to the following while processing environmental clearance cases:

- The Member Secretaries should facilitate in reaching at ¹² decisions in EAC with clarity by making recommendations in the following categories:
 - Recommended for approval;
 - Rejection on specific environmental grounds; and
 - Reconsideration with additional details;
- The Minutes of the meeting be got approved within five days of the EAC meeting(s);
- The projects would then be processed for environmental clearance for getting the approval of the Competent Authority within next 10 days so that a final view is taken within 15 days of the EAC recommendations and the environmental clearance thereafter would be displayed on the Ministry's website immediately;

3. Necessary instructions would be issued by the Member Secretaries to the concerned Additional/Joint Directors and Section Officers for timely submission of proposals for approval by Competent Authorities.

4. Although, a time schedule of 45 days is provided in the EIA Notification, 2006, but all the Member Secretaries and IA Division's officers should work towards achieving the goal of clearance of projects within 15 days.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

Distribution to :

1. All Member Secretaries of respective sector specific Expert Appraisal Committees (EACs);
2. All the officers of the IA Division;
3. Section Officers (IA-I, II and III)
4. PS to MOS(Env.)
5. PPS to Secretary (E&F)
6. PPS to AS(JMM)
7. PS to Adviser(GKP) / Adviser(NB)

Copy to :

Director, PMO, New Delhi

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 14th May, 2009

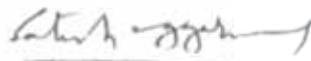
CIRCULAR

Sub: Raising of queries in the EAC Meetings – Regarding.

It has been emphasized time and again in the past that all the queries relating to a particular project during its consideration by the respective Expert Appraisal Committees should be raised in one go so as to ensure that the response / clarifications, if any, could be obtained comprehensively and any piece-meal seeking of information is not in order. It has, however, been reported that for some cases information is being asked from the project proponent in a piece-meal manner and every time the project comes up for hearing by the Expert Appraisal Committee, some new issues are raised.

The undersigned has been directed to reiterate that the information / clarifications, required, if any, relating to a particular project should be sought from the proponent in one go only. No fresh issues should be raised subsequently until and unless these issues have a direct bearing with the issues raised earlier or the clarifications / information furnished in response to the earlier queries. The reasons for seeking second set of queries / information should accordingly be reflected in the minutes of meeting too. All the Member Secretaries / Officers of IA Division are requested to note these instructions and implement without fail.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

All Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/30/2009-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 3rd June, 2009

CIRCULAR

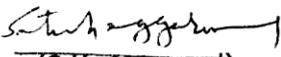
Sub: Mandate / Guidelines of Monitoring to be followed by the Regional Offices of the Ministry of Environment and Forests – Instructions – Regarding.

Some instances have been brought to the notice of the Ministry of Environment & Forests where Scientists or Officials of the Regional Offices of this Ministry have been directly interacting with various other Statutory and Regulatory Authorities on behalf of the project proponents on matters concerning the EIA Notification, 2006; such as exemption from public hearing, approval for change of technologies etc.

2. It may be noted that the Regional Offices are to monitor the implementation of the stipulated conditions and environmental safeguards contained in the Environmental Clearance letters, obviously after the project has been granted environmental clearance. Sometimes the Regional Offices are formally requested by the Ministry to provide any specific information as may be requisite for appraisal of any particular project.

3. In view of the above role, it has, therefore, been reiterated that the Regional Offices should not take up issues of any project proponent with various Statutory Authorities directly. Such cases should be invariably referred to the Ministry for advice and guidance, henceforth.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Regional Offices of MoEF
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Director (SVA), Monitoring Cell, IA Division.

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 30th June, 2009

CIRCULAR

Sub: Increasing transparency in disposal of EC cases – Regarding.

This is in continuation to this Ministry's earlier circular of even no. dated 24th March, 2009 on the above mentioned subject, vide which it was decided that specific conditions shall be stipulated in all the clearance letters for putting the compliance status of EC conditions as well as monitored environmental parameters in public domain through the website of the company as well as on the display board near the main gate of the company. It also required to send the six monthly monitoring report/information by e-mail to the respective Regional Offices of MoEF, CPCB and SPCB.

The matter has been considered further. It has now been decided that besides the conditions stated in the earlier circular dated 24th March, 2009 referred to above, it shall also be compulsory on the part of the project proponent to put the environmental statement for each financial year ending 31st March in Form-V, which is mandated under the Environment (Protection) Rules, 1986 as amended subsequently, on the website of the company along with the status of compliance of the EC conditions.

Accordingly, the four conditions to be stipulated in all the clearance letters to be issued henceforth are reproduced below:

1. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
2. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

3. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
4. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

This issues with the approval of the Competent Authority,

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (GKP)
5. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th September, 2009

CIRCULAR

Sub: Submission of applications for Environmental Clearance under EIA Notification, 2006 - Instructions for the Project Proponents.

Instances have been brought to the notice of this Ministry regarding the delay in processing of the proposals submitted to Ministry of Environment & Forests for environmental clearance under the provisions of the EIA Notification, 2006. The matter has been reviewed and it was observed that many a times, the proposals reported to have been sent by post / courier do not reach the Ministry or reach very late, resulting in delays in processing of such cases. To avoid such a situation, it has been decided that the project proponents could parallelly send a scanned copy of the forwarding letter of their environment clearance application by e-mail to the Member Secretary of the respective sectoral Expert Appraisal Committee, as also to the concerned Advisor and Section Officer for their information to enable the Ministry to keep a track of the proposals in the pipeline. The e-mail addresses of various officers of Impact Assessment Division are already given on the website of the Ministry.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS**

**PARYAVARAN BHAVAN, CGO COMPLEX,
LODHI ROAD, NEW DELHI : 110003.**

F. No. J-11013/10/2009-IA.I

Dated, the 30th September, 2009.

OFFICE ORDER

Sub : Follow-up of the cases of Environmental Clearance – Revamping of Monitoring Mechanism – Reg.

The Monitoring Cell in IA Division is the nodal point for monitoring and compliance of the stipulated conditions imposed on the industrial units / infrastructural projects including CRZ, while granting Environmental Clearance (EC). A copy of the EC is endorsed to the concerned Regional Office of the MoEF for monitoring the compliance of the stipulated conditions, besides to the concerned State Pollution Control Board (SPCB) and Central Pollution Control Board (CPCB).

2. With a view to take follow up action and to secure the compliance of the conditions, on the basis of the reports received from the Regional Office / concerned SPCB and CPCB, the following procedure shall be adopted for invoking legal action and issuance of direction under Section 5 of the Environment (Protection) Act, 1986 read with Rule 11 of the Environment (Protection) Rules, 1986 :

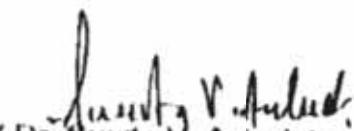
(i)	Issue of Show-Cause Notices, without proposing closure of units/ projects.	Approval of Additional Secretary-in-Charge, IA Division.
(ii)	Issue of Show-Cause Notices proposing closure of units / projects.	Approval of Secretary (E&F).
(iii)	Hearing the Project Proponent, if requested.	Adviser IA or Additional Secretary-in-Charge, IA Division.
(iv)	Final direction without closure of units / projects.	Approval of Additional Secretary-in-Charge, IA Division.
(v)	Final direction with closure of units / projects.	Approval of Secretary (E&F)

Note : Cases involving policy implications or other sensitivities would be brought to the notice of Hon'ble MEF.

Contd..... p.2/-

3. In the event of receipt of any application / request, for revoking the order / direction of the closure of the industrial units / projects, the opinion of the CPCB in the matter may be obtained besides suggestion for a Bank Guarantee of an appropriate amount for the installation of Pollution Control Equipment / Measures within the stipulated time. The matter shall be placed before the Secretary (E&F) for appropriate order for revoking the order of closure or otherwise.

4. This issues with the approval of the Hon'ble MOS (I/C) for Environment and Forests.



(Dr. Sunita V. Auluck)
Director
Telefax : 011 24367886

To

1. Regional Offices of MOEF.
2. Chairman, CPCB.
3. All State Pollution Control Boards.
4. To be put on the website of MOEF.
5. All Officers of IA Division.

No. J-11013/41/2006-IA.II(I)

Government of India

Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 20th October, 2009

CIRCULAR

Sub: Consideration of Expansion Proposals for grant of Environmental Clearance under EIA Notification, 2006 – Regarding.

It has been decided that while considering expansion proposals for grant of environmental clearance by the respective EACs under EIA Notification, 2006, besides seeking information on various environmental issues, the information on the following may also be asked and discussed during the meeting and duly recorded in the minutes.

1. Status of compliance of the conditions and environmental safeguards stipulated in the earlier clearance letters.
2. Details of the court cases, if any, pending in any court of law against the project as well as any directions passed by the court relating to the project directly or indirectly.
3. Details of the notices, if any, given to the project under section 5 of the Environment (Protection) Act, 1986 and section 18 of the Air (Prevention and Control of Pollution) Act, 1981.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11013/41/2006-IA.II(I)
Ministry of Environment and Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 30th December, 2010

Guidelines for Preparation of pre feasibility report for obtaining prior environmental clearance in terms of the provisions of EIA notification, 2006

EIA notification, 2006, requires submission of Form I and pre-feasibility report for obtaining prior environmental clearance. It has, however, been observed that the pre-feasibility report submitted by the proponent for seeking prior environment clearance is sometimes sketchy and does not contain all the relevant information required for scoping the project for prescribing the terms of reference for undertaking detailed EIA studies.

The matter has been under consideration of Ministry of Environment and Forests for quite some time and it has now been decided to issue guidelines for preparation of pre-feasibility report. The enclosed guidelines are generic in nature to be followed by all concerned, of course there could be some variations from sector to sector depending on the sector specific requirement of information.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons and Members of Sectoral EACs of MoEF
3. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
4. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

Ministry of Environment and Forests

Guidelines for Preparation of pre-feasibility report for obtaining prior environmental clearance in terms of the provisions of EIA notification, 2006

The EIA notification of 2006 stipulates that the application seeking prior environmental clearance, amongst other things, must provide a copy of the pre-feasibility report along with application in prescribed format (Form I). The contents of the pre-feasibility report though are generally understood, however, in order to facilitate the process, the following guidelines are issued.

3. Project Description

- (i) Type of project including interlinked and interdependent projects, if any.
- (ii) Location (map showing general location, specific location, and project boundary & project site layout) with coordinates.
- (iii) Details of alternate sites considered and the basis of selecting the proposed site, particularly the environmental considerations gone into should be highlighted.
- (iv) Size or magnitude of operation.
- (v) Project description with process details (a schematic diagram/ flow chart showing the project layout, components of the project etc. should be given)
- (vi) Raw material required along with estimated quantity, likely source, marketing area of final product/s, Mode of transport of raw Material and Finished Product.
- (vii) Resource optimization/ recycling and reuse envisaged in the project, if any, should be briefly outlined.
- (viii) Availability of water its source, Energy/ power requirement and source should be given.
- (ix) Quantity of wastes to be generated (liquid and solid) and scheme for their Management/disposal.
- (x) Schematic representations of the feasibility drawing which give information of EIA purpose.

4. Site Analysis

- (i) Connectivity.
- (ii) Land Form, Land use and Land ownership.
- (iii) Topography (along with map).
- (iv) Existing land use pattern (agriculture, non-agriculture, forest, water bodies (including area under CRZ)), shortest distances from the periphery of the project to

periphery of the forests, national park, wild life sanctuary, eco sensitive areas, water bodies (distance from the HFL of the river), CRZ. In case of notified industrial area, a copy of the Gazette notification should be given.

- (v) Existing Infrastructure.
- (vi) Soil classification
- (vii) Climatic data from secondary sources.
- (viii) Social Infrastructure available.

5. Planning Brief

- (i) Planning Concept (type of industries, facilities, transportation etc) Town and Country Planning/Development authority Classification
- (ii) Population Projection
- (iii) Land use planning (breakup along with green belt etc).
- (iv) Assessment of Infrastructure Demand (Physical & Social).
- (v) Amenities/Facilities.

6. Proposed Infrastructure

- (i) Industrial Area (Processing Area).
- (ii) Residential Area (Non Processing Area).
- (iii) Green Belt.
- (iv) Social Infrastructure.
- (v) Connectivity (Traffic and Transportation Road/ Rail/Metro/Water ways etc)
- (vi) Drinking Water Management (Source & Supply of water)
- (vii) Sewerage System.
- (viii) Industrial Waste Management.
- (ix) Solid Waste Management.
- (x) Power Requirement & Supply / source.

7. Rehabilitation and Resettlement (R & R) Plan

- (i) Policy to be adopted (Central/State) in respect of the project affected persons including home oustees, land oustees and landless laborers (a brief outline to be given).

8. Project Schedule & Cost Estimates

- (i) Likely date of start of construction and likely date of completion (Time schedule for the project to be given).
- (ii) Estimated project cost along with analysis in terms of economic viability of the project.

9. Analysis of proposal (Final Recommendations)

- (i) Financial and social benefits with special emphasis on the benefit to the local people including tribal population, if any, in the area.

No. 19-58/2011-IA.III
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

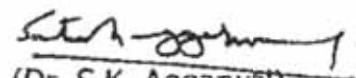
Dated the 10th May, 2011

OFFICE MEMORANDUM

Sub: Out of turn consideration for environmental clearance in respect of Building and Construction Sector Projects having green rating – Regarding.

Ministry of Environment & Forests has decided that the proposals for obtaining environmental clearance in respect of building and construction sector projects which have obtained green building rating (GRIH, LEED etc.) by integrating high level of environmental norms into their building plans, shall get priority for their consideration, out of turn, by the Expert Appraisal Committee / State Level Expert Appraisal Committee, as the case may be. Therefore, such projects will be listed for their consideration by the EAC / SEAC concerned, out of turn, as compared to other cases.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. 19-58/2011-IA.III
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434

Dated the 27th June, 2011

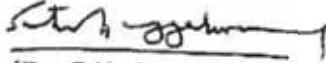
OFFICE MEMORANDUM

Sub: Out of turn consideration for environmental clearance in respect of Building and Construction Sector Projects having green rating – Regarding.

Ref: Office Memorandum no. 19-58/2011-IA.III dated 10.5.2011 issued by Ministry of Environment & Forests

In continuation to this Ministry's earlier Office Memorandum of even no. dated 10.5.2011 regarding the subject mentioned above, it has been decided that the proposals for obtaining environmental clearance in respect of Building and Construction Projects which have obtained Green Building rating (Pre-Certification or Provisional Certification) under the rating programmes of GRIHA, IGBC including LEED India etc by integrating high level of environmental norms into their building plans, shall get priority for their consideration, out of turn, by the Expert Appraisal Committee / State Level Expert Appraisal Committee, as the case may be. A copy of this certificate along with the details of examination done by above agencies shall be submitted along with the project. Therefore, such projects will be listed for their consideration by the EAC / SEAC concerned, out of turn, as compared to other cases.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

F.No.J-11013/5/2011-IA.I
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhavan
CGO Complex, Lodi Road
New Delhi -110 003
Telefax: +91-1124369100

Dated: 5th August, 2011.

OFFICE MEMORANDUM

Subject: Reporting by the Regional Offices of MoEF - Instructions regarding.

Functioning of the Regional Offices of MoEF was reviewed in the Ministry during the meeting convened by the RO Head Quarter on dated 23.06.2011. Based on the discussion during the meeting, it is reiterated that the monitoring section in IA Division is the Nodal Section for Regional Offices for the issues relating to environmental clearance/EIA. Accordingly, the following instructions are issued for compliance by all the Regional Offices.

1. For matters relating to environmental/CRZ clearance and compliance of the conditions stipulated thereunder, the Regional Offices shall contact the Director (Monitoring) in IA Division. However, any emergent matter/court cases shall be referred to the concerned sectoral Director/Additional Director of the IA/CRZ division.
2. To ensure the implementation of transparency conditions stipulated in the environmental clearance (EC) letters such as putting the compliance status and monitored data on the website as also to be displayed in public domain, the concerned Officers of Regional Office shall verify the same during their field visit and report on this aspect as part of their monitoring report.
3. Regional Offices will confirm to the monitoring cell that they have informed all the relevant units located within their respective jurisdiction about the ex-post facto application of transparency conditions cited in the O.M. No.J-11013/41/2006-IA.II(I) dated 06.04.2011, which is available on the website of MoEF at www.moef.nic.in.
4. Monitoring reports and important correspondences should be sent by email to Director (Monitoring) at skag@nic.in and to DD (monitoring) at mtkaruppiyah@gmail.com and a copy should be marked to Special Secretary/Advisor for the cases requiring their attention/intervention.

This is for compliance of all concerned.

This issues with the approval of Competent Authority.


(Dr. M.T. Karuppiyah)
Deputy Director

To:

1. All the CCFs, with a request that these instructions shall be brought to the notice of all Scientists for compliance.

-2-

Copy for information

1. PS to SS (JMM)
2. PS to Addl. DGF (FC)
3. Advisor (NB)
4. All the Officers of IA Division
5. Dir. RO (HQ)
6. Website of MoEF
7. Guard File

F. No. J-11011/618/2010-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Dated: 30th May, 2012

CIRCULAR

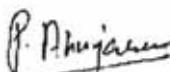
Subject: Consideration of expansion proposals for grant of Environmental Clearance under the EIA Notification, 2006.

This is in continuation to this Ministry's circular no. J-11013/41/2006-IA.II (I), dated 20.10.2009 regarding consideration of expansion proposals for grant of environmental clearance under EIA Notification, 2006.

2. It has been now decided that while submitting the application for consideration for grant of environmental clearance of all expansion projects under the EIA Notification, 2006, the project proponent shall henceforth submit a certified report of the status of compliance of the conditions stipulated in the environmental clearance for the ongoing / existing operation of the project by the Regional Offices of the Ministry of Environment and Forests.

3. The status of compliance of the conditions stipulated in the environmental clearance as highlighted in the report(s) will be subsequently discussed by the respective Expert Appraisal Committees during the appraisal of the expansion proposal and duly recorded in the minutes of the meeting. Applications for expansion project received without the compliance status as mentioned in para no.2 above shall not be accepted and placed for consideration before the Expert Appraisal Committees.

This issues with the approval of the Competent Authority.


(Dr. P.L. Ahujarai)
Director

- i. All the Officers of IA Division
- ii. Chairpersons / Member Secretaries of all the SEIAAs/ SEACs
- iii. Chairman, CPCB
- iv. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

- i. PS to MEF
- ii. PPS to Secretary (E&F)
- iii. PPS to SS (JMM)
- iv. JS (RG)
- v. Website, MoEF
- vi. Guard File

Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhavan
C.G.O. Complex, Lodi Road
New Delhi-110003

E-mail: pb.rastogi@nic.in
Telefax: 011-24362434

File No. J-11013/5/2009-IA-II (Part)

30th October, 2012

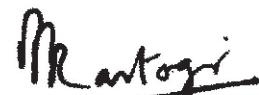
OFFICE MEMORANDUM

Subject: De-listing of pending projects - reg.

During an internal review meeting of IA Division, it came out that a large number of case files are pending in different sectors for want of required information from the project proponents/other stake holders, which has been sought by the Ministry after the EAC meetings. The pendency is on account of non-submission of desired information by the project proponents/other stake holders. The following has been decided in this regard:

- i. All projects where additional information desired has not been submitted even after 6 months of the Expert Appraisal Committee (EAC) meeting should be de-listed from the list of pending projects.
- ii. For the projects pending between 3 to 6 months of the EAC meeting for want of information, reminder may be sent seeking information within a month. If the information is not received within this period, even these projects may be de-listed.

This issues with the approval of the competent authority.



(Dr. P. B. Rastogi)
Director

Distribution:

1. Officers of IA Division [Director (PBR), Adviser (PLA), Director (S), Director (LK), Director (MH), Director (BBB), Dy. Dir. (MR), Dy. Dir. (ANS), Dy. Dir. (OP), Dy. Dir. (NK), Dy. Dir. (ET), Dy. Dir. (PVS), Dy. Dir (AR)].
2. PPS to Secretary (E&F).
3. PPS to JS (AT).
4. Guard file.

F. No. 19-103/2012-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003

Dated: 1st Nov, 2012

Office Memorandum

Subject: Simplification of clearance procedure for SEZs

With a view to simplify the clearance procedure for SEZs relating to the Ministry of Environment and Forests, it has been decided to further streamline/simplify various procedures including those relating to grant of Environmental Clearance to the SEZ projects under the provisions of the EIA Notification, 2006. It has been decided to have the following framework in place, in line with that prescribed for NIMZs under the National Manufacturing Policy, 2011:-

- (i) In respect of laws and regulations pertaining to environment, Central/State Governments may delegate the power as allowed by the relevant statutes to an official of the State Pollution Control Board (SPCB) posted in the zone.
- (ii) The Environmental Clearances for SEZs units under the EIA Notification, 2006 shall be considered on a high priority.
- (iii) Individual units may be exempted from public hearing in cases where the SEZ as a whole has undergone public hearing. In cases where the type of individual unit/process was not originally considered as a part of the SEZ project at the time of the public hearing for SEZ, a fresh public hearing will be required for that individual unit/process at appropriate time
- (iv) Facilitative instructions and guidelines may be issued at the Central and State level from time to time aiming at promotion of SEZs while safeguarding environmental integrity.


(Lalit Kapur)
Director (IA-III)
Telefax: 011-24368526

To

- i. All the Officers of IA Division
- ii. Chairpersons / Member Secretaries of all the SEIAAs/ SEACs
- iii. Chairman CPCB
- iii. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

- i. PS to MEF
- ii. PPS to Secretary (E&F)
- iii. PS to JS (AT)
- iv. Website MoEF

No. J-11011/1/2013-IA-I
Government of India
Ministry of Environment & Forests
IA-I Division

Paryavaran Bhawan
CGO Complex, New Delhi

Dated: 3rd December, 2013

Office Memorandum

Sub:- Streamlining of process of Environment Clearance (EC) and Forest Clearance (FC) cases by Expert Appraisal Committee (EAC) & Forest Advisory Committee (FAC) respectively for Hydropower and River Valley Projects (HEP&RVP)-Names of Institutes capable for conducting studies.

This Ministry had reviewed the issues which are normally considered by both the EAC and FAC while examining the EC and FC cases respectively in respect of hydropower and river valley projects (HEPs & RVPs) with a view to streamlining the processes and averting duplication of efforts by the two Committees. Accordingly, an OM of even number 28.5.2013 was issued on the captioned subject.

2. Vide Para 3(ii) of the above OM, a list of Institutes for conducting Bio-diversity studies by the Project Proponents under EIA of HEP & RVP was required to be published.
3. ICFRE and WII, Dehradun have provided names of the potential Institutes in this regard, which is enclosed for information and further necessary action.

606/11

(B. B. Barman
D. G. O.
Telefax: 2436143.

To,

1. PS to Minister (E&F)
2. PPS to Secretary (E&F)/DG(Forests)/ JS (AT)/JS(MS)/IG(F)
3. Chief Secretaries of all States
4. Additional Secretary, Ministry of Power, Shram Shakti Bhawan, New Delhi. Fax 23350780
5. Environment & Forest Secretaries/Principal Secretaries of all States
6. Joint Secretary, Ministry of Power, Shram Shakti Bhawan, New Delhi. Fax 23350780
7. All the Officers of IA Division
8. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
9. Chairman, CPCB
10. Chairpersons / Member Secretaries of all SPCBs/UTPCC
11. Website of the MoEF through NIC
12. Guard File

F. No. J-11013/ 36 / 2007- IA.II (1)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Telefax: 011-2436 2434
Dated: 13th May, 2014

OFFICE MEMORANDUM

Subject: Consideration of project proposal from Andhra Pradesh in absence of SEIAA/SEAC - reg.

Environmental Impact Assessment (EIA) Notification, 2006 requires prior environmental clearance for identified projects and activities covered under the schedule of the notification. Under the notification, the powers to grant environmental clearance in respect of Category 'B' projects is delegated to the respective State Environmental Impact Assessment Authorities (SEIAAs). The SEIAAs/ State Expert Appraisal Committees (SEACs) are constituted by the Ministry of Environment & Forests Govt. of India in consultation with State Governments.

1. The term of SEIAA/SEAC of Andhra Pradesh state has expired on 25th October 2013.

2. Member Secretary of Andhra Pradesh Pollution Control Board vide letter no. APPCB/CFE/BO/EC/2010-330 dated 29th April, 2014 has informed that the State re-organization for bifurcation is in process and appointed day for the new States is 02.06.2014. Names of the experts for constitution of SEIAA and SEAC for respective states will be forwarded after formation of new States.

3. Considering the above facts, the following has been decided:

- 4. In the absence of a duly constituted SEIAA or SEAC for the state of Andhra Pradesh, Category 'B' projects shall be treated as a Category 'A' projects and appraised by Expert Appraisal Committee of the respective sectors.
- 5. After bifurcation and creation of new States, State Governments shall expedite the process for constitution of SEIAA/SEAC for the respective State and submit the proposal to the Ministry at the earliest.
- 6. This issues with prior approval of the Competent Authority.


(Dr. P B Rastogi)
Director

To:

- 1. All the Officers of IA Division.
- 2. All Member Secretaries of EAC.
- 3. Chief Secretary, Government of Andhra Pradesh.
- 4. Member Secretary, APPCB

Copy to:

- 1. PS to MoEF
- 2. PPS to Secy. (E & F)
- 3. PPS to JS (AT)
- 4. Website of MoEF
- 5. Guard File

CHAPTER-8

COMPREHENSIVE EVALUATION

POLLUTION INDEX (CEPI)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 30th June, 2009

CIRCULAR

Sub: Increasing transparency in disposal of EC cases – Regarding.

This is in continuation to this Ministry's earlier circular of even no. dated 24th March, 2009 on the above mentioned subject, vide which it was decided that specific conditions shall be stipulated in all the clearance letters for putting the compliance status of EC conditions as well as monitored environmental parameters in public domain through the website of the company as well as on the display board near the main gate of the company. It also required to send the six monthly monitoring report/information by e-mail to the respective Regional Offices of MoEF, CPCB and SPCB.

The matter has been considered further. It has now been decided that besides the conditions stated in the earlier circular dated 24th March, 2009 referred to above, it shall also be compulsory on the part of the project proponent to put the environmental statement for each financial year ending 31st March in Form-V, which is mandated under the Environment (Protection) Rules, 1986 as amended subsequently, on the website of the company along with the status of compliance of the EC conditions.

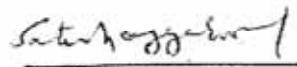
Accordingly, the four conditions to be stipulated in all the clearance letters to be issued henceforth are reproduced below:

1. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
2. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

-2-

3. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
4. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

This issues with the approval of the Competent Authority,


(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (GKP)
5. Advisor (NB)

No. 15-3/ 2009-IA.III
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
CGO Complex Lodhi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 21st August 2009

OFFICE MEMORANDUM

Subject: Moratorium on expansion of existing ports and initiation of new projects along the coast - Regarding.

Ministry had issued a Draft Coastal Management Zone Notification vide S.O. No. 1070(E), dated 01.05.2008 and an amendment providing for inclusion of green field airports in CMZ area issued vide S.O. No.112(E), dated 09.05.2008 inviting public suggestions and objections in accordance with Environment (Protection) Act, 1986 within a period of 60 days from the date of issue of the Notification. Further, based on the requests made by the State Government the Draft Notification was re-notified on 22.07.2008.

2. The Ministry had constituted a Committee under chairmanship of Prof. M.S. Swaminathan, go in to the public suggestions and objections on the Coastal Management Zone Notification. The Committee after consultations submitted its report, which was accepted by the Ministry.

3. One of the recommendations of the Committee is that "The Government must immediately study the cumulative impacts of the individual projects on the coast line, pending which there should be a moratorium on expansion of existing ports and initiation of new projects along the coast."

4. The Ministry will now evolve a policy for consideration of projects along the coast and particularly the activities relating to the ports, harbours, jetties and expansion of such activities etc. and till such time the policy is finalized, it has been decided as follows:-

- (a) The projects which have been recommended by Expert Appraisal Committee till July, 2009, when the Swaminathan Report was accepted by MoEF, will be processed on merit for the issue of Environmental Clearance/CRZ Clearance; and

(b) Defer the consideration till Oct 2009 of all such coastal projects particularly those relating to ports, harbours, jetties and their expansion cases, which have been received after 31st July, 2009.

(c) Not to accept new proposal till the policy is finalized.

This issues with approval of Competent Authority.

Bharat Bhushan
Director

To

All the Officers of IA-II (T) and IA- III Division

Copy to:-

1. PPSto AS(JMM)
2. Advisor(G KP)
3. Advisor(N B)

No. J-11013/41/2006-IA.II(I)

F. No. J-11013/18/2009- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
E-mail : pahujarai@yahoo.com
Telefax: 011 – 2436 3973
Dated: August 25 , 2009

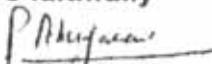
CIRCULAR

Sub: Proposals for environment clearance for the projects located in the Critically Polluted Areas as identified by the Central Pollution Control Board- reg

The Ministry of Environment and Forests has been receiving a number of proposals for environmental clearance as per the procedure laid in the Environmental Impact Assessment Notification, 2006 regarding the new units/modernization/expansion located in the critically polluted areas.

2. The Central Pollution Control Board has so far identified 24 critically polluted areas in the country. Since the area is already critically polluted, setting up of new units may further add to the pollution load. In order to have better perspective of pollution load in the critically polluted areas, it has now been decided that the concerned State Pollution Control Board should either send its representative at the time of consideration of proposal by the sector specific Expert Appraisal Committee (EAC) constituted by the Ministry, at the stage of appraisal of the project for prescribing Terms of Reference (TOR) or consideration of EC; or provide their written comments with respect to pollution load in terms of ambient air quality, water quality or solid/hazardous waste management. For this purpose, the project proponent located in the critically polluted areas shall make available a copy of their application for the TORs to the concerned State Pollution Control Board.

3. This issues with the approval of the competent authority.

Yours faithfully

(Dr. P.L. Ahujarai)
Director

Copy to:

- (i) PS to MEF
- (ii) PPS to Secretary (E&F), PPS to AS (JMM), PS to Adviser (GKP),
PS to Adviser (NB)
- (iii) All the SPCBs
- (iv) All the officers of IA Division
- (v) PS to Adviser (Statistical) with a request to display the circular on the website.

F. No. J-11013/18/2009- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
E-mail : plahujarai@yahoo.com
Telefax: 011 – 2436 3973
Dated: August 25, 2009

CIRCULAR

Sub: Proposals for environment clearance for the projects located in the Critically Polluted Areas (Ankleshwar, Panoli and Vapi) in Gujarat - consideration of proposals for environmental clearance reg

The Ministry of Environment and Forests has been receiving a number of proposals for environmental clearance as per the procedure laid in the Environmental Impact Assessment Notification, 2006 regarding the new units/modernization/expansion located in the critically polluted areas at Ankleshwar, Panoli and Vapi in Gujarat.

2. The Ministry based on recommendations of the Expert Appraisal Committee (Industry) is according environmental clearance subject to the condition that GPCB shall not grant NOC to the new units or Consent for expansion of existing units till the CETP at Ankleshwar and Vapi comply with prescribed standards and FETP is able to take the pollution as well as hydraulic load. In such cases, monitoring is becoming difficult and even public is not involved as the Ankleshwar, Vapi and Panoli are notified industrial estates where public hearing is not required for the projects located in the notified industrial estates as per the provisions of Environmental Impact Assessment Notification, 2006.

3. To assess the status of ambient air and water quality for appraisal of impact in these critically areas in Gujarat, a meeting was held on 30th July, 2009 with the officers of Central Pollution Control Board, Gujarat State Pollution Control Board, Gujarat Industrial Development Corporation, Gujarat State Expert Appraisal Committee and representatives of CETPs/BEAIL.

4. Based on the discussions held during the meeting, the Ministry has decided on the following:

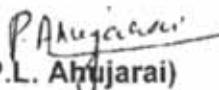
- (i) Till the GPCB assesses and indicates the available capacity of CETP in terms of cumulative pollution load and hydraulic load of FETP, all pending proposals whether for grant of TORs or according environmental clearance from Ankleshwar, Panoli and Vapi, will be kept in abeyance. These proposals would also be de-listed from the pending list.

-2-

- (ii) No new proposal for grant of TORs or according EC, shall be accepted till such time that availability of sufficient capacity of CETP/DETP is established by GPCB.

5. This issues with the approval of the competent authority.

Yours faithfully


(Dr. P.L. Ahujarai)
Director

To

- (i) The Chairman, Gujarat State Pollution Control Board
(ii) All the concerned project proponents

Copy to:

- (i) PS to MEF
(ii) PPS to Secretary (E&F), PPS to AS (JMM), PS to Adviser (GKP),
PS to Adviser (NB)
(iii) All the officers of IA Division
(iv) PS to Adviser (Statistical) with a request to display the circular on the website.
-

J-11013/5/2010-IIA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated 13th January, 2010

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index - Regarding.

Central Pollution Control Board (CPCB) in association with Indian Institute of Technology (IIT), New Delhi have, recently, carried out an environmental assessment of industrial clusters across the country based on Comprehensive Environmental Pollution Index (CEPI) with the aim of identifying polluted Industrial clusters and prioritizing planning needs for intervention to improve the quality of environment in these industrial clusters and the nation as a whole. The assessment so carried out has been documented in the form of a report entitled 'Comprehensive Environmental Assessment of Industrial Clusters' which is available on the website of CPCB www.cpcb.nic.in and website of Ministry www.envfor.nic.in. In all 88 industrial clusters have been assessed.

2. The industrial clusters have been listed in table 8 (annexed herewith) of the report in descending order of environment pollution index scores. The report has concluded that the industrial clusters/areas having aggregated CEPI scores of 70 and above should be considered as critically polluted; the clusters/areas having CEPI scores between 60 - 70 should be considered as severely polluted areas and shall be kept under surveillance and pollution control measures should be efficiently implemented; and the critically polluted Industrial clusters / areas need further detailed investigations in terms of the extent of damage and formulation of appropriate remedial action plan.

3. The Environment (Protection) Act, 1986 enjoins upon the Central Government to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment including restriction of areas in which any industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards. Accordingly, the Environment Impact Assessment Notification, 2006 has mandated certain category of projects / activities listed therein to obtain prior environmental clearance under the provisions thereof.

4. With the identification of industrial clusters / areas by CPCB which are critically or severely polluted, Ministry of Environment & Forests hereby imposes temporary restrictions on consideration of developmental projects in such clusters/ areas and prescribes the following procedure to be adopted with immediate effect:

- 4.1.1 The developmental projects from industrial clusters with CEPI score above 70 (as listed at serial no. 1 to 43 of the Annexure) received for grant of environmental clearance in terms of the provisions of EIA Notification, 2006 [including projects for stage-I clearance i.e. scoping (TORs)], which are presently in pipeline for environmental clearance or which would be received hereafter shall be returned to the project proponents.
- 4.1.2 This restriction on consideration of projects from critically polluted clusters/areas above will apply for a period of 8 months upto August, 2010 during which time the Central Pollution Control Board along with the respective State Pollution Control Boards / UT Pollution Control Committees will finalize a time bound action plan for improving the environmental quality in these identified clusters/ areas. The situation will be reviewed thereafter and further instructions issued accordingly; provided that projects relating to renewal of mining lease without any increase in production and / or lease area which are already in operation in these clusters will continue to be appraised in accordance with the procedure prescribed under EIA Notification, 2006 and decision taken on merits; and provided further that the projects of public interest, such as projects of national importance, pollution control, defence and security, with prior approval of the Competent Authority, MEF/ SEIAA for category 'A' & 'B' respectively, on a case to case basis, will continue to be appraised in accordance with the procedure prescribed under EIA Notification, 2006 and decision taken on merits.
- 4.2 The developmental projects from industrial clusters with CEPI score between 60 - 70 (as listed at serial no. 44 to 75 of the Annexure), which are in the pipeline or are received for grant of environmental clearance in terms of the provisions of EIA Notification, 2006 [Including projects for stage-I clearance i.e. scoping (TORs)], will be considered following the procedure outlined in this Ministry's earlier circular no. J-11013/18/2009-IA.II(I) dated 25th August, 2009 relating to 'proposals for environment clearance for the projects located in the critically polluted areas as identified by the Central Pollution Control Board', which is available on the website of the Ministry www.envfor.nic.in.

5. In the eventuality of any dispute regarding the location of any project within the critically polluted area or otherwise, a reference will be made to CPCB and based on their advice a view will be taken on such projects.

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)

Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (GKP)
5. Advisor (NB)
6. Website, MoEF
7. Guard File

Annexure

Table 8: The CEPI scores for industrial areas/ clusters descending order

SNo.	Industrial Cluster/Area	AIR	WATER	LAND	CEPI	
1.	Ankleshwar (Gujarat)	72.00	72.75	75.75	88.50	Ac_Wc_Lc
2.	Vapi (Gujarat)	74.00	74.50	72.00	88.09	Ac_Wc_Lc
3.	Ghaziabad (Uttar Pradesh)	68.50	75.25	71.50	87.37	Ac_Wc_Lc
4.	Chandrapur (Maharashtra)	70.75	67.50	66.50	83.88	Ac_Wc_Lc
5.	Korba (Chhattisgarh)	67.00	57.00	72.50	83.00	Ac_Ws_Lc
6.	Bhiwadi (Rajasthan)	71.00	69.00	59.50	82.91	Ac_Wc_Ls
7.	Angul Talcher (Orissa)	64.00	69.00	65.75	82.09	Ac_Wc_Lc
8.	Vellore (North Arcot) (Tamilnadu)	69.25	65.25	62.50	81.79	Ac_Wc_Lc
9.	Singrauli (Uttar Pradesh)	70.50	64.00	59.50	81.73	Ac_Wc_Ls
10.	Ludhiana (Punjab)	68.00	66.00	64.75	81.66	Ac_Wc_Lc
11.	Nazafgarh drain basin (including Anand Parvat, Naraina, Okhla and Wazirpur), Delhi	52.13	69.00	65.25	79.54	As_Wc_Lc
12.	Noida (Uttar Pradesh)	65.75	64.00	60.00	78.90	Ac_Wc_Lc
13.	Dhanbad (Jharkhand)	64.50	59.00	65.50	78.63	Ac_Ws_Lc
14.	Dombivalli (Maharashtra)	66.00	63.50	57.50	78.41	Ac_Wc_Ls
15.	Kanpur (Uttar Pradesh)	66.00	63.50	56.00	78.09	Ac_Wc_Ls
16.	Cuddalore (Tamilnadu)	54.00	65.25	64.00	77.45	As_Wc_Lc
17.	Aurangabad (Maharashtra)	64.75	60.50	59.50	77.44	Ac_Wc_Ls
18.	Faridabad (Haryana)	63.50	59.00	62.75	77.07	Ac_Ws_Lc
19.	Agra (Uttar Pradesh)	59.00	63.75	59.50	76.48	As_Wc_Ls
20.	Manali (Tamilnadu)	64.00	59.00	58.00	76.32	Ac_Ws_Ls
21.	Haldia (West Bengal)	53.75	64.50	57.00	75.43	As_Wc_Ls
22.	Ahmedabad (Gujarat)	62.75	58.00	58.00	75.28	Ac_Ws_Ls
23.	Jodhpur (Rajasthan)	52.00	65.50	54.00	75.19	As_Wc_Ls
24.	Cochin, Greater (Kerala)	57.00	64.00	54.00	75.08	As_Wc_Ls
25.	Mandi Gobind Garh (Punjab)	62.00	55.50	62.00	75.08	Ac_Ws_Lc
26.	Howrah (West Bengal)	57.00	54.50	63.50	74.84	As_Ws_Lc
27.	Vatva (Gujarat)	60.00	62.00	56.00	74.77	Ac_Wc_Ls
28.	Ib Valley (Orissa)	61.00	56.50	59.00	74.00	Ac_Ws_Ls
29.	Varansi-Mirzapur (Uttar Pradesh)	58.00	62.00	53.50	73.79	As_Wc_Ls
30.	Navi Mumbai (Maharashtra)	61.00	59.00	55.50	73.77	Ac_Ws_Ls

31. Pali (Rajasthan)	52.00	64.00	52.00	73.73	As_Wc_Ls
32. Mangalore (Karnataka)	61.75	57.75	54.00	73.68	Ac_Ws_Ls
33. Jharsuguda (Orissa)	61.00	56.50	56.00	73.34	Ac_Ws_Ls
34. Coimbatore (Tamil Nadu)	62.25	58.75	45.50	72.38	Ac_Ws_Ln
35. Bhadrapur (Karnataka)	62.75	56.50	45.50	72.33	Ac_Ws_Ln
36. Tarapur (Maharashtra)	60.75	56.00	51.25	72.01	Ac_Ws_Ls
37. Panipat (Haryana)	55.75	56.50	59.00	71.91	As_Ws_Ls
38. Indore (Madhya Pradesh)	59.00	57.50	52.00	71.26	As_Ws_Ls
39. Bhavnagar (Gujarat)	54.50	57.50	57.75	70.99	As_Ws_Ls
40. Vishakhapatnam (Andhra Pradesh)	57.00	57.50	55.00	70.82	As_Ws_Ls
41. Junagarh (Gujarat)	53.25	52.50	59.50	70.82	As_Ws_Ls
42. Asansole (West Bengal)	58.38	56.25	50.50	70.20	As_Ws_Ls
43. Patancheru - Bollaram (Andhra Pradesh)	50.00	59.00	54.00	70.07	As_Ws_Ls
44. Paradeep (Orissa)	54.00	58.50	48.00	69.26	As_Ws_Ln
45. Nashik (Maharashtra)	55.00	57.50	50.25	69.25	As_Ws_Ls
46. Chembur (Maharashtra)	59.75	50.75	46.00	69.19	As_Ws_Ln
47. Baddi (Himachal Pradesh)	56.00	54.50	54.50	69.07	As_Ws_Ls
48. Kala Amb (Himachal Pradesh)	56.75	54.50	51.00	68.77	As_Ws_Ls
49. Dewas (Madhya Pradesh)	51.50	57.50	51.50	68.77	As_Ws_Ls
50. Batala (Punjab)	51.00	56.50	54.50	68.59	As_Ws_Ls
51. Tirupur (Tamil Nadu)	56.75	50.75	53.00	68.38	As_Ws_Ls
52. Durgapur (West Bengal)	49.50	58.50	47.50	68.26	An_Ws_Ln
53. Raichur (Karnataka)	59.75	46.50	44.50	68.07	As_Wn_Ln
54. Bidar (Karnataka)	58.75	49.00	44.00	67.64	As_Wn_Ln
55. Singhbhum, West (Bihar)	55.50	51.50	51.50	67.30	As_Ws_Ls
56. Mettur (Tamilnadu)	46.00	58.00	46.50	66.98	An_Ws_Ln
57. Vadodara (Gujarat)	57.00	48.00	48.00	66.91	As_Wn_Ln
58. Jaipur (Rajasthan)	55.00	52.00	50.50	66.82	As_Ws_Ls
59. Rajkot (Gujarat)	45.50	54.50	55.50	66.76	An_Ws_Ls
60. Nagda - Ratlam (Madhya Pradesh)	44.50	54.50	56.00	66.67	An_Ws_Ls
61. Jamshedpur (Jharkhand)	55.75	55.50	42.00	66.06	As_Ws_Ln
62. Pimpri-Chinchwad (Maharashtra)	55.25	52.50	46.00	66.06	As_Ws_Ln
63. Raipur (Chhattisgarh)	56.50	42.00	49.00	65.45	As_Wn_Ln
64. Saraikela (Jharkhand)	50.50	49.00	54.00	65.38	As_Wn_Ls
65. Ramgarh (Jharkhand)	44.00	53.00	54.50	65.11	An_Ws_Ls
66. Pinia (Karnataka)	56.75	46.00	42.00	65.11	As_Wn_Ln

67.	Pitampur (Madhya Pradesh)	47.75	54.00	50.50	65.09	An_Ws_Ls
68.	Jalandhar (Punjab)	52.00	52.00	52.00	64.98	As_Ws_Ls
69.	Moradabad (Uttar Pradesh)	54.00	49.00	47.50	64.71	As_Wn_Ln
70.	Bada Jamtara (Jharkhand)	48.00	52.50	52.50	64.47	An_Ws_Ls
71.	Aligarh (Uttar Pradesh)	53.00	48.00	48.00	63.83	As_Wn_Ln
72.	Parwanoo (Himachal Pradesh)	53.00	47.50	48.50	63.83	As_Wn_Ln
73.	Haridwar (Uttarakhand)	51.75	48.00	40.00	61.01	As_Wn_Ln
74.	Vijaywada (Andhra Pradesh)	52.00	41.50	43.00	60.57	As_Wn_Ln
75.	Ferozabad (Uttar Pradesh)	49.00	47.00	47.75	60.51	An_Wn_Ln
76.	Mathura (Uttar Pradesh)	48.00	48.00	48.00	59.98	An_Wn_Ln
77.	Meerut (Uttar Pradesh)	50.00	47.50	39.50	59.38	As_Wn_Ln
78.	Erode (Tamil Nadu)	47.38	47.25	43.50	58.19	An_Wn_Ln
79.	Surat (Gujarat)	46.00	46.75	45.50	57.90	An_Wn_Ln
80.	Kathedan (Andhra Pradesh)	44.50	47.00	45.50	57.73	An_Wn_Ln
81.	Kukatpalli (Andhra Pradesh)	41.50	47.00	43.50	56.56	An_Wn_Ln
82.	Hajipur (Bihar)	43.50	44.00	44.50	55.12	An_Wn_Ln
83.	Gwallor (Madhya Pradesh)	45.88	38.50	42.00	54.63	An_Wn_Ln
84.	Udhamsingh Nagar (Uttarakhand)	44.00	41.25	44.25	54.37	An_Wn_Ln
85.	Bhillai- Durg (Chhattisgarh)	44.00	35.00	33.50	50.57	An_Wn_Ln
86.	Bulandsahar-Khurza (Uttar Pradesh)	42.00	33.50	36.50	49.09	An_Wn_Ln
87.	Burnihat (Assam)	39.00	34.50	34.50	46.26	An_Wn_Ln
88.	Digboi (Assam)	32.00	32.75	38.00	44.55	An_Wn_Ln

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 22nd January, 2010

CIRCULAR

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index - Implementation thereof.

Ministry of Environment & Forests vide O.M. of even no. dated 13th January, 2010 have imposed temporary restrictions for a period of 8 months up to August, 2010 for consideration of projects located within critically polluted industrial clusters / areas as identified by CPCB and documented in their report entitled "Comprehensive Environmental Assessment of Industrial Clusters". For Implementation of the said O.M., the following administrative arrangement will be followed:

- (i) The proposals relating to the projects to be located in critically polluted areas as referred to in the above mentioned O.M., which are in the pipeline and on which a final decision has not been taken or the proposals which would be received after 13th January, 2010 in MoEF will be returned to the project proponent by the respective Member Secretaries with the approval of the Advisor (In-charge) and the status updated on the website.
- (ii) In respect of Category 'B' projects to be located in critically polluted areas as referred to in the above mentioned O.M. and covered by the above provision will be returned by the Secretary of respective SEIAAs and the list of projects so returned placed before the SEIAA in the immediate next meeting of the Authority. The status will also be updated on the website.
- (iii) As regards the proposals which have already been included in the agenda of the meeting of EAC/SEAC to be held in January, 2010, these proposals will be returned after obtaining recommendation of EAC/SEAC in accordance with the provisions of the O.M. dated 13.1.2010.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. All the SEIAAs / SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Website of MoEF
5. Guard File.

J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated 15th March, 2010

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Regarding.

Ministry of Environment & Forests had issued an Office Memorandum on 13th January, 2010 imposing a temporary moratorium for a period up to August, 2010 on consideration of projects for environmental clearance which are to be located in critically polluted area as identified by CPCB based on Comprehensive Environmental Pollution Index. The various State Governments had expressed difficulties in implementing the above referred Office Memorandum due to inadequate details about the boundaries of critically polluted industrial clusters / areas so identified. Accordingly, the matter was considered and CPCB was requested to provide more details about these clusters. The details of these clusters have now been obtained from CPCB, which are enclosed herewith.

All concerned are requested to take further necessary action accordingly.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

Annexure

**Details of Critically Polluted Industrial Areas and Clusters/ Potential Impact Zone in terms of the Office Memorandum
no. J-11013/5/2010-IA.II(I) dated 13.1.2010**

S. No.	Critically Polluted Industrial Area and CEP1	Industrial Clusters/ Potential Impact Zones
1	Ankleshwar (Gujarat) <i>CEPI-88.50 (AC_WC_LC)</i>	GIDC Ankleshwar and GIDC, Panoli
2	Vapi (Gujarat) <i>CEPI-88.09 (AC_WC_LC)</i>	GIDC Vapi
3	Ghaziabad (Uttar Pradesh) <i>CEPI-87.37 (AC_WC_LC)</i>	<p>Sub-cluster A</p> <ul style="list-style-type: none"> • Mohan nagar Industrial area • Rajinder nagar Industrial area • Sahibabad Industrial areas <p>Sub-cluster B</p> <ul style="list-style-type: none"> • Pandav nagar Industrial area • Kavi nagar Industrial area • Bulandshahar Road Industrial area • Amrit nagar • Aryanagar Industrial area

	Sub-cluster C	
	• Merrut road Industrial area	
	Sub-cluster D	
	• Loni Industrial area	
	• Loni Road Industrial area	
	• Roop Nagar Industrial area	
	Sub-cluster E	
	• Hapur Road Industrial area	
	• Dasna	
	• Philkua	
	Sub-cluster F (other scattered industrial areas)	
	• South side of GT road	
	• Kavi Nagar	
	• Tronica city	
	• Anand Nagar	
	• Jindal Nagar	
	• Prakash Nagar	
	• Rural Industrial estate	
	Chandrapur (MIDC Chandrapur, Tadali, Ghuggus, Ballapur)	
	Chandrapur (Maharashtra)	
	<i>CEPI-83.88 (Ac_Wc_Lc)</i>	
5	Korba (Chhattisgarh)	a) Industrial areas and their townships of NTPC, BALCO, CSEB (East) & CSEB (West) b) Korba town
	<i>CEPI-83.00 (Ac_Ws_Lc)</i>	
6	Bhiwadi (Rajasthan)	a) RIICO industrial areas Phase I to IV b) Bhiwadi town

		c) Other surrounding industrial areas: Chopanki, Rampura Mundana, Khuskhera Phase I to III.
7	Angul Talcher (Orissa) CEPI-82.09 (AC_WC_LC)	<p>a) MCL Coal Mining Area, Angul-Industrial Area(60 km x 45Km) Talcher region</p> <p>Following blocks of Angul District :</p> <ul style="list-style-type: none"> - Kohina block - Talcher block - Angul block - Chhendipada block - Banarpal block <p>And</p> <p>Odapada block of Dhenkmal District</p>
8	Vellore (North Arcot) (Tamilnadu) CEPI-81.79 (AC_WC_LC)	Ranipet, SIPCOT Industrial Complex
9	Singrauli (Uttar Pradesh) CEPI-81.73 (AC_WC_LS)	<p>Sonebhadra (UP)</p> <ul style="list-style-type: none"> • Dala-Tola • Obra • Renukoot • Anpara • Renusagar • Kakri • Duidhichuwa • Bina

		<ul style="list-style-type: none"> • Khadia • Shakti Nagar • Rihand Nagar • Bijpur <p>Sigrauli (Madhya Pradesh) Vindhya Chal Nagar and Jayant, Nigahi, Dudhichua, Amlohri & Jhingurdah townships</p>
10	Ludhiana (Punjab)	<p><i>CEPI-81.66 (Ac_Wc_Ls)</i></p> <p>Ludhiana Municipal limits covering industrial clusters :</p> <ul style="list-style-type: none"> • Focal Point Along with NH -I - Total Eight Phase • Industrial Area-A- From Sherpur chowk to Gill road & Gill road to Miller Kotta road (left Side of Road) • Mixed Industrial Area –Right side of Gill road • Industrial area-C (near Jugiana Village) • Industrial Area A & Extension : Area between old GT Road and Ludhiana By pass road • Industrial Estate : Near Dholwal chowk • Mixes Industrial Area(MIA) Miller gurj • MIA- By pass road • Bahdur Industrial Area • Tejpur Industrial Complex.
11	Nazafgarh drain basin, Delhi	<p>Industrial areas : Anand Parvat, Naraina, Okhla and Wazirpur</p> <p><i>CEPI-79.54 (As_Wc_Lc)</i></p>
12	NOIDA (Uttar Pradesh)	<p>Territorial jurisdiction of :</p> <ul style="list-style-type: none"> • Noida Phase-1

17	Aurangabad (Maharashtra) <i>CEPI-77.44 (AC_WC_LS)</i>	MIDC Chikhalthana, MIDC Waluj, MIDC Shendra, and Paithan Road Industrial area
18	Faridabad (Haryana) <i>CEPI-77.07 (AC_WS_LC)</i>	<ul style="list-style-type: none"> • Sector 27 - A, B, C, D • DLF Phase -1, Sector 31, 32 • DLF Phase -2, Sector 35 • Sector 4, 6, 24, 25, 27, 31, 59 • Industrial area Hatin • Industrial Model town Ship
19	Agra (Uttar Pradesh) <i>CEPI-76.48 (AS_WC_LS)</i>	Nunihai Industrial Estate, Rambag Nagar, UPSIDC Industrial Area, and Runukata Industrial Area
20	Manali (Tamilnadu) <i>CEPI-76.32 (AC_WS_LS)</i>	Manali Industrial Area
21	Haldia (West Bengal) <i>CEPI-75.43 (AS_WC_LS)</i>	5 km wide Strip (17.4 x 5.0 km) of industrial area on the southern side of the confluence point of Rivers Hugli and Rupnarayan, covering Haldia Municipal Area & Sutahata Block- I and II
22	Ahmedabad (Gujarat) <i>CEPI-75.28 (AC_WS_LS)</i>	<ul style="list-style-type: none"> • GIDC Odhav • GIDC Naroda

23	Jodhpur (Rajasthan) <i>CEPI-75.19 (AS_WC_Ls)</i>	• Industrial areas including Basni Areas (Phase-I & II), Industrial Estate, Light & Heavy industrial areas, industrial areas behind new Power House, Mandore, Bornada, Sangariya and Village Tanwada & Salawas. • Jodhpur city
24	Greater Cochin (Kerala) <i>CEPI-75.08 (AS_WC_Ls)</i>	Eloor-Edayar Industrial Belt, Ambala Mogal Industrial areas
25	Mandi Gobind Garh (Punjab)	Mandi Govindgarh municipal limit and Khanna area
26	Howrah (West Bengal) <i>CEPI-74.84 (AS_Ws_Lc)</i>	a) Liliyah-Bamangachhi Region, Howrah b) Jalan Industrial Complex-1, Howrah
27	Vatva (Gujarat) <i>CEPI-74.77 (AC_WC_Ls)</i>	GIDC Vatva, Narol Industrial Area (Villages Piplaj, Shahwadi, Narol)
28	Ib Valley (Orissa)	Ib Valley of Jharsuguda (Industrial and Mining area)
29	Varansi-Mirzapur (Uttar Pradesh) <i>CEPI-74.00 (AC_Ws_Ls)</i>	• Industrial Estate, Mirzapur • Chunar • Industrial Estate, Chandpur Varanasi • UPSIC, Industrial Estate , Phoolpur • Industrial Area, Ramnagar, Chandauli

30	Navi Mumbai (Maharashtra)	TTC Industrial Area, MIDC, Navi Mumbai (including Blocks-D, C, EL, A, R, General, Kalva)
31	Pali (Rajasthan)	<i>CEPI-73.77 (Ac_Ws_Ls)</i> a) Existing industrial areas: Mandia Road, Puniyata Road, Sumerpur b) Pali town
32	Mangalore (Karnataka)	<i>CEPI-73.73 (Ac_Wc_Ls)</i> Baikampady Industrial Area
33	Jharsuguda (Orissa)	<i>CEPI-73.68 (Ac_Ws_Ls)</i> Ib Valley of Jharsuguda (Industrial and Mining area)
34	Coimbatore (Tamil Nadu)	<i>CEPI-73.34 (Ac_Ws_Ls)</i> <i>CEPI-72.38 (Ac_Ws_Ln)</i> SIDCO, Kunichi Industrial Clusters
35	Bhadrapur (Karnataka)	<i>CEPI-72.33 (Ac_Ws_Ln)</i> KSSIDC Industrial Area Mysore Paper Mill & VISL Township Complex
36	Tarapur (Maharashtra)	<i>CEPI-72.01 (Ac_Ws_Ls)</i> MIDC Tarapur

37	Panipat (Haryana) <i>CEPI-71.91 (AS_Ws_Ls)</i>	Panipat Municipal limit and its industrial clusters
38	Indore (Madhya Pradesh) <i>CEPI-71.26 (AS_Ws_Ls)</i>	<p>Following 09 industrial areas:</p> <ul style="list-style-type: none"> • Sanwer Road • Shivaji Nagar • Pologround • Laxmibai Nagar • Scheme No. 71 • Navlakha, • Pipiliya • Palda • Rau <p>• Indore city</p> <p>• Other surrounding industrial areas : Manglia, Rajoda, Bariai, Asrawad, Tejpur Gadwadi</p>
39	Bhavnagar (Gujarat) <i>CEPI-70.99 (AS_Ws_Ls)</i>	GIDC Chitra, Bhavnagar

40	Vishakhapatnam (Andhra Pradesh) CEPI-70.82 (As_Ws_Ls)	Bowl area (the area between Yarada hill range in the south to Simhachalam hill range in the north and sea on the east and the present NH-5 in the West direction)
41	Junagarh (Gujarat) CEPI-70.82 (As_Ws_Ls)	Industrial Areas : <ul style="list-style-type: none"> • Sabalpur • Jay Bhavani • Jay Bhuvneshwari • GIDC Junagarh (I&II)
42	Asansole (West Bengal) CEPI-70.20 (As_Ws_Ls)	Burmpur area surrounding IISCO
43	Patancheru- -Bollaram (Andhra Pradesh) CEPI-70.07 (As_Ws_Ls)	Industrial Area : <ul style="list-style-type: none"> • Patancheru • Bollaram

Note: Names of identified industrial clusters/ potential impact zones are approximate location based on rapid survey and assessment and may alter partially subject to the detailed field study and monitoring. Detailed mapping will be made available showing spatial boundaries of the identified industrial clusters including zone of influence/ buffer zone, after in depth field study.

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
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Telefax: 24362434

Dated the 26th October, 2010

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Lifting of Moratorium in respect of industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010.

2. Now, the Central Pollution Control Board (CPCB) vide their communication dated 21.10.2010 have informed this Ministry that the revised action plans submitted by the respective SPCBs / UTPCCs have been reviewed by CPCB and that the SPCBs and the local stakeholders have initiated some work on the submitted plans in respect of the industrial areas of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab).

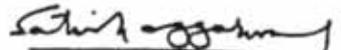
3. In view of the above, it has been decided to lift the moratorium on consideration of projects for environmental clearance in respect of projects to be located in the above said five clusters / areas namely; (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) subject to the following conditions:-

- (i) CPCB and the respective SPCBs will immediately put the approved action plans on their respective websites.
- (ii) SPCBs will monitor the implementation of the action plans as per their schedule and ensure that there is no slippage either in terms of timeframe or the activities to be completed relating to the action plan. The report will be submitted to CPCB.

- (iii) CPCB will also develop a monitoring mechanism and put it in place within 30 days and monitor the implementation of these action plans, area-wise and also carryout random checks on the environmental parameters for their quality.
- (iv) The respective SPCBs / UTPCCs will monitor the pollution levels in these areas on regular basis and if at any stage it is observed that the levels are increasing, it will be immediately brought to the notice of CPCB as well as MoEF and in such a situation the moratorium will be re-imposed.
- (v) The EACs / SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these areas.

4. Comments / feedback, if any, on implementation of action plans may be sent to Chairman, CPCB.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

- 1. All the Officers of IA Division
- 2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
- 3. Chairman, CPCB
- 4. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

- 1. PS to MEF
- 2. PPS to Secretary (E&F)
- 3. PPS to AS(JMM)
- 4. Advisor (NB)
- 5. Website, MoEF
- 6. Guard File

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Ministry of Environment & Forests

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C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 26th October, 2010

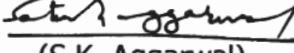
Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Extension of Moratorium up to 31.03.2011 - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010.

2. The status of preparation of action plans was reviewed in the Ministry of Environment & Forests. The Central Pollution Control Board informed that the respective SPCBs and the local stakeholders have initiated some work on implementation of the submitted action plans in respect of the industrial areas / clusters of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab). Accordingly, based on the inputs received from CPCB, Ministry of Environment & Forests have lifted the moratorium on consideration of projects for environmental clearance in the above mentioned five industrial clusters / areas vide this Ministry's O.M. of even no. dated 26th October, 2010. In the remaining 38 identified critically polluted industrial clusters / areas, it has been decided to **extend the moratorium further up to 31st March, 2011.**

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs

3. Chairman, CPCB with a request to take up the matter with the respective SPCBs / UTPCCs for expediting finalization of the action plans and initiation of their implementation in the field in respect of all the remaining industrial areas / clusters.
4. Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
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New Delhi-110003.
Telefax: 24362434

Dated the 15th February, 2011

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Lifting of Moratorium in respect of industrial clusters / areas of (i) Agra (Uttar Pradesh), (ii) Aurangabad (Maharashtra), (iii) Bhavnagar (Gujarat), (iv) Cuddalore (Tamil Nadu), (v) Dombivalli (Maharashtra), (vi) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh) - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010. Based on the finalization of action plans and their initiation of implementation in respect of the five industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) as confirmed by CPCB, the moratorium was lifted in respect of these five industrial clusters and for the remaining 38 industrial clusters, the moratorium was further extended up to 31st March, 2011 vide office memorandum of even no. dated 26.10.2010.

2. Now, the Central Pollution Control Board (CPCB) vide their communication dated 15.2.2011 have informed this Ministry that the relevant revised action plans submitted by the respective SPCBs / UTPCCs have been reviewed and approved by CPCB and that the implementation of action plans has been initiated in the industrial areas of (i) Agra (Uttar Pradesh), (ii) Bhavnagar (Gujarat), (iii) Cuddalore (Tamil Nadu), (iv) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh). The moratorium was extended in respect of the remaining 38 industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Coimbatore (Tamil Nadu), (iii) Vapi (Gujarat), (iv) Mandi-Govindgarh (Punjab), (v) Pattencherru-Bollaram (Andhra Pradesh) and (vi) Bhavnagar (Gujarat).

3. In view of the recommendation of the Central Pollution Control Board (CPCB) to lift the moratorium on consideration of projects to be located in the above mentioned eight clusters / areas namely; (i) Agra (Uttar Pradesh), (ii) Bhavnagar (Gujarat), (iii) Cuddalore (Tamil Nadu), (iv) Ludhiana (Punjab), (v) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh), it has been decided to lift the moratorium on consideration of the projects for environmental clearance in respect of the above mentioned eight clusters / areas namely; (i) Agra (Uttar Pradesh), (ii) Bhavnagar (Gujarat), (iii) Cuddalore (Tamil Nadu), (iv) Ludhiana (Punjab), (v) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh).

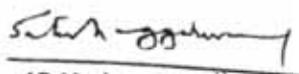
(Uttar Pradesh), (ii) Aurangabad (Maharashtra), (iii) Bhavnagar (Gujarat), (iv) Cuddalore (Tamil Nadu), (v) Dombivalli (Maharashtra), (vi) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh) subject to the following conditions:-

- (i) CPCB and the respective SPCBs will immediately put the approved action plans on their respective websites.
- (ii) SPCBs will monitor the implementation of the action plans as per their schedule and ensure that there is no slippage either in terms of timeframe or the activities to be completed relating to the action plan. The report will be submitted to CPCB.
- (iii) CPCB will also develop a monitoring mechanism and put it in place within 30 days and monitor the implementation of these action plans, area-wise and also carryout random checks on the environmental parameters for their quality. The results will be put on their website.
- (iv) The respective SPCBs / UTPCCs will monitor the pollution levels in these areas on regular basis and if at any stage it is observed that the levels are increasing, it will be immediately brought to the notice of CPCB as well as MoEF and in such a situation the moratorium will be re-imposed.
- (v) Independent third party periodic monitoring on the implementation of action plan will be supported. The results of the monitoring so carried out will be hosted on the website and also communicated to CPCB.
- (vi) Industrial cluster / area wise Committee comprising various stakeholders inter-alia representatives of locals and experts in the relevant field will be setup to oversee the implementation of the action plans.
- (vii) The EACs / SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these areas.

4. The condition at serial no. 3(vi) above will also be applicable to the five industrial clusters in respect of which the moratorium was lifted vide this Ministry's earlier O.M. of even no. dated 26.10.2010.

5. Comments / feedback, if any, on implementation of action plans may be sent to Chairman, CPCB (e-mail: ccb.cpcb@nic.in).

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs

3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to AS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 31st March, 2011

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Lifting of Moratorium in respect of industrial clusters / areas of (i) Angul Talchar (Orissa), (ii) Faridabad (Haryana), (iii) Gaziabad (Uttar Pradesh), (iv) Indore (Madhya Pradesh), (v) Junagadh (Gujarat), (vi) Noida (Uttar Pradesh) and (vii) Panipat (Haryana) - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010. Based on the finalization of action plans and their initiation of implementation in respect of the five industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Pattencheru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) as confirmed by CPCB, the moratorium was lifted in respect of these five industrial clusters and for the remaining 38 industrial clusters, the moratorium was further extended up to 31st March, 2011 vide office memorandum of even no. dated 26.10.2010.

2. Subsequently, based on the initiation of implementation of action plans as reported by the respective State Pollution Control Boards / Union Territory Pollution Control Committees and taking into account the recommendation of Central Pollution Control Board, moratorium was lifted in 8 additional critically polluted industrial clusters namely; (i) Agra (Uttar Pradesh), (ii) Aurangabad (Maharashtra), (iii) Bhavnagar (Gujarat), (iv) Cuddalore (Tamil Nadu), (v) Dombivalli (Maharashtra), (vi) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh) vide Office Memorandum of even no. dated 15.2.2011.

3. Now, the Central Pollution Control Board (CPCB) vide their communications no. B-29016/ESS/CPA/2010 dated 23.3.2011 and 29.3.2011 have informed this Ministry that the relevant revised action plans submitted by the respective SPCBs / UTPCCs have been reviewed and approved by CPCB and that the implementation of

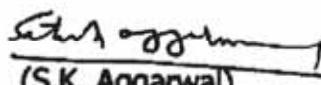
action plans has been initiated in respect of the industrial areas of (i) Angul Talchar (Orissa), (ii) Faridabad (Haryana), (iii) Gaziabad (Uttar Pradesh), (iv) Indore (Madhya Pradesh), (v) Junagadh (Gujarat), (vi) Noida (Uttar Pradesh) and (vii) Panipat (Haryana).

4. In view of the recommendation of the CPCB, it has been decided to lift the moratorium on consideration of projects for environmental clearance in respect of projects to be located in the above mentioned eight clusters / areas namely; (i) Angul Talchar (Orissa), (ii) Faridabad (Haryana), (iii) Gaziabad (Uttar Pradesh), (iv) Indore (Madhya Pradesh), (v) Junagadh (Gujarat), (vi) Noida (Uttar Pradesh) and (vii) Panipat (Haryana) subject to the following conditions:-

- (i) CPCB and the respective SPCBs will immediately put the approved action plans on their respective websites.
- (ii) SPCBs will monitor the implementation of the action plans as per their schedule and ensure that there is no slippage either in terms of timeframe or the activities to be completed relating to the action plan. The report will be submitted to CPCB.
- (iii) CPCB will also develop a monitoring mechanism and put it in place within 30 days and monitor the implementation of these action plans, area-wise and also carryout random checks on the environmental parameters for their quality. The results will be put on their website.
- (iv) The respective SPCBs / UTPCCs will monitor the pollution levels in these areas on regular basis and if at any stage it is observed that the levels are increasing, it will be immediately brought to the notice of CPCB as well as MoEF and in such a situation the moratorium will be re-imposed.
- (v) Independent third party periodic monitoring on the implementation of action plan will be supported. The results of the monitoring so carried out will be hosted on the website and also communicated to CPCB.
- (vi) Industrial cluster / area wise Committee comprising various stakeholders inter-alia representatives of locals and experts in the relevant field will be setup to oversee the implementation of the action plans.
- (vii) The EACs / SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these areas.

5. Comments / feedback, if any, on implementation of action plans may be sent to Chairman, CPCB (e-mail: ccb.cpcb@nic.in).

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division

2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

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2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No.J.11013/5/2010-IA-II(I)
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi - 110 003

Dated 28th April, 2011

Office Memorandum

Sub: Consideration of projects in respect of critically polluted areas.

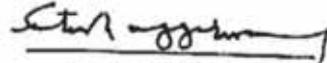
Ministry of Environment and Forests had imposed a moratorium on consideration of projects for environmental clearance to be located in critically polluted areas/industrial clusters identified by the Central Pollution Control Board. Based on the review of the Action Plans for the 43 identified critically polluted areas, moratorium has now been lifted in 20 clusters vide Ministry's Office Memorandums of even No. dated 26th October, 2010, 15th February, 2011 and 31st March, 2011. In the remaining 23 identified critically polluted areas/clusters, it has been decided to extend the moratorium further upto 30th September, 2011.

Ministry has been receiving queries regarding consideration of projects for environmental clearance in terms of the EIA Notification, 2006 particularly on the applicability of general condition in respect of projects to be located in these clusters from which moratorium on consideration of projects has been lifted.

It may be noted that the EIA Notification, 2006, the General Condition stipulates that "any project or activity specified in category 'B' will be treated as category 'A' if it is located in whole or in part within 10 kms. from the boundary of : (i) protected areas notified under the Wildlife (Protection) Act, 1972, (ii) critically polluted areas as notified by the Central Pollution Control Board from time to time, (iii) notified eco-sensitive areas, (iv) inter-State boundaries and International boundaries."

In view of the above, this is to clarify that the projects to be located within 10 kms. from the latest list of the critically polluted areas as identified by the Central Pollution Control Board would attract the General Condition of EIA Notification, 2006 and therefore, such projects would need to be treated as category 'A' projects.

This issues with the approval of Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs

Copy to:

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2. PPS to Secretary(E&F)
3. PPS to SS(JMM)
4. Website, MoEF
5. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 23rd May, 2011

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Lifting of Moratorium in respect of industrial clusters / areas of (i) Bhadravati (Karnataka), (ii) Mangalore (Karnataka) and (iii) Greater Kochi (Kerala) - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010. Based on the finalization of action plans and their initiation of implementation in respect of the five industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) as confirmed by CPCB, the moratorium was lifted in respect of these five industrial clusters and for the remaining 38 industrial clusters, the moratorium was further extended up to 31st March, 2011 vide office memorandum of even no. dated 26.10.2010.

2. Subsequently, based on the initiation of implementation of action plans as reported by the respective State Pollution Control Boards / Union Territory Pollution Control Committees and taking into account the recommendation of Central Pollution Control Board, moratorium was lifted in 8 additional critically polluted industrial clusters namely; (i) Agra (Uttar Pradesh), (ii) Aurangabad (Maharashtra), (iii) Bhavnagar (Gujarat), (iv) Cuddalore (Tamil Nadu), (v) Dombivalli (Maharashtra), (vi) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh) vide Office Memorandum of even no. dated 15.2.2011 and in another 7 namely (i) Angul Talchar (Orissa), (ii) Faridabad (Haryana), (iii) Gaziabad (Uttar Pradesh), (iv) Indore (Madhya Pradesh), (v) Junagadh (Gujarat), (vi) Noida (Uttar Pradesh) and (vii) Panipat (Haryana) vide O.M. no. of even dated 31.3.2011. The moratorium was further extended up to 30.09.2011 in respect of the remaining critically polluted industrial clusters/areas vide O.M. of even number dated 31.03.2011.

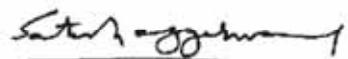
3. Now, the Central Pollution Control Board (CPCB) vide their communication no. B-29016/ESS/CPA/2010 dated 13.5.2011 have informed this Ministry, based on the statements received from respective State Pollution Control Boards that action have been initiated on the action plans in the critically polluted areas of (i) Bhadravati (Karnataka), (ii) Mangalore (Karnataka) and (iii) Greater Kochi (Kerala).

4. In view of the recommendation of the CPCB, it has been decided to lift the moratorium on consideration of projects for environmental clearance in respect of projects to be located in the above mentioned 3 clusters / areas namely; (i) Bhadravati (Karnataka), (ii) Mangalore (Karnataka) and (iii) Greater Kochi (Kerala) subject to the following conditions:-

- (i) CPCB and the respective SPCBs will immediately put the approved action plans on their respective websites.
- (ii) SPCBs will monitor the implementation of the action plans as per their schedule and ensure that there is no slippage either in terms of timeframe or the activities to be completed relating to the action plan. The report will be submitted to CPCB.
- (iii) CPCB will also develop a monitoring mechanism and put it in place within 30 days and monitor the implementation of these action plans, area-wise and also carryout random checks on the environmental parameters for their quality. The results will be put on their website.
- (iv) The respective SPCBs / UTPCCs will monitor the pollution levels in these areas on regular basis and if at any stage it is observed that the levels are increasing, it will be immediately brought to the notice of CPCB as well as MoEF and in such a situation the moratorium will be re-imposed.
- (v) Independent third party periodic monitoring on the implementation of action plan will be supported. The results of the monitoring so carried out will be hosted on the website and also communicated to CPCB.
- (vi) Industrial cluster / area wise Committee comprising various stakeholders inter-alia representatives of locals and experts in the relevant field will be setup to oversee the implementation of the action plans.
- (vii) The EACs / SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these areas.

5. Comments / feedback, if any, on implementation of action plans may be sent to Chairman, CPCB (e-mail: ccb.cpcb@nic.in).

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

- 1. All the Officers of IA Division
- 2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
- 3. Chairman, CPCB
- 4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

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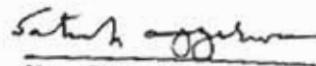
Dated 24th May, 2011

Office Memorandum

**Sub: Consideration of projects in respect of critically polluted areas-
Applicability of General Conditions to Construction Projects-
Clarification- regarding.**

In continuation to Ministry of Environment and Forests Office Memorandum of even no. dated 28th April, 2011, it is to clarify that the building and construction sector projects, item 8(a) and township and area development projects, item 8(b) of the EIA Notification, 2006 as amended on 4th April, 2011 do not attract the general conditions. Hence, Building and Construction projects and Township and Area Development projects would continue to remain as category 'B' irrespective of their location with respect to identified critically polluted areas. Such projects would continue to be appraised by the respective SEIAAs.

This issues with the approval of Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the officers of IA Division
2. Chairpersons/Member Secretaries of all the SEIAAs/SEACs

Copy to:

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4. Website, MoEF
5. Guard File

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 5th July, 2011

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Lifting of Moratorium in respect of industrial clusters / areas of (i) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (ii) Ib Valley, Jharsuguda (Orissa) - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010. Based on the finalization of action plans and their initiation of implementation in respect of the five industrial clusters / areas of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) as confirmed by CPCB, the moratorium was lifted in respect of these five industrial clusters and for the remaining 38 industrial clusters, the moratorium was further extended up to 31st March, 2011 vide office memorandum of even no. dated 26.10.2010.

2. Subsequently, based on the initiation of implementation of action plans as reported by the respective State Pollution Control Boards / Union Territory Pollution Control Committees and taking into account the recommendation of Central Pollution Control Board, moratorium was lifted in 8 additional critically polluted industrial clusters namely; (i) Agra (Uttar Pradesh), (ii) Aurangabad (Maharashtra), (iii) Bhavnagar (Gujarat), (iv) Cuddalore (Tamil Nadu), (v) Dombivalli (Maharashtra), (vi) Ludhiana (Punjab), (vii) Navi Mumbai (Maharashtra) and (viii) Varanasi-Mirzapur (Uttar Pradesh) vide Office Memorandum of even no. dated 15.2.2011 and in another 7 namely (i) Angul Talchar (Orissa), (ii) Faridabad (Haryana), (iii) Gaziabad (Uttar Pradesh), (iv) Indore (Madhya Pradesh), (v) Junagadh (Gujarat), (vi) Noida (Uttar Pradesh) and (vii) Panipat (Haryana) vide O.M. no. of even dated 31.3.2011. The moratorium was further extended up to 30.09.2011 in respect of the remaining critically polluted industrial clusters/areas vide O.M. of even number dated 31.03.2011.

3. Further, based on the communication received from CPCB confirming the initiation of implementation of action plans in the critically polluted areas of (i) Bhadravati (Karnataka), (ii) Mangalore (Karnataka) and (iii) Greater Kochi (Kerala), moratorium was lifted in these three clusters vide O.M of even no. dated 23rd May, 2011. Thus, out of the 43 identified critically polluted industrial clusters/ areas, moratorium has already been lifted in 23 industrial clusters.

4. Now, the Central Pollution Control Board (CPCB) vide their communication no. B-29016/ESS/CPA/2010/716 dated 6.6.2011 and no. B-29012/ESS(CPA)/2010/892 dated 20.6.2011 have informed this Ministry, based on the statements received from respective State Pollution Control Boards that action have been initiated on the action plans in the critically polluted areas of (i) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (ii) Ib Valley, Jharsuguda (Orissa).

5. In view of the recommendation of the CPCB, it has been decided to lift the moratorium on consideration of projects for environmental clearance in respect of projects to be located in the above mentioned 2 clusters / areas namely; ((i) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (ii) Ib Valley, Jharsuguda (Orissa) subject to the following conditions:-

- (i) CPCB and the respective SPCBs will immediately put the approved action plans on their respective websites.
- (ii) SPCBs will monitor the implementation of the action plans as per their schedule and ensure that there is no slippage either in terms of timeframe or the activities to be completed relating to the action plan. The report will be submitted to CPCB.
- (iii) CPCB will also develop a monitoring mechanism and put it in place within 30 days and monitor the implementation of these action plans, area-wise and also carryout random checks on the environmental parameters for their quality. The results will be put on their website.
- (iv) The Technical Review Committee under the Chairmanship of Chairman, CPCB in their next meeting will examine the possibility of:
 - (a) Undertaking a regional environmental study involving all the stakeholders including SPCBs. One of the SPCB could take the lead for coordinating the said study and the cost of such a study may be shared proportionately by various companies operating in the area. CPCB may provide the overall guidance in this regard.
 - (b) Incorporating additional control measures by suitably adopting environmentally benign mode of transportation for coal as well as ash.
 - (c) Additional safeguard measures for control of fugitive emissions at all transfer points.
 - (d) Enhancement of frequency of monitoring to see the effectiveness of the control measures provided in the action plans and to take mid course corrective measures, if any, required based on the monitored data.

- (v) The coal companies as well as the power producers in the area will setup continuous ambient air quality stations. The results of monitoring will be displayed at various locations and will also be put on the website of the respective State Pollution Control Boards. The location of the monitoring stations will be decided in consultation with the SPCBs.
- (vi) The respective SPCBs / UTPCCs will monitor the pollution levels in these areas on regular basis and if at any stage it is observed that the levels are increasing, it will be immediately brought to the notice of CPCB as well as MoEF and in such a situation the moratorium will be re-imposed.
- (vii) Independent third party periodic monitoring on the implementation of action plan will be supported. The results of the monitoring so carried out will be hosted on the website and also communicated to CPCB.
- (viii) Industrial cluster / area wise Committee comprising various stakeholders inter-alia representatives of locals and experts in the relevant field will be setup to oversee the implementation of the action plans.
- (ix) The EACs / SEACs will take extra precaution during appraisal of projects to be located in these areas and prescribe the requisite stringent safeguard measures, so that the environmental quality is not deteriorated further in these areas.

5. Comments / feedback, if any, on implementation of action plans may be sent to Chairman, CPCB (e-mail: ccb.cpcb@nic.in).

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

- 1. All the Officers of IA Division
- 2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
- 3. Chairman, CPCB
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Government of India
Ministry of Environment & Forests

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C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 27th September, 2011

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Extension of Moratorium up to 31.03.2012 - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. Since, the action plans were not finalized within the prescribed time limit, the moratorium was extended up to 31st October, 2010, thereafter up to 31st March, 2011 and further extended up to 30th September, 2011.

2. The status of preparation of action plans has been reviewed in the Ministry of Environment & Forests from time to time based on the inputs received from Central Pollution Control Board (CPCB). In accordance with the information received from the Central Pollution Control Board that the respective SPCBs and the local stakeholders have initiated some work on implementation of the submitted action plans in respect of the industrial areas / clusters of (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) (vi) Agra (Uttar Pradesh), (vii) Aurangabad (Maharashtra), (viii) Bhavnagar (Gujarat), (ix) Cuddalore (Tamil Nadu), (x) Dombivalli (Maharashtra), (xi) Ludhiana (Punjab), (xii) Navi Mumbai (Maharashtra), (xiii) Varanasi-Mirzapur (Uttar Pradesh), (xiv) Angul Talchar (Orissa), (xv) Faridabad (Haryana), (xvi) Gaziabad (Uttar Pradesh), (xvii) Indore (Madhya Pradesh), (xviii) Junagadh (Gujarat), (xix) Noida (Uttar Pradesh), (xx) Panipat (Haryana), (xxi) Bhadravati (Karnataka), (xxii) Mangalore (Karnataka) and (xxiii) Greater Kochi (Kerala) (xxiv) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), and (xxv) Ib Valley, Jharsuguda (Orissa), Ministry of Environment & Forests have lifted the moratorium on consideration of projects for environmental clearance in the above mentioned 25 industrial clusters / areas vide this Ministry's O.M.s of even no. dated 26th October, 2010, 15th February, 2011, 31st March, 2011, 23rd May, 2011 and 5th July, 2011. In the remaining 18 identified critically

-2-

polluted industrial clusters / areas, it has been decided to **extend the moratorium further up to 31st March, 2012.**

This issues with the approval of the Competent Authority.

S.K. Aggarwal

(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB with a request to take up the matter with the respective SPCBs / UTPCCs for expediting finalization of the action plans and initiation of their implementation in the field in respect of all the remaining industrial areas / clusters.
4. Member Secretaries of all SPCBs / UTPCCs.

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 30th March, 2012

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Extension of Moratorium till further orders - Regarding.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters / areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB.

2. The status of preparation of action plans has been reviewed in the Ministry of Environment & Forests from time to time based on the inputs received from Central Pollution Control Board (CPCB). In accordance with the information received from the Central Pollution Control Board that the respective SPCBs and the local stakeholders have initiated some work on implementation of the submitted action plans in respect of the industrial areas / clusters of (i) Tarapur (Maharashtra), (ii) Pattencheru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) and (v) Mandi-Govindgarh (Punjab) (vi) Agra (Uttar Pradesh), (vii) Aurangabad (Maharashtra), (viii) Bhavnagar (Gujarat), (ix) Cuddalore (Tamil Nadu), (x) Dombivalli (Maharashtra), (xi) Ludhiana (Punjab), (xii) Navi Mumbai (Maharashtra), (xiii) Varanasi-Mirzapur (Uttar Pradesh), (xiv) Angul Talchar (Orissa), (xv) Faridabad (Haryana), (xvi) Gaziabad (Uttar Pradesh), (xvii) Indore (Madhya Pradesh), (xviii) Junagadh (Gujarat), (xix) Noida (Uttar Pradesh), (xx) Panipat (Haryana), (xxi) Bhadravati (Karnataka), (xxii) Mangalore (Karnataka) and (xxiii) Greater Kochi (Kerala) (xxiv) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), and (xxv) Ib Valley, Jharsuguda (Orissa), Ministry of Environment & Forests have lifted the moratorium on consideration of projects for environmental clearance in the above mentioned 25 industrial clusters / areas vide this Ministry's O.M.s of even no. dated 26th October, 2010, 15th February, 2011, 31st March, 2011, 23rd May, 2011 and 5th July, 2011. In the remaining 18 identified critically polluted industrial clusters / areas, the moratorium was extended up to 31st March, 2012.

The matter has been considered further. The Central Pollution Control Board has been requested to provide an update on the progress of implementation of action

-2-

plans, cluster by cluster, in various industrial clusters and their expected impact in terms of the improvement of the relevant pollution indicators. It has been decided that the moratorium would continue in the remaining 18 industrial clusters till the matter is reviewed in the light of update to be provided by Central Pollution Control Board regarding the implementation of action plans. Accordingly, the moratorium in the 18 industrial clusters is extended till further orders.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB **with a request to review the whole matter and submit the status report, cluster by cluster for taking further necessary action in this regard.**
4. Member Secretaries of all SPCBs / UTPCCs.

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. PPS to JS(RG)
5. Website, MoEF
6. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-II0003

Telefax: 24362434

Dated the 17th September, 2013

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) – Re-imposing of Moratorium in respect of critically polluted areas namely Ghaziabad (UP), Indore (M.P.), Jharsuguda (Orissa) , Ludhiana (Punjab) , Panipat (Haryana) , Patancheru – Bollaram (A.P.) , Singrauli (UP & MP) and Vapi (Gujarat), and projects / activities to be allowed in Critically Polluted Areas under moratorium.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in 43 critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters /areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. The period of moratorium was extended beyond 31.8.2010 from time to time.

2. The status of preparation of action plans was reviewed in the Ministry of Environment & Forests from time to time, based on the inputs received from Central Pollution Control Board (CPCB). In accordance with the information received from the Central Pollution Control Board that the respective SPCBs and the local stakeholders had initiated work on implementation of the submitted action plans in respect of the industrial areas / clusters namely (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) (v) Mandi-Govindgarh (Punjab), (vi) Agra (Uttar Pradesh), (vii) Aurangabad (Maharashtra), (viii) Bhavnagar (Gujarat), (ix) Cuddalore (Tamil Nadu), (x) Dombivalli (Maharashtra), (xi) Ludhiana (Punjab), (xii) Navi Mumbai (Maharashtra), (xiii) Varanasi-Mirzapur (Uttar Pradesh), (xiv) Angul Talchar (Orissa), (xv) Fandabad (Haryana), (xvi) Ghaziabad (Uttar Pradesh), (xvii) Indore (Madhya Pradesh), (xviii) Junagadh (Gujarat), (xix) Noida (Uttar Pradesh), (xx) Panipat (Haryana), (xxi) Bhadravati (Karnataka), (xxii) Mangalore (Karnataka), (xxiii) Greater Kochi (Kerala), (xxiv) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (xxv) Ib Valley (Orissa) and (xxvi) Jharsuguda (Orissa), the Ministry of Environment & Forests lifted the moratorium on consideration of projects for environmental clearance in the above mentioned 26 industrial clusters / areas vide O.M.s of even no. dated 26th October, 2010, 15th February, 2011, 31st March 2011, 23rd May 2011 and 5th July , 2011. In the remaining 17 identified industrial clusters , the moratorium was extended up-to 31st March, 2012 and thereafter it was extended till further orders vide OM of even no. dated 30.03.2012.

3. The CPCB conducted monitoring in respect of all 43 Critically Polluted Areas (CPAs) during February-April, 2013 and re-assessed the CEPI score. The CPCB, vide its communication, dated July 24, 2013 have informed MoEF about the revised CEPI score based on the monitoring conducted during February-April, 2013. The revised CEPI scores based on the Environmental Quality Monitoring conducted during 2013 indicates that CEPI values are either still above 80 or are above 70 alongwith

increasing trend as compared to CEPI values assessed earlier by CPCB in 2011 in respect of eight critically polluted areas namely Ghaziabad (UP), Indore (M.P.), Jharsuguda (Orissa), Ludhiana (Punjab), Panipat (Haryana), Patancheru - Bollaram (A.P.), Singrauli (UP & MP) and Vapi (Gujarat) from where, the moratorium was lifted earlier vide OM of even no. dated 26.10.2010, 15.02.2011, 31.03.2011 and 05.07.2011.

4. The revised CEPI scores assessed during 2013 in respect of these eight critically polluted areas from where moratorium was lifted earlier, are as below :-

SI. No.	CPA	CEPI score during 2013
(i)	Ghaziabad (UP)	84.13
(ii)	Indore (M.P.),	78.75
(iii)	Jharsuguda (Orissa)	73.31
(iv)	Ludhiana (Punjab)	75.72
(v)	Panipat (Haryana)	81.27
(vi)	Patancheru-Bollaram (A.P.)	76.05
(vii)	Singrauli (UP and MP)	83.24
(viii)	Vapi (Gujarat)	85.31

The CEPI scores indicates that even after a period of 2½ years of implementation of action plans, there is no improvement in the environmental quality as is evident from the observed values of CEPI in 2013. CEPI score in Ghaziabad (U.P.), Panipat (Haryana), Singrauli (U.P. & M.P.) and Vapi (Gujarat) is still above 80. In respect of Indore, (MP), Jharsuguda (Orissa), Ludhiana (Punjab) and Patancheru-Ballaram (A.P.), the CEPI score has shown an increasing trend as compared to 2011. In view of this situation, the moratorium is hereby re-imposed with immediate effect in respect of these eight areas till further orders.

5. Para 4.1.2 of the O.M. of even number dated 13.1.2010 deals with the projects / activities allowed in the CPAs under moratorium. This para inter-alia provides that the projects of public interest, such as projects of national importance, pollution control, defence and security, with prior approval of the Competent Authority, MoEF / SEIAA for category 'A' & 'B' respectively, on a case to case basis, will continue to be appraised in accordance with the procedure prescribed under EIA Notification, 2006 and decision taken on merits. As all projects in CPAs are to be considered as category 'A' projects and by MoEF, the reference to SEIAA and category 'B' projects in this para is hereby deleted. It has been further decided to consider allowing the projects / activities of - modernization of existing project or activity not resulting in increase in pollution load and physical infrastructure like highways, aerial ropeways, Common Effluent Treatment Plants and Common Solid Waste Management Facility in such areas. Thus, the following projects could be considered in CPAs which are under moratorium:

- i. Modernization of existing project or activity; change of technology, fuel or product mix, not resulting in increase in pollution load of that project / activity. This would be subject to the concerned SPCB certifying that there will not be any increase in pollution load and the concerned EAC getting satisfied about the claim.
- ii. Project/activity at serial 7(f), 7(g), 7(h) and 7(i) of the Schedule under EIA Notification, 2006.

This issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi)
Director

296
288

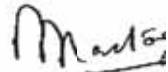
-3-

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons/Member Secretaries of all SPCBs /UTPCCs.

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS
4. PPS to JS
5. Website, MoEF
6. Guard File



(Dr. P.B. Rastogi)
Director

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003
Telefax: 24362434

Dated the 17th September, 2013

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) – Lifting of Moratorium in respect of industrial clusters/areas of Ahmedabad (Gujarat), Asansole (West Bengal), Bhiwadi (Rajasthan), Dhanbad (Jharkhand), Haldia (West Bengal), Howrah (West Bengal), Korba (Chhattisgarh), Kanpur (U.P.), Manali (Tamilnadu) and Vishakhapatnam (Andhra Pradesh) – reg.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in 43 critically polluted areas / industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters /areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound action plans will be prepared by the respective SPCBs / PCCs for improving the environmental quality in these industrial clusters / areas. The action plans so prepared would be finalized by CPCB. The period of moratorium was extended beyond 31.8.2010 from time to time.

2. The status of preparation of action plans was reviewed in the Ministry of Environment & Forests from time to time, based on the inputs received from Central Pollution Control Board (CPCB). In accordance with the information received from the Central Pollution Control Board that the respective SPCBs and the local stakeholders had initiated work on implementation of the submitted action plans in respect of the industrial areas / clusters namely (i) Tarapur (Maharashtra), (ii) Pattencherru-Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) (v) Mandi- Govindgarh (Punjab), (vi) Agra (Uttar Pradesh), (vii) Aurangabad (Maharashtra), (viii) Bhavnagar (Gujarat), (ix) Cuddalore (Tamil Nadu), (x) Dombivalli (Maharashtra), (xi) Ludhiana (Punjab), (xii) Navi Mumbai (Maharashtra), (xiii) Varanasi-Mirzapur (Uttar Pradesh), (xiv) Angul Talchar (Orissa), (xv) Faridabad (Haryana), (xvi) Ghaziabad (Uttar Pradesh), (xvii) Indore (Madhya Pradesh), (xviii) Junagadh (Gujarat), (xix) Noida (Uttar Pradesh), (xx) Panipat (Haryana), (xxi) Bhadravati (Karnataka), (xxii) Mangalore (Karnataka), (xxiii) Greater Kochi (Kerala), (xxiv) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (xxv) Ib Valley (Orissa) and (xxvi) Jharsuguda (Orissa), the Ministry of Environment & Forests lifted the moratorium on consideration of projects for environmental clearance in the above mentioned 26 industrial clusters / areas vide O.M.s of even no. dated 26th October, 2010, 15th February, 2011, 31st March 2011, 23rd May 2011 and 5th July, 2011. In the remaining 17 identified industrial clusters, the moratorium was extended upto 31st March, 2012 and thereafter it was extended till further orders vide OM of even no. dated 30.03.2012.

3. The CPCB conducted monitoring in the Critically Polluted Areas (CPAs) during February-April 2013 and re-assessed the CEPI score. The CPCB, vide its communication, dated July 24, 2013 have informed MoEF about the revised CEPI score based on the monitoring conducted during February-April, 2013.

4. The evaluation of the CEPI score in the 17 areas where moratorium is still in place indicates that the CEPI score in 10 areas namely Bhiwadi (Rajasthan), Dhanbad (Jharkhand), Manali (Tamilnadu), Ahmedabad (Gujarat), Korba (Chhattisgarh), Asansole

(West Bengal), Haldia (West Bengal), Howrah (West Bengal), Vishakapatnam (Andhra Pradesh) and Kanpur (UP) is below 80 and has shown a decreasing trend as compared to the CEPI score assessed by CPCB in 2011. In rest of the seven areas namely Ankleshwar (Maharashtra), Chandrapur (Maharashtra), Pali (Rajasthan), Vatva (Gujarat), Vellore (Tamil Nadu), Najafgarh Drain Basin (UT Delhi) and Jodhpur (Rajasthan), the CEPI score is either above 80 or is above 70 and showing either increasing trend or no change as compared to values observed in 2011.

5. In view of the re-assessment of CEPI score and taking into consideration that action plans for improving environment quality take time to yield results, it has been decided to lift the moratorium on consideration of projects for environmental clearance in respect of projects to be located in the above mentioned 10 clusters/areas namely Bhiwadi (Rajasthan), Dhanbad (Jharkhand), Manali (Tamilnadu), Ahmedabad (Gujarat), Korba (Chhattisgarh), Asansole (West Bengal), Haldia (West Bengal), Howrah (West Bengal), Vishakapatnam (Andhra Pradesh) and Kanpur (U.P.) where CEPI score is below 80 and has shown a decreasing trend as compared to the CEPI score of 2011, subject to the following conditions :

- i. The concerned SPCB to ensure that any new project / activity or any expansion or modernization of existing project or activity or any change in product mix is in line with the overall approved action plan of the concerned CPA.
- ii. The implementation of action plan of every CPA to be reviewed by the concerned Chairman, SPCB on quarterly basis and report sent to CPCB by the 7th day of the month succeeding the end of quarter.
- iii. Monitoring in CPAs be got done by SPCB through a third party on annual basis for computing CEPI. The monitoring be done during December-February and the report sent to CPCB by April. CPCB, in turn, to submit its report to MoEF.
- iv. Monitoring in CPAs be got done by CPCB through a third party on biennial basis for computing CEPI and report submitted to MoEF for taking an appropriate view.

If at any time it comes to the notice of CPCB that action plan in any CPA is not being implemented properly or the CEPI index in CPA is showing an increasing trend, it will immediately bring the factual position to the notice of MoEF and MoEF would consider taking an appropriate view in the matter which may include re-imposition of moratorium.

6. In respect of seven remaining CPAs namely Ankaleshwar (Maharashtra), Chandrapur (Maharashtra), Pali (Rajasthan), Vatva (Gujarat), Vellore (Tamilnadu), Najafgarh Drain Basin (UT Delhi) and Jodhpur (Rajasthan) the moratorium will continue till further orders.

This issues with the approval of the Competent Authority.

(Dr. P.B. Rastogi)
Director

To:

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons/Member Secretaries of all SPCBs /UTPCCs.

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS
4. PPS to JS
5. Website, MoEF
6. Guard File

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003
Telefax: 24360171

Dated the 10th June 2014

Office Memorandum

Sub: Consideration of projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) – Re-imposing of Moratorium in respect of critically polluted areas namely Ghaziabad (UP), Indore (M.P.), Jharsuguda (Orissa), Ludhiana (Punjab), Panipat (Haryana), Patancheru – Bollaram (A.P.), Singrauli (UP & MP) and Vapi (Gujarat), and projects / activities to be allowed in Critically Polluted Areas under moratorium – Regarding keeping in abeyance OM dated 17th September, 2013 w.r.t. re-imposition of moratorium in aforesaid eight critically polluted areas.

Ministry of Environment & Forests vide Office Memorandum of even no. dated 17.09.2013 had *inter alia* re-imposed moratorium until further orders on consideration of projects for environmental clearance in eight critically polluted areas (CPAs) as stated in the subject above.

2. While re-imposing the moratorium in eight CPAs vide aforesaid OM dated 17.09.2013, CPCB was also directed that the entire CEPI study, particularly in areas where the moratorium has been re-imposed be reviewed and re-assessed after a period of four months. The report with respect to the entire CEPI concept i.e. taking into account all constituents as originally formulated in 2009, is yet to be received from CPCB. It is felt that re-assessment of CEPI taking into account all its constituents as originally formulated in 2009 is a must before taking a view on re-imposition of moratorium in any CPA.

3. It has, therefore, been decided to keep in abeyance until further orders the aforesaid O.M. dated 17th September, 2013 to the extent it related to the re-imposition of moratorium in eight CPAs till CPCB re-assesses the CEPI taking into account all constituents of index as originally envisaged in 2009, subject to the following stipulations:-

- (i) All projects requiring EC in these areas will be considered only by MoEF;
- (ii) At the stage of TORs, the EAC concerned would, in such cases, spell out the due diligence required in terms of assessment of baseline conditions of ambient air, water bodies, etc. as applicable and provide guidance on monitoring locations, parameters, etc. In doing so, in addition to pollutants to be discharged / emitted by

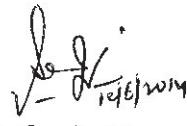
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the proposed project, the pollutants of concern in the area would also be kept in view. Assessment of performance of common facilities such as CETP, TSDF, etc. if proposed to be utilized should also be included as part of due diligence;

- (iii) In addition to monitoring by the regional office concerned, third party monitoring by a reputed agency at a frequency to be specified by the EAC would be necessary;
- (iv) The implementation of action plan of each of these eight CPAs to be jointly reviewed by the CPCB and SPCB on quarterly basis and report sent to MoEF by the 7th day of the month succeeding the end of quarter.

4. CPCB is directed to get the re-assessment of CEPI score done in all 43 CPAs, including these 8 CPAs, within a period of one year and report the outcome to the Ministry. The re-assessment of CEPI score should take into account all constituents of the index as originally formulated in 2009. Also, CPCB should properly demarcate each of these 43 CPAs by physical verification and clearly state the latitude, longitude, name of cities and villages and survey numbers (in case of part city and / or village) w.r.t. these areas.

5. This issues with the approval of the Competent Authority.


(S.C. Garkoti)

Director

To

- 1. All the Officers of IA Division
- 2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
- 3. Chairman, CPCB
- 4. Chairpersons/Member Secretaries of all SPCBs /UTPCCs.

Copy to:

- 1. PS to MEF
- 2. PPS to Secretary (E&F)
- 3. PPS to AS(SS)
- 4. PPS to JS (AT)
- 5. Website, MoEF
- 6. Guard File


Issued,
11/06/2014

No. J-11013/5/2010-IA.II(I)
Government of India
Ministry of Environment, Forests & Climate Change

Indira Paryavaran Bhavan,
Jor Bagh Road,
New Delhi-110003
Dated 01 September, 2014

Office Memorandum

Sub: Consideration of Projects for environmental clearance based on Comprehensive Environmental Pollution Index (CEPI) - Keeping in abeyance the Moratorium in respect of Coal Mining expansion projects in Chandrapur Critically Polluted Area (CPA).

Ministry of Environment and Forests vide Office Memorandum of even no. dated 13.1.2010 had imposed a moratorium up to 31.8.2010 on consideration of projects for environmental clearance to be located in 43 critically polluted areas/industrial clusters identified by Central Pollution Control Board. The details of the industrial clusters/areas were further specified in the Office Memorandum dated 15.3.2010. It was envisaged that during the period of moratorium, time bound actions plan will be prepared by the respective SPCBs/PCCs for improving the environmental quality in these industrial clusters/areas. The action plans so prepared would be finalized by CPCB. The period of moratorium was extended beyond 31.8.2010 from time to time.

2. The status of preparation of action plans was reviewed in the Ministry of Environment, and Forests from time to time, based on the inputs received from Central Pollution Control Board. In accordance with the information received from the Central Pollution Control Board that the respective SPCBs and the local stakeholders had initiated work on implementation of the submitted action plans in respect of the industrial areas/clusters namely (i) Tarapur (Maharashtra) (ii) Pattencheru - Bollaram (Andhra Pradesh), (iii) Coimbatore (Tamil Nadu), (iv) Vapi (Gujarat) (v) Mandi-Govindgarh (Punjab), (vi) Agra (Uttar Pradesh), (vii) Aurangabad (Maharashtra), (viii) Bhavnagar (Gujarat), (ix) Cuddalore (Tamil Nadu), (x) Dombivalli (Maharashtra), (xi) Ludhiana (Punjab), (xii) Navi Mumbai (Maharashtra), (xiii) Varanasi-Mirzapur (Uttar Pradesh), (xiv) Angul-Talchar (Orissa), (xv) Faridabad (Haryana), (xvi) Ghaziabad (Uttar Pradesh), (xvii) Indore (Madhya Pradesh), (xviii) Junagadh (Gujarat), (xix) Noida (Uttar Pradesh), (xx) Panipat (Haryana), (xxi) Bhadravati (Karnataka), (xxii) Mangalore (Karnataka), (xiii) Greater Kochi (Kerala) (xxiv) Singrauli (Madhya Pradesh Part and Uttar Pradesh Part), (xxv) Ib Valley (Orissa), (xxvi), Jharsuguda (Orissa), the Ministry of Environment and Forests lifted the moratorium on consideration of projects for environmental clearance in the above mentioned 26 industrial clusters/areas vide O.M. of even no. dated 26th October, 2010, 15th February, 2011, 31st March, 2011, 23rd May, 2011 and 5th July, 2011. In the remaining 17 identified industrial clusters, the moratorium was extended upto 31st March, 2012 and thereafter it was extended till further orders vide OM of even no. dated 30.03.2012

3. Vide O.M. of even number dated 17.9.2013 , the moratorium was further lifted from 10 clusters/areas namely Bhiwadi (Rajasthan), Dhanbad (Jharkhand), Manali (Tamil Nadu), Ahmedabad (Gujarat), Korba (Chattisgarh), Asansole (West Bengal), Haldia (West Bengal), Howrah (West Bengal), Vishakapatnam (Andhra Pradesh) and Kanpur (UP) subject to the certain conditions.

4. Ministry of Coal has been representing that since coal mining is a site specific activity which is only possible in coal bearing areas, with a view to facilitating increase in coal production in the country, which is critical for power generation, coal mining projects may be allowed in Chandrapur Critically Polluted Area subject to stipulations as may be prescribed by the MoEF&CC.

5. The matter has been examined in this Ministry. As per the latest re-assessment of CEPI score for Chandrapur CPA done by CPCB in 2013, while the composition of index on account of air and water indices are 'severe', it is 'critical' in terms of land index. The major sources of surface water and ground water pollution, in order of potential pollution as conveyed by CPCB are: Paper industries clubbed with Caustic Soda plants; untreated domestic effluents from Chandrapur and Ballarpur towns; Some of the chemical industries; Coal mines and Accidental discharges, if any.

6. The long term and short term action plans have been formulated by Maharashtra Pollution Control Board in consultation with National Level Technical Review Committee and CPCB for addressing the issues contained in action plans including control of pollution from mining. Major thrusts are given for control of water pollution from paper industries, chemical industries and untreated sewage. The implementation of action plans is in progress.

7. It is noted that while the CEPI Score is still high in Chandrapur CPA, coal mining activities are site specific depending upon availability of coal. Coal mining activities do not seem to be major contributor to the pollution load in the area. The action plans include inter-alia plans to address pollution from mining. Taking into account all issues in totality, it has been decided that the existing moratorium imposed in Chandrapur Critically Polluted Area may be kept in abeyance temporarily for expansion projects of existing coal mining in the area. The moratorium for such projects may be kept in abeyance for a period of one year after which the position may be reviewed by re-assessment of CEPI score and review of status of implementation of action plans. This decision is subject to following stipulations:

- i. All project proposals for expansion of existing coal mines will be considered at the level of this Ministry.
- ii. There is no additional mine lease area involved.
- iii. There is no change in mining method (underground to opencast).
- iv. Application for the expansion project shall include a certified report of the Regional Office of the MoEF on the issues of compliance of EC conditions stipulated for the existing project for which EC for the expansion is being sought and necessary action taken there upon by the EAC, in terms of the MoEF Circular No. J-11011/618/2010-IA.II (1) dated 30.5.2012.
- v. The EAC shall examine the measures required to be implemented by the project proponent under the Action Plans prepared by the Maharashtra State Pollution Control Board and status of their implementation. Maharashtra SPCB while recommending the proposal shall ensure that the same is in line with the overall approved action plans of Chandrapur Critically Polluted area. In such cases, the EAC shall also examine the monitoring data furnished by the project proponent of the environmental quality of the study area/CPA in which the project falls and after due diligence, decide if any additional mitigative measures are required for the expansion.

- vi. The proponents will take utmost precautionary measures during transportation of coal and shall use only mechanically covered truck's if transportation is allowed by road.
- vii. The implementation of action plans of Chandrapur CPA to be reviewed by the Chairman, Maharashtra SPCB on quarterly basis and report sent to CPCB by the 7th day of the month succeeding the end of quarter.
- viii. Monitoring in Chandrapur CPAs to be done by CPCB through a third party on annual basis for computing CEPI. The monitoring be done during December-February and the report sent to the Ministry by April.
- ix. Central Institute of Mining and Fuel Research (CIMFR), Dhanbad will make an assessment of mercury in coal in Chandrapur area and submit report to the Ministry within six months.
- x. Industrial wastewater from workshop, mine water and groundwater shall be monitored regularly and conform to the standards prescribed under the Environment (Protection) Rules, 1986.
- xi. Dispensation provided under OM dated 12.12.2012, 7.1.2014, 30.5.2014 and 28.7.2014 shall not be available for such projects.

This issues with the approval of Competent Authority.



01 Sept 2014
(Dr. Manoranjan Hota)
Director

To

- i. All the Officers of IA Division
- ii. Chairpersons & Member Secretaries of all the SEIAAs/SEACs
- iii. Chairman, CPCB
- iv. Chairpersons/Member Secretaries of all SPCBs /UTPCCs.

Copy to:

- i. PS to MEF
- ii. PPS to Secretary (E&F)
- iii. PPS to AS (SS)
- iv. Website, MoEF
- v. Guard File

CHAPTER-9

COMPREHENSIVE EVALUATION

POLLUTION INDEX (CEPI) INDEX (CEPI)

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th August, 2009

OFFICE MEMORANDUM

Sub: Instructions for the Environmental Consultants – Regarding.

The quality of Environment Impact Assessment (EIA) Reports and Environment Management Plans (EMPs) prepared for seeking environmental clearance to developmental projects / activities in terms of the provisions of EIA Notification has been a matter of concern. Need has therefore been felt for accreditation of environmental consultants for ensuring quality EIA reports. While, the scheme of accreditation of consultants is being evolved along with Quality Council of India (QCI), in the meantime, it has been decided that the following instructions shall be followed by all the consultants involved in the preparation of EIA reports with immediate effect.

1. On the front page of EIA/EMP reports, the name of the consultants / consultancy firm along with their complete details including their accreditation, if any, by an organization such as Quality Council of India/National Accreditation Board for Education & Training (NABET) should be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed TORs have been complied with and that the data submitted is factually correct.
2. While submitting the EIA / EMP reports, the names of all the Experts associated with / involved in the preparation of these reports and the laboratories through which the sample have been got analysed should be stated in the report. It should clearly be indicated whether these laboratories are approved under Environment (Protection) Act, 1986 and the Rules made there under.

This issues with the approval of the Competent Authority.



(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

F. No. J-11013/77/2004- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Dated 2nd December, 2009

OFFICE MEMORANDUM

**Subject: Accreditation of the EIA Consultants with Quality Council of India (QCI)/
National Accreditation Board of Education and Training (NABET)**

The Environmental appraisal of Development Projects is undertaken as per the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 based on the EIA and EMP Reports prepared by the project proponents in assistance with their Consultants. It has been felt in the Ministry that there is a need to enhance the quality of EIA Reports as the Consultants generally, undertake preparation of EIA / EMP Reports in many sectors and in some instances without requisite expertise and supporting facilities like laboratories for testing of samples, qualified staff etc. The good quality EIA Reports are pre-requisite for improved decision making.

2. In view of the above, a series of discussions were held with the National Accreditation Board of Education and Training (NABET) and the Quality Council of India (QCI) to evolve a framework for registration of the Consultants including those working in Public Sector Undertakings/Laboratories.

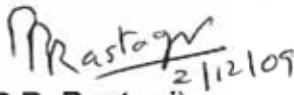
3. After detailed consideration of the issues relating to accreditation of the Consultants, following decisions have been taken:

- All the Consultants/Public Sector Undertaking (PSUs) working in the area of Environmental Impact Assessment would be required to get themselves registered under the scheme of Accreditation and Registration of the NABET/QCI.
- Consultant would be confined in the consultancy only to the accredited sectors and parameters for bringing in more specificity in the EIA document.
- The QCI would put in place detailed procedure for registration of Consultants for taking up the assignments in category 'A' and 'B' projects as detailed in EIA Notification, 2006. The QCI would maintain full transparency on accredited Consultants, procedure followed for accreditation, feed back and evaluation mechanism for Consultants for quality of EIA / EMP Reports.

- After accreditation, the Consultants would need to include a Certificate in this regard in the EIA/EMP Reports prepared by them and data provided by other Organizations/Laboratories including their status of approvals etc.
- The EIA Consultants may like to see further clarification on the subject through the website of NABET/QCI (www.qcin.org).
- All the Member Secretaries of various Expert Appraisal Committee (EACs) would inform the Consultants in their respective meetings, the need to get accredited with NABET/QCI.

4. It is decided, in the above factual matrix that no EIA/EMP Reports prepared by such Consultants who are not registered with NABET/QCI shall be considered by the Ministry after 30th June, 2010.

This issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi)
Director

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated 17th March, 2010

Office Memorandum

Sub: Name of the Consultant to be shown along with the project proponent in the minutes of the EACs – Instructions - Regarding.

In the interest of transparency, it has been decided that the name of the Consultant should be mentioned along with the name of the project proponent in the minutes of EAC / SEAC meetings, as also the letter prescribing the TORs and the environment clearance letter.

The undersigned has been directed to convey that the above referred decision may be complied with by all the Member Secretaries of EACs and SEACs.

In the eventuality that a project proponent changes the consultant during the course of the appraisal process, it shall be the responsibility of the project proponent to inform this in writing to the Ministry of Environment & Forests / SEIAA / SEAC, as the case may be regarding the change of consultant immediately and not later than the next meeting of the EAC / SEAC.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PS to AS(JMM)
2. Advisor (NB)
3. Website, MoEF
4. Guard File

F. No. J-11013/77/2004- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

Dated 18th March, 2010

OFFICE MEMORANDUM

With reference to Ministry's O.M. of even number dated 4th December, 2009 available on Ministry's website <http://www.envfor@nic.in>, all the Project Proponents to whom Ministry of Environment and Forests has awarded 'Terms of References' under the EIA Notification, 2006 are hereby informed that final EIA/EMP will be entertained in the Ministry for consideration for the Environment Clearance, only if prepared by Consultants/s accredited by the National Accreditation Board of Education and Training/Quality Council of India (NABET/QCI). **No final EIA/EMP from any Project Proponent prepared by the Non-accredited Consultant will be entertained after 1st July, 2010.**

2. Therefore, all the individuals, firms and organizations, including Government Organizations, Universities and Public Sector Undertakings (PSUs) working in the area of Environmental Impact Assessment should apply and register under the scheme of Accreditation and Registration of the NABET/QCI well in time.
3. This is also to inform that:
 - i) A Consultant would be confined in the consultancy only to the accredited sectors and parameters for bringing in more specificity in the EIA document.
 - ii) Detailed procedure for registration of Consultants for taking up the assignments in Category 'A' and 'B' projects as detailed in EIA Notification, 2006 is available at the website of NABET/QCI (www.cqin.org). The QCI would maintain full transparency on accredited Consultants, procedure followed for accreditation, feed back and evaluation mechanism for Consultants for quality of EIA/EMP Reports.
 - iii) After accreditation, the Consultants would need to include a Certificate in this regard in the EIA/EMP Reports prepared by them and also data provided by other Organizations/Laboratories including their status of approvals, etc.

- iv) The EIA Consultants can approach NABET/QCI for further clarification on the subject through the website of NABET/QCI (www.qcin.org).

This issues with the approval of the Competent Authority.

(Dr. P.B. Rastogi)
Director

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF
4. Guard File

F. No. J-11013/77/2004-IA II (I)

Government of India

Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan

CGO Complex, Lodhi Road

New Delhi – 110 003

Dated 28th June, 2010

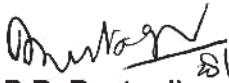
OFFICE MEMORANDUM

Subject: Accreditation of EIA Consultant by Quality Council of India.

In continuation of Ministry's O.M. of even number dated 2nd December, 2009, 18th March, 2010 and 28th May, 2010 (available on Ministry's website <http://www.envfor.nic.in>). The following procedure would be followed during the extended time for accreditation till December, 2010:

- i) The 157 consultants (List enclosed) who have applied to the QCI for accreditation/registration may be permitted to appear before State Level Expert Appraisal Committee / State Environmental Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects and Expert Appraisal Committee (EAC) for Category 'A' projects till 31st December, 2010. These 157 consultants will be permitted to certify various documents, as consultants, such as EIA/EMP reports.
- ii) The QCI would weekly update the list after ensuring completeness of application, which would be added in the list of 157 consultants for uploading on the website.
- iii) No one else whose name does not figure in the uploaded lists would be permitted to appear before SEAC/SEIAA or EAC or certify any documents in the entire process from the stage of applying in Form-(i) A to "Terms of References" to "Environmental Clearance".
- iv) A complete list of consultants accredited or under consideration for the accreditation shall be weekly updated by the Ministry on its website also.
- v) The EIA /EMP document is the responsibility of the Project Proponent, who would be accountable for any misinformation / errors, if any, irrespective of who prepared it

This issues with the approval of the Competent Authority.


28/6/10
(Dr. P.B. Rastogi)
Scientist 'F'

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF
4. Guard File

F. No. J-11013/77/2004-IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
Dated 9th August, 2010

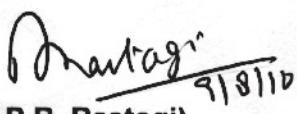
OFFICE MEMORANDUM

Subject: Accreditation of EIA Consultant by Quality Council of India.

In continuation of Ministry's O.M. of even number dated 2nd December, 2009, 18th March, 2010, 28th May, 2010 and 28th June, 2010 (available on Ministry's website <http://www.envfor.nic.in>). It is reiterated that following procedure would be followed during the extended time for accreditation till December, 2010:

- i) The 206 consultants (List enclosed) who have applied to the QCI for accreditation/ registration till 30th June, 2010 may be permitted to appear before State Level Expert Appraisal Committee/State Environmental Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects and Expert Appraisal Committee (EAC) for Category 'A' projects till 31st December, 2010. These 206 consultants will be permitted to certify various documents, as consultants, such as EIA/EMP reports.
- ii) No Consultant whose name does not figure in the uploaded lists as of 30th June, 2010 would be permitted to appear before SEAC/SEIAA or EAC or certify any documents in the entire process from the stage of applying in Form-(i) A to "Terms of References" to "Environmental Clearance".
- iii) The QCI would weekly update the list after ensuring completeness of application, which would be added in the list of 206 consultants for uploading on the QCI website. The accreditation of these Consultants would be initiated by QCI after completion of the ones received till 30th June, 2010.

This issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi)
Scientist 'F'

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF
4. Guard File

F. No. J-11013/77/2004-IA-II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

E-mail : pb.rastogi@nic.in
Telefax : 011: 2436 7668
Dated 1st November, 2010

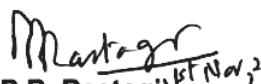
OFFICE MEMORANDUM

Subject : Accreditation of the EIA Consultants with Quality Council of India / National Accreditation Board of Education and Training (QCINABET) – reg.

In continuation of Ministry's O.M. of even number dated 2nd December, 2009, 18th March, 2010, 28th May, 2010, 28th June, 2010 and 9th August, 2010 (available on Ministry's website <http://www.envfor.nic.in>) and after due consideration of the representations received from various EIA consultants, the following decisions have been taken :

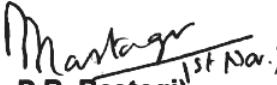
1. The 265 Consultants (list enclosed) who have applied to the QCI for accreditation / registration till 30th September, 2010 will be permitted to appear before State Level Expert Appraisal Committee/State Environment Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects and Expert Appraisal Committee (EAC) for Category 'A' projects till 31st December, 2010. These 265 Consultants will also be permitted to certify various documents, as consultants, such as EIA/EMP.
2. No consultant whose name does not figure in the uploaded list as of 30th September, 2010 would be permitted to appear before SEAC/SEIAA or EAC or certify any documents.
3. There is no requirement for accreditation to a foreign consultant if the foreign consultant concerned is assisting to or is a partner of an accredited Indian EIA Consultant. However, if a foreign consultant acts alone, he will need to get accredited with the QCI/NABET.

This O.M. issues with the approval of the Competent Authority.


(Dr. P.B. Rastogi) 1st Nov., 2010
Scientist 'F'

Copy to :

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF.
4. Guard File


(Dr. P.B. Rastogi) 1st Nov., 2010
Scientist 'F'

F. No. J-11013/77/2004-IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003

E-mail : pb.rastogi@nic.in
Telefax : 011: 2436 7668

Dated 31st December, 2010

OFFICE MEMORANDUM

Subject: Accreditation of the EIA Consultants with Quality Council of India / National Accreditation Board of Education and Training (QCI/NABET) – reg.

In continuation of Ministry's O.M. of even number dated 1st November, 2009 (available on Ministry's website <http://www.envfor.nic.in>) and after review of the accreditation progress by the QCI/NABET, the Competent Authority has approved the following :

1. The 265 Consultants, a list enclosed for ready reference, who have applied to the QCI for accreditation / registration till 30th September, 2010 will be permitted to appear before State Level Expert Appraisal Committee/State Environment Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects and Expert Appraisal Committee (EAC) for Category 'A' projects till 30th June, 2011. These 265 Consultants will also be permitted to certify various documents, as consultants, such as EIA/EMP.
2. No consultant whose name does not figure in the aforesaid list would be permitted to appear before SEAC/SEIAA or EAC or certify any documents.
3. QCI/NABET will be requested to process the above 265 applications well within the stipulated time frame, i.e. till 30th June, 2011.


(Dr. P.B. Rastogi)
Director

Copy to :

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF.
4. Guard File


(Dr. P.B. Rastogi)
Director
31/12/10

F. No. J-11013/77/2004-IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
E-mail : pb.rastogi@nic.in
Telefax : 011: 2436 7668
Dated 30th June, 2011

OFFICE MEMORANDUM

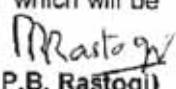
Subject: Accreditation of the EIA Consultants with Quality Council of India / National Accreditation Board of Education and Training (QCI/NABET) – reg.

In continuation of Ministry's O.M. of even numbers dated 1st November, 2009, 2nd December, 2009, 18th March, 2010, 28th May, 2010, 1st November, 2010, 31st December, 2010 (available on Ministry's website <http://www.envfor.nic.in>) and after review of the accreditation progress till June, 2011 indicating receipt of 265 applications till 30th September, 2010 and 311 applications till 16th June, 2011 by the QCI/NABET, it has been noted that all the applications of the Consultants may be divided into four categories:

- I. Consultants accredited.
- II. (a) Eligible applications in process for accreditation.
(b) Prima facie ineligible applications under processing.
- III. Applications withdrawn/rejected.
- IV. New Applications.

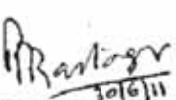
2.0 Following procedure will be applicable in respect of the appearance of the environmental consultants before EAC/SEAC and shall be followed after 30th June, 2011:

- I. Registration of all the QCI **accredited Consultants** will be valid for the period of accreditation/not exceeding three years. These accredited Consultants will be allowed to appear before the Expert Appraisal Committee (EAC) for Category 'A' projects and before State Level Expert Appraisal Committee/State Environment Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects. These approved EIA Consultants and EIA coordinators will engage themselves only in the approved sectors as approved by the QCI. List of accredited consultants is at List 'A'.
- II. The **Consultants who have applied to NABET/QCI before 30th June, 2010** (within S. N. 265) and **whose applications are still in process, whether Category II(a) or Category II(b), they may appear before EAC/SEAC/SEIAA only upto 30th September, 2011, unless accredited/registered before that date.** Consultants whose applications are in process are listed in List 'B'.
- III. The Consultants **where applications have been withdrawn or rejected** on various grounds are listed in List 'C' and will not be eligible to appear for presentation. However, they will be free to apply to QCI/ NABET, and, if accredited, will be eligible for appearance in EAC/SEIAA/SEAC from the date of accreditation.
- IV. Those **Consultants who have applied after 30th June, 2010** (after S. N. 265) will now be considered for accreditation by the NABET/QCI strictly on the chronological basis and are listed in List 'D' which will be updated fortnightly on QCI website.


(Dr. P.B. Rastogi)
Director

Copy to:

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF.
4. Guard File


(Dr. P.B. Rastogi)
Director

LIST 'A'

- 1. Accredited Consultants** - **92**
 • **Consultants with Accreditation** - **26**

S. N.	Name	State/ City
1.	Asian Consulting Engineers Pvt. Ltd.	Delhi
2.	B. S. Envi-Tech Pvt. Ltd.	Hyderabad
3.	Bhagavathi Ana Lab	Hyderabad
4.	Cholamandalam MS Risk Services	Chennai
5.	Consulting Engineering Services (India) Private Limited	New Delhi
6.	EMTRC Consultants Private Limited	Delhi
7.	Engineers India Limited	Gurgaon
8.	Envirotech East Pvt. Ltd.	Kolkata
9.	En-vision Enviro Engineers Pvt. Ltd.	Surat
10.	EQMS India Pvt. Ltd.	Delhi
11.	ERM India Private Limited	Gurgaon
12.	Ghosh, Bose and Associates Pvt. Ltd.	Kolkata
13.	Grass Roots Research & Creation India (P) Ltd.	New Delhi
14.	Hubert Enviro Care Systems (P) Ltd.	Chennai
15.	JM Environet Pvt. Ltd.	Gurgaon
16.	Kadam Environmental Consultants	Vadodra
17.	Kalyani Laboratories	Bhubaneshwar
18.	Mecon Limited	Ranchi
19.	Pioneer Enviro Laboratories and Consultants Pvt. Ltd.	Hyderabad
20.	Ramans Consultancy Services Pvt. Ltd.	Ahmedabad
21.	Ramky Enviro Engineers Limited	Hyderabad
22.	RS Envirolink Technologies Pvt. Ltd.	Gurgaon
23.	S. S. Environics (India) Pvt. Ltd.	Bhubaneshwar
24.	Senes Consultants India Pvt. Ltd.	Noida
25.	Team Labs and Consultants	Hyderabad
26.	Voyants Solutions Pvt. Ltd.	Gurgaon

- **Consultants with provisional Accreditation** - **66**

S. N.	Name	State/ City
1.	ABC Environ Solutions Pvt. Ltd.	Chennai
2.	Anacon Laboratories Pvt. Ltd.	Nagpur
3.	Anand Consultants	Ahmedabad
4.	Apex Mintech Consultants	Udaipur
5.	Bhagwati Enviro Care Pvt. Ltd.	Ahmedabad
6.	Centre for Envotech and Management Consultancy Private Limited	Bhubaneshwar
7.	Consulting Engineers Group Ltd.	Jalpur
8.	Creative Engineers & Consultants	Chennai
9.	Creative Enviro Services	Bhopal
10.	Desein Private Limited	New Delhi
11.	Detox Corporation Pvt. Ltd.	Surat
12.	Development Consultants Private Limited	Kolkata
13.	Earthcare Labs Private Limited	Nagpur
14.	Eco Chem Sales and Service	Surat
15.	Eco Laboratories and Consultants	Mohali
16.	Ecomen Laboratories Pvt. Ltd.	Lucknow
17.	Enkay Group	Jaipur
18.	ENV Developmental Assistance Systems (I) Pvt. Ltd.	Lucknow

S. N.	Name	State/ City
19.	Enviro Techno Consult	Nagpur
20.	Envirocare Consultants (I) Pvt. Ltd.	Baroda
21.	Environ India	Kolkata
22.	Environment Protection and Training Research Institute	Hyderabad
23.	Environmental Engineers & Consultants Pvt. Ltd.	New Delhi
24.	ENVOMIN Consultant (Pvt.) Ltd.	Bhubaneshwar
25.	Geomin Consultants Pvt. Limited	Bhubaneshwar
26.	GIS Enabled Environment & Neo-Graphic Centre	Ghaziabad
27.	Global Enviro Labs	Hyderabad
28.	Global Experts (A Techno-Enviro Consultant)	Bhubaneshwar
29.	Green Chem Solutions Pvt. Ltd.	Chennai
30.	Holtec Consulting Private Limited	Gurgaon
31.	Idma Laboratories Limited	Panchkula, Haryana
32.	Intercontinental Consultants and Technocrats Pvt. Ltd.	New Delhi
33.	Kirloskar Consultants Limited	Pune
34.	L & T – RAMBOLL Consulting Engineers Limited	Andhra Pradesh
35.	LEA Associates South Asia Pvt. Ltd.	New Delhi
36.	M. N. Dastur and Company (Pvt.) Ltd.	Kolkata
37.	M/s Padmaja Aerobiologicals Pvt. Ltd.	Navi Mumbai
38.	M/s Visiontek Consultancy Services Pvt. Ltd.	Bhubaneshwar
39.	Mantec Consultants Pvt. Ltd.	Delhi
40.	Mineral Engineering Services	Karnataka
41.	Mineviron Systems Pvt. Ltd.,	Nagpur
42.	MITCON Consultancy Services Ltd.	Pune
43.	Mott Mac Donald Pvt. Ltd.	Ahmedabad
44.	National Environmental Engineering Research Institute	Nagpur
45.	Perfact Enviro Solutions Pvt. Ltd.	Delhi
46.	Pollution Control Research Institute	Haridwar
47.	Pragathi Labs & Consultants Pvt. Ltd.	Secunderabad
48.	Projects & Development India Limited	Noida
49.	Pure Enviro Engineers Pvt. Ltd.	Chennai
50.	RITES Limited	Gurgaon
51.	San Envirotech Pvt. Ltd.	Ahmedabad
52.	SECON Private limited	Bangalore
53.	SGS India Pvt. Ltd	Gurgaon
54.	Singareni Collieries Company Limited	Khammam, Andhra Pradesh
55.	SMEC India Private Limited	Gurgaon
56.	SV Enviro Labs & Consultants	Vishakapatnam
57.	TATA Consulting Engineers Limited	Mumbai
58.	Ultra-Tech Environmental Consultancy and Laboratory	Thane
59.	UniStar Environment & Research Labs Pvt. Ltd.	Vapi, Gujarat
60.	Vimta Labs Limited	Hyderabad
61.	VITYA Consultants Pvt. Ltd.	Secunderabad
62.	WAPCOS Limited	Gurgaon
63.	Wolkem Consultancy Services	Udaipur
64.	Det Norske Veritas AS	Hyderabad
65.	Enviro Analyst & Engineers Pvt. Ltd.	Mumbai
66.	Environmental, Mine Plan & Resource Evaluation Solutions	Chennai

LIST 'B'

- 2. Applications under processing (eligible applications) - 110**
- Assessment completed, ready for being put up to AC - 17**

S. N.	Name	State/ City
1.	Amba Recycler Private Limited	Chennai
2.	CTTRAN Consulting Private Limited	Bhubaneswar
3.	E. C. Engineers (Environmental Consultants)	Jaipur
4.	Envisafe Environmental Consultants	Ahmedabad
5.	Garden City Environmental Services	Bangalore
6.	In Situ Enviro Care	Bhopal
7.	Louis Berger Consulting Pvt. Ltd.	Gurgaon
8.	Richardson & Cruddas	Chennai
9.	SAI Consulting Engineers Pvt. Ltd.	Ahmedabad
10.	Saitech Research & Development Organization	Kolhapur
11.	SPAN Consultants Pvt. Ltd.	Noida
12.	Srushti Sewa	Nagpur
13.	Superintendence Company of India Pvt. Ltd.	Kolkata
14.	T.R. Associates	Ahmedabad
15.	Vasantdada Sugar Institute.	Pune
16.	Water and Waste Water Research Center	Sangli
17.	Yogiraja Industrial Consultants	Pune

**At Stage III (Document Assessment completed,
Office Assessment to be done) - 24**

S. N.	Name	State/ City
1.	Ace Engineers & Consultants	Patiala
2.	Aditya Environmental Services Pvt. Ltd.	Mumbai
3.	Agricultural finance corporation Ltd.	Mumbai
4.	Aquatech Enviro Engineers	Bangalore
5.	Central Road Research Institute(CRRI)	New Delhi
6.	Deccan Consulting Engineers Private Limited	Delhi
7.	Eco Services India Private Limited	Chennai
8.	Egis India Consulting Engineers Pvt. Ltd.	Faridabad
9.	ENPRO Enviro Tech & Engineers Pvt. Ltd.	Surat
10.	Enviro Care India (P) Ltd.	Madurai
11.	Greentech Environmental Engineer and Consultants	Guwahati
12.	JB Enviro Consultants Pvt. Ltd.	Kolkata
13.	M/S Indus Technical and Financial Consultants Ltd.	Raipur
14.	M/s Udaipur Min-Tech Pvt. Ltd.	Udaipur
15.	Mahabal Enviro Engineers Pvt. Ltd.	Thane
16.	Min Mec Consultancy Pvt. Ltd.	New Delhi
17.	Mitra S. K. Private Limited	Kolkata
18.	Pacific Scientific Consultancy Pvt. Ltd.	Kolkata
19.	Prakriti Consultants Services	Lucknow
20.	R. K. Consultants	Jodhpur
21.	Sawen Consultancy Services	Lucknow
22.	Siddhi Consultants	Ankleshwar
23.	Sri Sai Manasa Nature Tech Pvt. Ltd.	Hyderabad
24.	Sun Consultancy and Services	Bhubaneshwar

• Stage II (Document assessment in process)

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S. N.	Name	State/ City
1.	Aarvee associates architects engineers & consultants Pvt. Ltd.	Hyderabad
2.	Action for Ecology, Environment, Energy and Management	Rishikesh
3.	AECOM India Private Limited	Gurgaon
4.	Building Environment Pvt. Ltd.	Navi Mumbai
5.	C. E. Testing company Pvt. Ltd.	Kolkata
6.	Central Mine Planning & Design Institute Limited	Ranchi
7.	Centre for Environment Health & Safety, Annamalai University	Tamilnadu
8.	Centre for Interdisciplinary Studies Of Mountain & Hill Environment University Of Delhi(CISMHE)	Delhi
9.	Centre For Sustainable Development	Hooghly
10.	Centre of Mining Environment, Department of Environmental Science and Engineering	Dhanbad
11.	Century Consulting Engineers	Chandigarh
12.	Chaitanya Projects Consultancy Pvt. Ltd	Ghaziabad
13.	Chilworth Technology Pvt. Ltd.	New Delhi
14.	D.Y. Patil College of Engineering	Pune
15.	DHI India Water & Environment Pvt. Ltd.	New Delhi
16.	Eco Care	Burdwan, West Bengal
17.	Energy Infratech Pvt. Ltd.	Gurgaon
18.	En-Geo Consultancy & Research Centre(ENGECORC)	Guwahati
19.	Enviro Care Engineers & Consultant	Surat
20.	Environment & Power Technologies Private Limited	Bangalore
21.	Environmental System Consultants & Ambiente Lab Solutions Pvt. Ltd.	Chennai
22.	Epsilon Projects Pvt. Ltd.	Lucknow
23.	Gadark Lab Pvt. Ltd.	Mumbai
24.	Gherzi Eastern Limited	New Delhi
25.	K. R. S Enterprises	Bangalore
26.	KKB Envirocare Consultants PVT. LTD.	Hyderabad
27.	Madhya Pradesh State Forest Research Institute	Jabalpur
28.	N. K. Buildcon Pvt. Ltd.	Jaipur
29.	National Institute for Interdisciplinary Science & Technology (NIIST)	Thiruvananthapuram
30.	Oasis Environmental Foundation	Pune
31.	Octagon Consultancy Services	Kolkata
32.	Pollution & Ecology Control Services	Nagpur
33.	Prakruti Environmental Engineers	Vadodara
34.	Precitech Laboratories	Vapi
35.	Ramji Mine Envirotech	Jaipur
36.	S G M Corporate Consultants Pvt. Ltd.	Pune
37.	S. N. Hirpara	Surat
38.	SA Infrastructure Consultants Pvt. Ltd	Ghaziabad
39.	School of Water Resources Engineering, Jadavpur University	Kolkata
40.	Science and Technology Park	Pune
41.	Shiva Test House	Patna
42.	Shivalik Solid Waste Management Limited	Solan
43.	SMS Envocare Ltd.	Pune
44.	Spectro Analytical Labs Limited	New Delhi
45.	Team Institute of Science & Technology Pvt. Ltd.	Jaipur
46.	Technoenviron Consultants	Maharashtra
47.	Terracon Ecotech Private Limited	Mumbai
48.	Tetra Tech India Limited	New Delhi
49.	Thriveni Consultancy Services	Keonjhar, Odisha
50.	Transit Surveys	Karnataka

S. N.	Name	State/ City
51.	Trio-Chem Techno- Legal Services Pvt. Ltd.	Pune
52.	V R Enviro Engineers	Chennai
53.	Vison Labs	Hyderabad
54.	Vogue Construction and Consultancy Services Private Limited	New Delhi
55.	Waste Encare (India) Pvt. Ltd.	Thane
56.	Weston Solutions (India) Pvt. Ltd.	Hyderabad
57.	Wilbur Smith Associates Private Limited	Bangalore

- Stage I (Completeness of Application - response received against NABET query, being verified)**

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S. No.	Name	State/ City
1.	Consafe Science India	Hyderabad
2.	CPTL Envirotech Designers & Pollution Control Consultants	Chandigarh
3.	Galaxy Envirotech Pvt. Ltd.	New Delhi
4.	GLOBAL Environment & Mining Services	Hospet, Karnataka
5.	Gondwana Geotech Services Pvt. Ltd.	Ranchi
6.	MSV International Inc.	Gurgaon
7.	Pollution and Project Consultants	Kolkata
8.	Rightsource Industrial Solutions Pvt. Ltd.	Hyderabad
9.	SD Engineering Services Pvt. Ltd.	Aurangabad
10.	SEE Tech Solutions Pvt. Ltd.	Nagpur
11.	Sky Lab Analytical Laboratory	Thane
12.	Sophisticated Industrial Materials analytic Labs Pvt. Ltd.	New Delhi

LIST 'B'**3. Ineligible Applications**

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S. N.	Name	State/ City
1.	A & N Technologies	Bangalore
2.	Akshar Consultant	Gujarat
3.	Aquagreen Engineering Management Pvt. Ltd.	New Delhi
4.	ASCENSO Management and Consulting Services Pvt. Ltd.	New Delhi
5.	Bombay Natural history Society	Mumbai
6.	Brigade Enterprises Limited	Bangalore
7.	C.P. Consultants Private Limited	New Delhi
8.	Central Institute of Mining and Fuel Research	Dhanbad
9.	Crystal Consultant	Ranchi
10.	Eco Care Engineering Pvt. Ltd.	Chennai
11.	Engineering & Technological Services	Delhi
12.	Enviroaid Consultants	Gwalior
13.	Environmental Research and Services (India) Pvt. Ltd.	Bhubaneswar
14.	Excel Enviro Tech	Ahmedabad
15.	Fine Envirotech Engineers	Mumbai
16.	Hydro ChemTech	Chennai
17.	Ind Tech House Consult	New Delhi
18.	India Glycols Limited	Kashipur, Uttarakhand
19.	Integrated Techno-Legal Consultants	Mumbai
20.	IRG Systems South Asia Pvt. Ltd.	New Delhi
21.	Jain Mining and Technical Consultants	Udaipur
22.	Krishna Gangaa Enviro System Pvt. Ltd.	Nagpur
23.	LION Engineering Consultants	Bhopal
24.	Lotus Environments	Pune
25.	Mechatronics Systems Pvt. Ltd.	Pune
26.	Metro Enviro-Chem Associates	Ahmedabad
27.	MNEC Consultants Pvt. Ltd.	Nagpur
28.	N H Consulting Pvt. Ltd.	New Delhi
29.	National Institute of Ocean Technology	Chennai
30.	National Institute of Oceanography	Goa
31.	Oil and Natural Gas Corporation	New Delhi
32.	Paryavaran Labs (India) Limited	Hyderabad
33.	Remedy Environmental Consultants	Bellary
34.	Royal Environment Auditing & Consultancy Services	Rajkot
35.	S Pradhan	Bhubaneshwar
36.	Sadekar Enviro Engineers Pvt. Ltd.	Goa
37.	Shri Environmental Technology Institute	New Delhi
38.	Vasudev Associates	Ahmedabad
39.	Zomah Engineers Consultants Pvt. Ltd.	New Delhi

LIST 'C'

4. Applications not accepted/ rejected/ withdrawn - 24

S. N.	Name	State/ City
1.	Metamorphosis	Bangalore
2.	Environmental Health And Safety Consultants Private Limited	Bangalore
3.	M/s Pragathi Labs and Consultants Pvt. Ltd. (Original application withdrawn, revised application received assessed and provisionally accredited)	Secunderabad
4.	Indian Council of Forestry Research and Education	Dehradun
5.	Earth and Environment	Bhubaneshwar
6.	Green Circle, Inc.	Vadodra
7.	M/s Aqua-Air Environmental Engineers Pvt. Ltd.	Surat
8.	Indomer Coastal Hydraulics (P) Ltd.	Chennai
9.	Mantras Resources (Environmental Division)	Nashik
10.	EST Consultants (P) Ltd.	New Delhi
11.	Scott Wilson India Pvt. Ltd.	New Delhi
12.	International Testing Centre	Panchkula
13.	ECO-CARE Solutions (Environmental Consultants & Engineers)	Vadodra
14.	SEAMAK HITECH PRODUCTS	Bangalore
15.	Jyoti Om Chemical Research Centre Private Limited	Ankleshwar
16.	Clean Technologies	Bangalore
17.	AET Infrastructure Environmental Services	New Delhi
18.	Betterworld Enviro Consultants	Faridabad
19.	Centre for Climate change & Environmental Advisory Services	Hyderabad
20.	Ecotech Services Inc.	Faridabad
21.	SOWiL Limited	Noida
22.	Techno Analytical	Kolkata
23.	Gujarat Mineral Research & Industrial Consultancy Society (GMRICS)	Ahmedabad
24.	Enpro Techno Solutions	Chennai

LIST 'D'

5. Applications received after Sept., 2010

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Application No. (as recd in NABET)	Name	State/ City
266	Pridhvi Envirotech (P) Limited	Hyderabad
267	Shriram Institute for Industrial Research	New Delhi
268	Gem Solutions	Bangalore
269	Swasti Enviro Solutions Pvt. Ltd.	Chennai
270	Powertec Engineering Pvt. Ltd.	New Delhi
271	Enviro Solutions & Services	Tamilnadu
272	Clean Enviro Projects Consultancy Pvt. Ltd.	Valsad, Gujarat
273	Alfa Enviro Systems	Chennai
274	CPTL Engineers & Consultants, INC.	Chandigarh
275	Viraj Envirozing India Private Limited	Pune
276	Naik Environment reaearch institute limited (NERIL)	Pune
277	Guru Enviro Udyog	Chennai
278	Center for Environmental Studies	Chennai
279	STUP Consultants Pvt. Ltd.	Kolkata
280	Institute of Environment and Hazardous Material Management	Bangalore
281*	Metamorphosis	Bangalore
282	Mahindra Consulting Engineers Ltd.	Chennai
283	EIA Project, Gauhati University	Guwahati
284	Institute for Catchment Studies and Environmental Management- ICSEM	Bangalore
285*	Green Circle, Inc.	Vadodra
286	Nature Care	Bhubaneshwar
287	Surya Envirotech	Nagpur
288*	Environmental Health And Safety Consultants Private Limited	Bangalore
289	Gujarat Institute of Desert Ecology	Gujarat
290	Horizon Services	Pune
291	ENSYs Technologies (I) Pvt. Ltd.	Chennai
292	Environmental Technologies Services Organisation	Faridabad
293	Institute of Ocean Management, Anna University	Chennai
294	Department of Forestry, H. N. B. Garhwal University	Srinagar
295	Dust Devils Overseas & Company	Burdwan (West Bengal)
296	Evapo Tech Technical Services & Consultants	Patiala
297	University of Kashmir	Srinagar
298	Equinox Environments (India) Private Limited	Maharashtra
299	VKE environmental	Pune
300	Pavan & Co.	Ahmedabad
301	University of Jammu	Jammu
302	Creative Research Group	Kolkata
303	Sainath Envirotech	Tuticorin
304	Halcrow Consulting India Pvt. Ltd.	Noida
305	Envirochem Laboratories (P) Ltd.	Thrissur, Kerala
306	Palle Consultants Private Limited	Hyderabad
307	Global Environmental Systems	Bangalore
308	National Council for Cement and Building Materials	Ballabgarh
309	Feedback Ventures Pvt. Ltd. (FVPL)	Gurgaon
310	Anant Advisory	Noida
311*	Indian Council of Forestry Research & Education	Dehradun
312*	Mantras Resources (Engineers and Environmental Consultants)	Nashik
313*	Clean Technologies	Bangalore

* Re-applied (their original applications were not accepted/rejected/withdrawn, earlier)

F. No. J-11013/77/2004- IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi – 110 003
E-mail : pb.rastogi@nic.in
Telefax : 011: 2436 7668
Dated 30th September, 2011

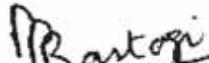
OFFICE MEMORANDUM

Subject: Accreditation of the EIA Consultants with Quality Council of India (QCI) National Accreditation Board of Education and Training (NABET)

In continuation of the Ministry's O.M. No. J-11013/77/2004- IA II (I) dated 30th June, 2011 regarding above mentioned subject and after a review of the progress of the accreditation process, following decision will come into force w.e.f. 1st October, 2011:

- I. Only accredited consultants as per List 'A' will be allowed to appear before the Expert Appraisal Committee (EAC) for Category 'A' projects and State Level Expert Appraisal Committee/State Environmental Impact Assessment Authority (SEAC/SEIAA) for Category 'B' projects. Registration of QCI accredited consultants will be valid for the period of accreditation/not exceeding three years and these approved EIA consultants and EIA coordinators will engage themselves only in the approved sectors as approved by the QCI.
- II. The consultants who have applied to NABET/QCI before 30th June, 2010 (within S.N.265) and whose applications are still in process, *last date for accreditation/registration is extended upto 31st December, 2011*. Consultants whose applications are in process are listed under List 'B'.
- III. The Consultants who have withdrawn their applications or rejected on various grounds are listed in List 'C' and will not be eligible to appear for presentation. They will be free to apply to QCI/NABET, and if accredited, will be eligible for appearance in EAC/SEAC/SEIAA from the date of accreditation.
- IV. The Consultants who have applied after 30th June, 2010 will continue to be considered by the NABET/QCI for accreditation on first-cum-first serve basis.

This issues with the approval of the Competent Authority.


(Dr. P. B. Rastogi)
Director

Copy to:

1. All the Officers of IA Division
2. Chairman/Secretaries of SEIAA/SEACs
3. Website of MoEF.
4. Guard File

List 'A' : Accredited/ Conditionally Accredited Consultants - 100

S. N.	Name	State/ City
1.	ABC Environ Solutions Pvt. Ltd.	Chennai
2.	Anacon Laboratories Pvt. Ltd.	Nagpur
3.	Anand Consultants	Ahmedabad
4.	Apex Mintech Consultants	Udaipur
5.	Asian Consulting Engineers Pvt. Ltd.	Delhi
6.	B. S. Envi-Tech Pvt. Ltd.	Hyderabad
7.	Bhagavathi Ana Lab	Hyderabad
8.	Bhagwati Enviro Care Pvt. Ltd.	Ahmedabad
9.	Centre for Envotech and Management Consultancy Private Limited	Bhubaneshwar
10.	Cholamandalam MS Risk Services	Chennai
11.	Consulting Engineering Services (India) Private Limited	New Delhi
12.	Consulting Engineers Group Ltd.	Jaipur
13.	Creative Engineers & Consultants	Chennai
14.	Creative Enviro Services	Bhopal
15.	Desein Private Limited	New Delhi
16.	Det Norske Veritas AS	Hyderabad
17.	Detox Corporation Pvt. Ltd.	Surat
18.	Development Consultants Private Limited	Kolkata
19.	Earthcare Labs Private Limited	Nagpur
20.	Eco Chem Sales and Service	Surat
21.	Eco Laboratories and Consultants Pvt. Ltd.	Mohali
22.	Eco Services India Private Limited	Chennai
23.	Ecomen Laboratories Pvt. Ltd.	Lucknow
24.	EMTRC Consultants Private Limited	Delhi
25.	Engineers India Limited	Gurgaon
26.	Enkay Group	Jaipur
27.	ENV Developmental Assistance Systems (I) Pvt. Ltd.	Lucknow
28.	Enviro Analyst & Engineers Pvt. Ltd.	Mumbai
29.	Enviro Techno Consult	Nagpur
30.	Envirocare Consultants (I) Pvt. Ltd.	Baroda
31.	Environ India	Kolkata
32.	Environment Protection and Training Research Institute	Hyderabad
33.	Environmental Engineers & Consultants Pvt. Ltd.	New Delhi
34.	Environmental, Mine Plan & Resource Evaluation Solutions	Chennai
35.	Envirotech East Pvt. Ltd.	Kolkata
36.	En-vision Enviro Engineers Pvt. Ltd.	Surat
37.	ENVOMIN Consultant (Pvt.) Ltd.	Bhubaneshwar
38.	EQMS India Pvt. Ltd.	Delhi
39.	ERM India Private Limited	Gurgaon
40.	Geomin Consultants Pvt. Limited	Bhubaneshwar
41.	Ghosh, Bose and Associates Pvt. Ltd.	Kolkata
42.	GIS Enabled Environment & Neo-Graphic Centre	Ghaziabad
43.	Global Enviro Labs	Hyderabad
44.	Global Experts (A Techno-Enviro Consultant)	Bhubaneshwar
45.	Grass Roots Research & Creation India (P) Ltd.	New Delhi

46.	Green Chem Solutions Pvt. Ltd.	Chennai
47.	Holtec Consulting Private Limited	Gurgaon
48.	Hubert Enviro Care Systems (P) Ltd.	Chennai
49.	Idma Laboratories Limited	Panchkula, Haryana
50.	In Situ Enviro Care	Bhopal
51.	Intercontinental Consultants and Technocrats Pvt. Ltd.	New Delhi
52.	JM Environet Pvt. Ltd.	Gurgaon
53.	Kadam Environmental Consultants	Vadodra
54.	Kalyani Laboratories	Bhubaneshwar
55.	Kirloskar Consultants Limited	Pune
56.	L & T – RAMBOLL Consulting Engineers Limited	Andhra Pradesh
57.	LEA Associates South Asia Pvt. Ltd.	New Delhi
58.	Louis Berger Consulting Pvt. Ltd.	Gurgaon
59.	M. N. Dastur and Company (Pvt.) Ltd.	Kolkata
60.	M/s Padmaja Aerobiologicals Pvt. Ltd.	Navi Mumbai
61.	M/s Visiontek Consultancy Services Pvt. Ltd.	Bhubaneshwar
62.	Mantec Consultants Pvt. Ltd.	Delhi
63.	Mecon Limited	Ranchi
64.	Mineral Engineering Services	Karnataka
65.	Mineviron Systems Pvt. Ltd.,	Nagpur
66.	MITCON Consultancy and Engineering Services Ltd.	Pune
67.	Mott Mac Donald Pvt. Ltd.	Ahmedabad
68.	National Environmental Engineering Research Institute	Nagpur
69.	Perfact Enviro Solutions Pvt. Ltd.	Delhi
70.	Pioneer Enviro Laboratories and Consultants Pvt. Ltd.	Hyderabad
71.	Pollution Control Research Institute	Haridwar
72.	Pragathi Labs & Consultants Pvt. Ltd.	Secunderabad
73.	Projects & Development India Limited	Noida
74.	Pure Enviro Engineers Pvt. Ltd.	Chennai
75.	Ramans Consultancy Services Pvt. Ltd.	Ahmedabad
76.	Ramky Enviro Engineers Limited	Hyderabad
77.	RITES Limited	Gurgaon
78.	RS Envirolink Technologies Pvt. Ltd.	Gurgaon
79.	S. S. Environics (India) Pvt. Ltd.	Bhubaneshwar
80.	Saitech Research & Development Organization	Kolhapur
81.	San Envirotech Pvt. Ltd.	Ahmedabad
82.	SECON Private limited	Bangalore
83.	Senes Consultants India Pvt. Ltd.	Noida
84.	SGS India Pvt. Ltd	Gurgaon
85.	Singareni Collieries Company Limited	Khammam, Andhra Pradesh
86.	SMEC India Private Limited	Gurgaon
87.	SNC - LAVALIN Infrastructure Pvt. Ltd. India	Noida
88.	Srushti Sewa	Nagpur
89.	Superintendence Company of India Pvt. Ltd.	Kolkata
90.	SV Enviro Labs & Consultants	Vishakapatnam
91.	TATA Consulting Engineers Limited	Mumbai
92.	Team Labs and Consultants	Hyderabad

93.	Ultra-Tech Environmental Consultancy and Laboratory	Thane
94.	UniStar Environment & Research Labs Pvt. Ltd.	Vapi, Gujarat
95.	Vasantdada Sugar Institute.	Pune
96.	Vimta Labs Limited	Hyderabad
97.	VITYA Consultants Pvt. Ltd.	Secunderabad
98.	Voyants Solutions Pvt. Ltd.	Gurgaon
99.	WAPCOS Limited	Gurgaon
100.	Wolkem Consultancy Services	Udaipur

List 'B' : Accreditation in Process

S.N.	Name of the Organization
1.	Amber Recyclers Private Limited, Chennai
2.	Mahabal Enviro Engineers Pvt. Ltd, Thane
3.	CTRAN Consulting Private Limited, Bhubaneswar
4.	Central Road Research Institute, New Delhi
5.	R.K. Consultants, Jodhpur
6.	Greentech Environmental Engineers and Consultants , Guwahati
7.	Min Mec Consultancy Pvt. Ltd., New Delhi
8.	Ramji Mines Envirotech, Jaipur
9.	Agricultural Finance Corporation Ltd., Mumbai
10.	EGIS India Consulting Engineers Pvt. Ltd., Faridabad
11.	SMS Envocare Ltd., Pune
12.	Sri Sai Manasa Nature Tech Pvt. Ltd., Hyderabad
13.	Team Institute of Science and Technology Pvt. Ltd., Jaipur
14.	Prakruti Environmental Engineers, Vadodra
15.	Siddhi Consultants, Ankaleshwar
16.	Pacific Scientific Consultancy Pvt. Ltd., Kolkata
17.	M/S Indus Technical and Financial Consultants Ltd., Raipur
18.	Sun Consultancy and Services, Bhubaneswar
19.	Central Mine Planning & Design Institute Limited, Ranchi
20.	Consafe Science India, Hyderabad
21.	Gondwana Geotech Services Pvt. Ltd., Ranchi
22.	Pollution and Project Consultants, Kolkata
23.	Brigade Enterprises Limited, Bangalore
24.	Engineering & Technological Services, New Delhi
25.	MNEC Consultants Pvt. Ltd., Nagpur
26.	S Pradhan , Bhubaneswar
27.	Shri Environmental Technology Institute, New Delhi
28.	CPTL Envirotech Designers & Pollution Control Consultants, Chandigarh
29.	MSV International Inc., Gurgaon
30.	SD Engineering Services Pvt. Ltd., Aurangabad
31.	A & N Technologies , Bangalore
32.	Crystal Consultant , Ranchi
33.	Fine Envirotech Engineers , Mumbai
34.	Ind Tech House Consult, New Delhi
35.	Centre for Environment Health & Safety, Annamalai University,, Tamil Nadu
36.	D.Y. Patil College of Engineering, Pune
37.	Enviro Care Engineers & Consultant, Surat
38.	Madhya Pradesh State Forest Research Institute, Jabalpur
39.	Oasis Environmental Foundation, Pune
40.	Science and Technology Park, Pune
41.	Thriveni Consultancy Services, Keonjhar (Odisha)
42.	Trio-Chem Techno- Legal Services Pvt. Ltd., Pune

43	Vison Labs, Hyderabad
44	Rightsource Industrial Solutions Pvt. Ltd., Hyderabad
45	ASCENSO Management and Consulting Services Pvt. Ltd., New Delhi
46	Krishna Gangaa Enviro System Pvt. Ltd., Nagpur
47	GLOBAL Environment & Mining Services, Hospet, Karnataka
48	Centre For Sustainable Development, Hooghly
49	KKB Envirocare Consultants Pvt. Ltd., Hyderabad
50	Chilworth Technology Pvt. Ltd., New Delhi
51	DHI India Water & Environment Pvt. Ltd., New Delhi
52	Pollution & Ecology Control Services, Nagpur
53	Energy Infratech Private Ltd., Gurgaon
54	Action for Ecology, Environment, Energy and Management, Rishikesh
55	Aarvee Associates Architects Engineers & Consultants Pvt. Ltd., Hyderabad
56	Building Environment Pvt. Ltd., Navi Mumbai
57	M/s Udaipur Min-Tech Pvt. Ltd., Udaipur
58	Central Institute of Mining and Fuel Research, Dhanbad
59	N H Consulting Pvt. Ltd., New Delhi
60	Royal Environment Auditing & Consultancy Services, Rajkot
61	Tetra Tech India Limited, New Delhi
62	Transit Surveys, Karnataka
63	K. R. S Enterprises, Bangalore
64	Gadark Lab Pvt. Ltd., Mumbai
65	Environment & Power Technologies Private Limited, Bangalore
66	Technoenviron Consultants, Maharashtra
67	AECOM India Private Limited, Gurgaon
68	Century Consulting Engineers, Chandigarh
69	SA Infrastructure Consultants Pvt. Ltd, Ghaziabad
70	Octagon Consultancy Services, Kolkata
71	Aditya Environmental Services Pvt. Ltd., Mumbai
72	Mitra S. K. Private Limited, Kolkata
73	Ace Engineers & Consultants, Patiala
74	Centre of Mining Environment, Department of Environmental Science and Engineering, Dhanbad
75	School of Water Resources Engineering, Jadavpur University, Kolkata
76	Sawen Consultancy Services, Lucknow
77	Chaitanya Projects Consultancy Pvt. Ltd, Ghaziabad
78	National Institute for Interdisciplinary Science & Technology (NIIST), Thiruvananthapuram
79	Epsilon Projects Pvt. Ltd., Lucknow
80	C. E. Testing company Pvt. Ltd. Kolkata
81	Waste Encare (India) Pvt. Ltd., Thane
82	Environmental System Consultants & Ambiente Lab Solutions Pvt. Ltd., Chennai
83	V R Enviro Engineers, Chennai
84	S G M Corporate Consultants Pvt. Ltd., Pune
85	Precitech Laboratories, Vapi

86	S. N. Hirpara, Surat
87	Akshar Consultant, Gujarat
88	Gherzi Eastern Limited, New Delhi
89	India Glycols Limited, Kashipur, Uttarakhand
90	SEE Tech Solutions Pvt. Ltd., Nagpur
91	Shiva Test House, Patna
92	Vogue Construction and Consultancy Services Private Limited, New Delhi
93	Spectro Analytical Labs Limited, New Delhi
94	Wilbur Smith Associates Private Limited, Bangalore
95	Terracon Ecotech Private Limited, Mumbai
96	Sophisticated Industrial Materials analytic Labs Pvt. Ltd., New Delhi
97	Aquagreen Engineering Management Pvt. Ltd.
98	Centre for Interdisciplinary Studies Of Mountain & Hill Environment University Of Delhi(CISMHE), Delhi
99	Shivalik Solid Waste Management Limited, Solan
100	Excel Enviro Tech, Ahmedabad
101	En-Geo Consultancy & Research Centre(ENGECORC), Guwahati

List 'C' : Applications Not approved /Withdrawn / Ineligible applications

S. N.	Name	State/ City
1.	Metamorphosis	Bangalore
2.	Environmental Health And Safety Consultants Private Limited	Bangalore
3.	M/s Pragathi Labs and Consultants Pvt. Ltd.	Secunderabad
4.	Indian Council of Forestry Research and Education	Dehradun
5.	Earth and Environment	Bhubaneshwar
6.	Green Circle, Inc.	Vadodra
7.	M/s Aqua-Air Environmental Engineers Pvt. Ltd.	Surat
8.	Indomer Coastal Hydraulics (P) Ltd.	Chennai
9.	Mantras Resources (Environmental Division)	Nashik
10.	EST Consultants (P) Ltd.	New Delhi
11.	Scott Wilson India Pvt. Ltd.	New Delhi
12.	International Testing Centre	Panchkula
13.	ECO-CARE Solutions (Environmental Consultants & Engineers)	Vadodra
14.	SEAMAK HITECH PRODUCTS	Bangalore
15.	Jyoti Om Chemical Research Centre Private Limited	Ankleshwar
16.	Clean Technologies	Bangalore
17.	AET Infrastructure Environmental Services	New Delhi
18.	Betterworld Enviro Consultants	Faridabad
19.	Centre for Climate change & Environmental Advisory Services	Hyderabad
20.	Ecotech Services Inc.	Faridabad
21.	SOWiL Limited	Noida
22.	Techno Analytical	Kolkata
23.	Gujarat Mineral Research & Industrial Consultancy Society (GMRICS)	Ahmedabad
24.	E. C. Engineers (Environmental Consultants)	Jaipur
25.	Enpro Technosolutions	Chennai
26.	Envisafe Environmental Consultants	Ahmedabad
27.	Garden City Environmental Services	Bangalore
28.	Richardson & Cruddas	Chennai
29.	SAI Consulting Engineers Pvt. Ltd.	Ahmedabad
30.	T.R. Associates	Ahmedabad
31.	Water and Waste Water Research Center	Sangli
32.	Yogiraja Industrial Consultants	Pune
33.	Aquatech Enviro Engineers	Bangalore
34.	Deccan Consulting Engineers Private Limited	Delhi
35.	ENPRO Enviro Tech & Engineers Pvt. Ltd.	Surat
36.	Enviro Care India (P) Ltd.	Madurai
37.	JB Enviro Consultants Pvt. Ltd.	Kolkata
38.	Prakriti Consultants Services	Lucknow

39	Bombay Natural history Society	Mumbai
40	C.P. Consultants Private Limited	New Delhi
41	Consafe Science India	Hyderabad
42	Eco Care Engineering Pvt. Ltd.	Chennai
43	Enviroaid Consultants	Gwalior
44	Environmental Research and Services (India) Pvt. Ltd.	Bhubaneswar
45	Galaxy Envirotech Pvt. Ltd.	New Delhi
46	Hydro ChemTech	Chennai
47	Integrated Techno-Legal Consultants	Mumbai
48	LION Engineering Consultants	Bhopal
49	Lotus Environments	Pune
50	Mechatronics Systems Pvt. Ltd.	Pune
51	Metro Enviro-Chem Associates	Ahmedabad
52	National Institute of Ocean Technology	Chennai
53	National Institute of Oceanography	Goa
54	Oil and Natural Gas Corporation	New Delhi
55	Paryavaran Labs (India) Limited	Hyderabad
56	Remedy Environmental Consultants	Bellary
57	Sadekar Enviro Engineers Pvt. Ltd.	Goa
58	Vasudev Associates	Ahmedabad
59	Zomah Engineers Consultants Pvt. Ltd.	New Delhi
60	Gondwana Geotech Services Pvt. Ltd.	Ranchi
61	Pollution and Project Consultants	Kolkata
62	Weston Solutions (India) Pvt. Ltd.	Hyderabad
63	N. K. Buildcon Pvt. Ltd.	Jaipur
64	Eco Care	Burdwan, West Bengal

CHAPTER-10

COSTAL REGULATION ZONE

No.10-103/2008-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110003.

Dated the 25th February, 2009

OFFICE ORDER

Sub: Locating helipads in Coastal Regulation Zone area – regarding.

For the purpose of conserving and protecting the coastal environment, the Ministry has issued the Coastal Regulation Zone (CRZ) Notification, 1991, which regulates and prohibits certain activities.

2. The Ministry has been receiving proposals for locating helipads in the CRZ areas including those on the rooftops of high rise buildings which are in CRZ area. It is also noted that helipads are required for providing relief and rescue operations in the coastal areas.

3. The Ministry has examined the activities involved in the construction and operation of helipads and recognizes the need for locating helipads in CRZ area for relief, rescue and for maintaining coastal security in the coastal areas of the country; it was noted that the CRZ Notification, 1991 is silent about location of helipads in the CRZ area.

4. In view of the above factual matrix, the Ministry hereby clarifies that the helipads could be located in the following CRZ areas subject to the conditions listed below:-

4.1.1 Helipads may be permitted in CRZ-I and III areas only for emergency requirements for providing relief and rescue operations during floods, cyclones and other natural and manmade disasters, including maintaining coastal security.

4.1.2 It shall be ensured that construction and operation of such helipads will be undertaken subject to the following conditions:-

- (a) No fuel storage facility to be located in the CRZ area.
- (b) No destruction of any mangroves, coral reefs and other ecologically sensitive features.
- (c) No relocation of the local communities.
- (d) No obstruction to the activities of the local communities.
- (e) Not to be used for commercial activities.

4.2 The helipads in CRZ-II areas including on the rooftops of high rise buildings may be permitted subject to the following:-

- i) Not be used for commercial activities.
- ii) No fuel storage in the CRZ area.
- iii) Structural design of the building shall provide for operation of the helipad.

- iv) All safety measures shall be incorporated in the building design and operation of the helipad by the concerned agencies.
- v) Noise level shall be within norms.
- vi) The surrounding buildings/infrastructures, such as towers and high tension lines, shall not fall in the flypath of the helicopters and no disturbance shall be caused to the nearby establishment.

5. Further, since, the matter entails very careful consideration from the view point of the public living in the vicinity of the congested and thickly inhabited areas of CRZ-II, the following additional safeguards shall also be taken into consideration:-

- i. Concerns, if any, of the public residing in the vicinity of the proposed helipad site shall be obtained as per the local bylaws and addressed comprehensively.
 - ii. Site visit shall be undertaken, as necessary.
6. The proposal for helipads as indicated at para 4 above shall be in the first instance scrutinized by the concerned State/Union territory Coastal Zone Management Authority to ensure satisfactory compliance to all the conditions listed above in each of the CRZ category for locating such helipads. The State/Union territory Coastal Zone Management Authority thereafter shall accord clearance to such projects located in CRZ-I, II and III areas in accordance with para 3(v) of the CRZ Notification, 1991 which stipulate an investment limit of Rs.5 crore to be accorded clearance by the respective State/Union territory Coastal Zone Management Authority. In case the project cost is more than Rs.5 crores clearance from Ministry of Environment and Forests would be required for which the State/Union territory Coastal Zone Management Authorities would send a self contained proposal with its recommendation.

7. This Office Order issues with the approval of the Competent Authority.

Sd/-
(Dr. A. Senthil Vel)
Additional Director

To,

- (i) Chairman of all UT and State Coastal Zone Management Authorities.
- (ii) Secretary of all the coastal State/UT Environment Department.
- (iii) Member Secretary, UT/ State Coastal Zone Management Authorities.
- (iv) Joint Secretary, Ministry of Defence.
- (v) Joint Secretary, Ministry of Home.

MOST URGENT
BY SPEED POST

No.11-83/2005-IA-III

Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110003.

Dated, the 8th February, 2011

OFFICE MEMORANDUM

Sub: Consideration of projects in pipeline attracting Coastal Regulation Zone notification, 2011 issued vide S.O.No.19(E), dated 6th January, 2011 and Island Protection Zone (IPZ) Notification issued vide S.O.20(E), dated 6th January, 2011 – regarding.

With regard to the projects attracting Coastal Regulation Zone (CRZ) Notification, 2011 and Island Protection Zone Notification, 2011 which are at various stages of clearance the following action shall be taken:-

Sl. No.	Status	Action
1.	Projects attracting Coastal Regulation Zone (CRZ) Notification, 1991 which have been submitted to the concerned State/UT Coastal Zone Management Authorities	The concerned State/UT Coastal Zone Management Authority after examination of the projects in accordance with the CRZ 2011 or the IPZ Notification, 2011, as the case may be, shall recommend or reject the projects. The recommended project shall be forwarded for appraisal to State Environmental Impact Assessment Authority/MoEF, in accordance with the EIA Notification, 2006. Those projects which do not attract EIA notification shall be forwarded to MoEF for clearance.
2.	Considered and recommended by State/UT Coastal Zone Management Authority but not yet sent to MoEF	Action may be taken as per para 1 above.
3.	Received from State/UT Coastal Zone Management Authority and not yet sent to Central EAC/MoEF	Such projects which fall in 'B' category shall be sent for appraisal to SEIAA concerned and those projects which fall in 'A' category or do not attract EIA Notification, 2006 or where SEIAA has not been constituted, shall be examined by Centre EAC/MoEF under the CRZ 2011 and IPZ 2011.

4.	Those projects which are pending with the Central EAC/MoEF but final recommendation not yet provided by EAC	Action may be taken as per item 3 above
5.	Recommended by Central EAC under the CRZ Notification, 1991 and pending with MoEF	Decision shall be taken by MoEF in light of CRZ 2011 and IPZ 2011.

This issues with the approval of the Competent Authority.

Sd/-
(Dr. A. Senthil Vel)
Director

To,

1. Chairman, West Bengal Coastal Zone Management Authority, Government of West Bengal, Writer's Building, G – Block, 2nd Floor, Kolkatta – 700 001.
2. Chairman, Gujarat State Coastal Zone Management Authority & Principal Secretary, Forests and Environment Department, Block No. 14, 8th Floor, Sachivalaya, Gandhinagar – 382010, Gujarat.
3. Chairman, Karnataka State Coastal Zone Management Authority & Principal Secretary, Department of Forest, Ecology and Environment, Government of Karnataka, Multistoried Building, K.G. Road, Bangalore – 560 001.
4. Chairman, Orissa State Coastal Zone Management Authority & Principal Secretary, Science, Technology & Environment and Forests Wing, Orissa Secretariat, Bhubaneshwar – 751001.
5. Chairman, Andhra Pradesh State Coastal Zone Management Authority & Additional Chief Secretary, Government of Andhra Pradesh, Environment Forests Science and Technology Department, Secretariat, Hyderabad – 500 022.
6. Chairman, Daman & Diu Coastal Zone Management Authority & Administrator, Daman and Diu, Daman – 396210.
7. Chairman, Pondicherry Coastal Zone Management Authority & Principal Secretary, Department of Science, Technology and Environment and Housing Board, Pondicherry – 605001.
8. The Chairman, Tamil Nadu State Coastal Zone Management Authority & Principal Secretary, Department of Environment and Forests, First Floor, Panagal Building, Saidapet, Chennai – 600015, Tamil Nadu.
9. Chairman, Kerala State Coastal Zone Management Authority, Sasthra Bhawan, Pattom, Thiruvananthapuram – 4.
10. The Chairman, Maharashtra Coastal Zone Authority, Environment Department, 15th Floor, New Administrative Building Opposite Mantralaya, Madam Cama Road, Bombay – 400 020.
11. Chairman, Goa State Coastal Zone Management Authority & Chief Secretary, Secretariat, Alto Porvorim, Panjim, Goa. 2419626.
12. Chairman, Lakshadweep Coastal Zone Management Authority & Administrator, Administration of UT of Lakshadweep, Kavaratti – 682555
13. Chairman, Andaman & Nicobar Coastal Zone Management Authority, Principal Conservator of Forest, Andaman and Nicobar Islands Administration, Chatham, Port Blair – 744 102
14. Chief Secretary, U.T. of Andaman & Nicobar Islands, Secretariat, Port Blair, Andaman -744101.
15. Secretary, Environment Department, Government of Maharashtra, 15th Floor, New Administrative Building Opposite Mantralaya, Madam Cama Road, Bombay – 400 020.
16. Principal Secretary, Department of Science, Technology and Environment, Government of Goa, Opposite Saligao Seminary, Saligao, Goa-403511.

17. Additional Chief Secretary, Government of Andhra Pradesh, Environment Forests Science and Technology Department, Secretariat, Hyderabad – 500 022.
18. Principal Secretary, Forests and Environment Department, Government of Gujarat, Block No. 14, 8th Floor, Sachivalaya, Gandhinagar – 382010, Gujarat.
19. Principal Secretary, Department of Forest, Ecology and Environment, Government of Karnataka, Multistoried Building, K.G. Road, Bangalore – 560 001
20. Principal Secretary, Science, Technology & Environment and Forests Wing, Government of Orissa, Orissa Secretariat, Bhubaneshwar – 751001.
21. Secretary, Department of Science, Technology and Environment and Housing Board, Government of Pondicherry, Secretariat, Pondicherry – 605001.
22. Principal Secretary, Department of Environment and Forests, Government of Tamil Nadu, First Floor, Panagal Building, Saidapet, Chennai – 600015, Tamil Nadu.
23. The Secretary, Department of Environment, Government of West Bengal, Writer's Building, G – Block, 2nd Floor, Kolkatta – 700 001.
24. Chairman, Science, Technology & Environment Department, Government of Kerala, Sasthra Bhavan, Pattom, Thiruvananthapuram-4.
25. Administrator-cum-Secretary, Daman and Diu, Secretariat, Moti Daman, Daman – 396210.
26. Administrator, U. T. of Lakshadweep, Secretariat, Kavaratti-682555.
27. Chief Conservator of Forests, Southern Zone, Sadan, 4th Floor, E&F Wing, II Block Koramangala, Bangalore-560034.
28. Chief Conservator of Forests, Eastern Zone, A/3, Chandersekharpur, Bhubaneswar-751023.
29. Chief Conservator of Forests, Western Zone, Kendriya Paryavaran Bhavan, Link Road No.3, Bhopal-462016.
30. Chief Conservator of Forests, North-Eastern Zone, Upland Road, Laitumhran Shillong-793003.
31. Chief Conservator of Forests, Central Zone, Kendriya Bhavan, 5th Floor, Sector-H, Aliganj, Lucknow-226024.
32. Conservator of Forests, Northern Zone, Bay No.24-25, Sector 31-A, Dakshim Marg, Chandigarh-160030.

F.No. J-170011/18/96-IA.III
Government of India
Ministry of Environment and Forests
(IA-III Division)

**Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003,**

Dated: 01st July, 2011

OFFICE MEMORANDUM

Subject: Reclassification of the CRZ areas of Coastal Zone Management Plan approved in 1996 under the CRZ Notification, 1991- Reg.

The National Coastal Zone Management Authority (NCZMA) in its 21st meeting held on 19.04.2011(first meeting after the issue of CRZ Notification, 2011) and 22nd meeting held on 30.05.2011, examined re-classification proposals received from various State Coastal Zone Management Authorities (SCZMAs). The Authority noted that as the new CRZ Notification, 2011 has been issued by MoEF, it would not be desirable to consider such cases in light of the new Notification and that the Ministry may not like to encourage the reclassification of CRZ areas, which were approved in September, 1996. The Authority observed that there is a danger of regularization of violations through such reclassifications, hence the Coastal Zone Management Plans (CZMPs) as approved in 1996 may be frozen and the Coastal States should initiate the exercise of preparation of CZMPs as per the CRZ Notification, 2011. However, it may be necessary to consider cases where there is an error apparent on record; the Authority decided that the proposals for reclassification pending with the Ministry should be returned to the respective SCZMAs with a suggestion that while preparing the CZMPs under new CRZ Notification of 2011, concerned issues could be addressed.

Ministry has examined the above recommendations of the NCZMA and decided to accept the same. Accordingly, no reclassification of CRZ areas of CZMP approved in 1996 under the CRZ Notification, 1991, except for Defence/ Security matters, Court directions and error evident on record, will be considered by the Ministry. The respective SCZMAs shall consider such reclassification issues while preparing the CZMPs under the new CRZ Notification of 2011.

This issue with the approval of Competent Authority


(Bharat Bhushan)
Director (IA.III)

No. J-170011/18/96-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi- 110003.

Dated, the 8th August, 2011

OFFICE ORDER

Sub: Reclassification of Coastal Regulation Zone area on the grounds of "Error apparent on face of the Record" – regarding.

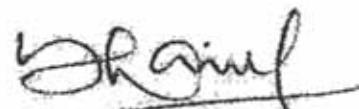
This has reference to the Office Memorandum (OM) of Ministry of Environment and Forests (MoEF) vide letter No.J-17011/18/96-IA-III dated 1st July, 2011 regarding reclassification of Coastal Regulation Zone (CRZ) area.

2. In the above OM, the Ministry had stipulated that till the Coastal Zone Management Plans (CZMP) are prepared in accordance with the CRZ Notification, 2011, reclassification proposals in CRZ would be considered only on the grounds of Defence /Security matters, Court directions and error evident on record. It has been decided that, any proposal for reclassification citing the ground of "error evident on record" should be preceded by an in depth examination by the State/Union Territory Coastal Zone Management Authority (CZMA) concerned bringing out clearly what is the error on record because of which the area/plot in question either does not fall in the CRZ, or has been wrongly classified; the Authority/ officials responsible for the error, as to how the error is proposed to be rectified, the corroborative/independent evidence supporting the proposed rectification of error -in the form of satellite imagery, Survey of India map, etc; and the conduct of field verification by a team involving the CZMAs, Municipal / Revenue Authorities and Experts, which should include one Expert from one of the Agencies authorized by MoEF for demarcating High Tide Line. It may be ensured that the Expert for the field verification should not be from the same authorized Agency, which demarcated the High Tide Line, on record, for the area / plot in question.

-2-

3. After following the above procedure, the SCZMAs may recommend a proposal for reclassification on the ground of "error evident on record" to the National Coastal Zone Management Authority (NCZMA) for its consideration.

This issues with the approval of Competent Authority.


(Bharat Bhushan)
Director

• 3.08.2011

To

1. The Chairman of all SCZMA's
2. The Member Secretary of all SCZMA's,

CHAPTER-11

MISCELLANEOUS

No. J-11013/30/2009-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 3rd June, 2009

CIRCULAR

Sub: Mandate / Guidelines of Monitoring to be followed by the Regional Offices of the Ministry of Environment and Forests – Instructions – Regarding.

Some instances have been brought to the notice of the Ministry of Environment & Forests where Scientists or Officials of the Regional Offices of this Ministry have been directly interacting with various other Statutory and Regulatory Authorities on behalf of the project proponents on matters concerning the EIA Notification, 2006; such as exemption from public hearing, approval for change of technologies etc.

2. It may be noted that the Regional Offices are to monitor the implementation of the stipulated conditions and environmental safeguards contained in the Environmental Clearance letters, obviously after the project has been granted environmental clearance. Sometimes the Regional Offices are formally requested by the Ministry to provide any specific information as may be requisite for appraisal of any particular project.

3. In view of the above role, it has, therefore, been reiterated that the Regional Offices should not take up issues of any project proponent with various Statutory Authorities directly. Such cases should be invariably referred to the Ministry for advice and guidance, henceforth.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

1. All the Regional Offices of MoEF
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)
4. Director (SVA), Monitoring Cell, IA Division.

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th September, 2009

CIRCULAR

Sub: Consideration of projects for environmental clearance under EIA Notification, 1994 – Regarding.

EIA Notification, 2006 came into effect from 14th September, 2006 superseding the earlier Notification of 1994. Para 12 of the EIA Notification, 2006 has provided a time limit of one year, which was subsequently extended by one more year for operation of EIA Notification, 1994. Accordingly, the projects received for environmental clearance cannot be appraised under EIA Notification, 1994 beyond 14th September, 2008.

In view of the above, it has been decided that no proposal will be considered/appraised for environmental clearance under EIA Notification, 1994. The proposals received for environmental clearance under EIA Notification, 1994 which have not been appraised and on which a final decision is still pending shall be returned with a advice to the project proponent that they may like to submit their application as per the procedure laid down under EIA Notification, 2006, if they so desire.

This issues with the approval of the Competent Authority.

S.K. Aggarwal
(S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)

No. J-11015/333/2009-IA.II(M)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated 25th February, 2010

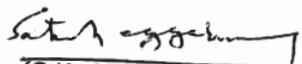
Office Memorandum

Sub: Participation of the Project Proponent during the Expert Appraisal Committee Meetings – Instructions for the Project Proponent - Regarding.

Ministry of Environment & Forests, vide Office Memorandum No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, had issued instructions for Project Proponents, which required that all correspondence with the Ministry of Environment & Forests including the submission of application for TOR/Environment Clearance, the subsequent clarifications as may be required from time to time, the participation in the EAC meetings on behalf of the project proponent; shall be made by the authorized signatory only. It has, however, been observed in some cases that the project proponent is authorizing a consultant to attend the EAC meeting on its behalf. The matter has been considered in this Ministry.

It has been decided that the authorized representative of the project proponent should be a reasonably Senior Officer / Executive duly authorized in writing. In case, a consultant is to be nominated as the authorized representative, it should be through a irrevocable Power of Attorney duly executed and formally registered with the Sub-Registrar concerned. A copy of the Authorization / Registered Power of Attorney, as the case may be should be submitted to the Ministry for record. The authorized representative, so nominated should only participate in the Expert Appraisal Committee meetings on behalf of the project proponent. The consultant(s) and other experts may, however, assist the authorized representative during the meeting. In the absence of the authorized representative, the proposal will not be considered by the Expert Appraisal Committee.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (NB)
3. Website of the Ministry
4. Guard File.

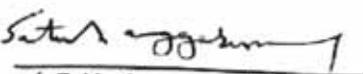
J-11013/30/2009-IA.II(I) *
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax. 2436 2434
E-mail: skag@nic.in

Dated the 25th August, 2010

Sub: Committee constituted to examine the issues relating to Monitoring of Projects – Regarding.

Ministry of Environment & Forests had constituted a Committee under the Chairmanship of Additional Secretary to examine the issues relating to Monitoring of Projects. The Committee has prepared a draft paper suggesting a new approach to monitoring. The draft paper enclosed herewith is put up for inviting comments / suggestions from all concerned before the report of the Committee is finalized. All concerned are requested to give their comments on the Draft Approach Paper latest by 15th September, 2010.



(S.K. Aggarwal)
Director
E-mail: skag@nic.in

Website of MoEF

DRAFT PAPER

Monitoring Compliance of Environment / CRZ Clearance Conditions – A New Approach

1.0 Background:

1.1 The Environment (Protection) Act, 1986 being administered by Ministry of Environment & Forests is an Umbrella Act for protection and improvement of environment and for matters connected therewith. Under the said Act, Ministry has brought out two Notifications namely (i) Coastal Regulation Zone (CRZ) Notification, 1991 and (ii) Environment Impact Assessment (EIA) Notification, 1994 superseded by EIA Notification, 2006 to regulate developmental activities. The CRZ Notification is an area specific Notification applicable only in coastal areas as specified in the said Notification while EIA Notification has its jurisdiction throughout the country. Under the EIA Notification, all developmental activities / processes listed there under are required to obtain prior environmental clearance under the provisions thereof as per the procedure prescribed there under.

1.2 The clearances under CRZ Notification are granted by State Coastal Zone Management Authorities (SCZMAs) / UTCZMAs within the jurisdiction and by MoEF for larger projects. Clearances under EIA Notification, 2006 are granted by MoEF for Category 'A' projects and by State Level Impact Assessment Authorities (SEIAAs) / UT IAAs for Category 'B' projects. While granting environmental clearances under both these Notifications, various conditions and environmental safeguards are stipulated which are required to be implemented by the project proponent during various stages of project cycle. The conditions so prescribed / stipulated are required to be monitored for their effective implementation.

1.3 Besides, the environmental clearance under both these Notifications as mentioned above, the respective SPCBs / UTPCCs grant 'Consent to Establish' and 'Consent to Operate' to various projects under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. While issuing these consents, conditions relating to emission and discharge limits as well as other conditions are stipulated. Implementation of these conditions is also required to be monitored for their effective implementation.

1.4 Ministry of Environment & Forests had during the last few years undertaken review of the regulatory framework relating to environmental clearance and as a result the EIA Notification, 1994 was superseded by the re-engineered EIA Notification, 2006. The regulatory framework relating to coastal regulation zone is also presently under review. It has been realized that while the regulatory

framework has been reviewed and made more comprehensive and effective, the monitoring mechanism in place for effective implementation of the stipulated conditions and environmental safeguards in the project cycle also needs to be reviewed and strengthened to make it more effective and transparent.

1.5 Accordingly, a Committee was constituted on 14th December, 2009 under the Chairmanship of Additional Secretary (Impact Assessment) to examine the issues relating to monitoring of projects in the light of EIA Notification, 2006 and inputs contained in the Prof. Swaminathan Report, 2009. The contents of this paper are based on deliberations of this Committee which are being put up as the draft for seeking comments of all concerned in this regard.

2.0 Present System of Monitoring:

2.1 The implementation of the conditions stipulated while granting environmental clearance is monitored by the six Regional Offices of Ministry of Environment & Forests located at Chandigarh, Lucknow, Bhopal, Bhubaneswar, Bangalore and Shillong as per their respective jurisdiction. Besides, the Regional Offices of MoEF, violations of CRZ Notifications are monitored by the National Coastal Zone Management Authority (NCZMA) and State Coastal Zone Management Authorities (SCZMAs). The consent conditions under Water and Air Act are monitored for their implementation by the respective SPCBs / UT PCCs.

2.2 As per the provisions of the EIA Notification, 2006 and as specifically stipulated in the EC letters, the project proponent is also required to submit six monthly reports relating to the status of implementation of the stipulated conditions to the respective Regional Office of MoEF. These reports are also analysed by the Regional Office as well as in the monitoring cell of MoEF. Recently, MoEF, as part of making the whole system of monitoring more transparent, has been asking the project proponent to put the monitoring reports on their website to make it available in the public domain.

3.0 Limitations in the existing system of Monitoring:

3.1 The existing system of monitoring has been analysed to identify the gaps and limitations for their improvement. It has been observed that the existing system of monitoring suffers from short comings due to (i) procedural and administrative deficiencies, (ii) inadequate infrastructure and trained technical manpower and (iii) Legislative deficiencies. The major identified gaps are enumerated as under:-

- All the conditions are not monitored with equal effectiveness;

- The Regional Offices of MoEF are not equipped with laboratory facilities and as such there are limitations in sampling and analysis;
- Monitoring by the zonal offices of CPCB and regional offices of SPCBs is essentially limited to the monitoring of conditions relating to emission and discharged standards (pollution control conditions);
- Monitoring by SCZMAs does not meet the challenges involved keeping in view the magnitude of work;
- The monitoring results by private labs (3rd party monitoring) are unreliable;
- Self monitoring by industries is not very effective;
- Lack of transparency due to non availability of monitoring reports on the website of the regulatory authority as well as the proponent;
- Limited availability of trained and skilled manpower with the regulatory authorities keeping in view the quantum of work involved;
- The Environment (Protection) Act as it exists today neither deterrent nor punitive enough.

4.0 Classification of EC / CRZ Conditions:

The EC / CRZ conditions may be classified into four categories based on the project cycle and would need to be monitored at each stage. The focus of monitoring will depend upon the nature of the condition and the stage at which it is being monitored. The four stages of monitoring based on project cycle are:-

- Pre-construction Phase
- Construction Phase
- Operation Phase
- Post Operation / Decommissioning Phase.

4.1 Pre-construction and Construction Phase:

The EC conditions during pre-construction and construction phases are such which may essentially require physical monitoring only. Such conditions may relate adherence to the approved layout plan, obtaining all the regulatory clearances, implementation of R&R plan, addressing the social issues, earmarking of space for various facilities, provision for waste disposal, rainwater harvesting, topsoil management, provision of infrastructure facilities for construction workers etc.

Projects especially relating to construction sector, highways, river valley and hydro-electric projects, ports and harbor would have their impacts essentially during

construction phase and hence would require rigorous monitoring of EC conditions during construction phase.

4.2 Operation Phase:

The EC conditions during operation phase would require sampling and analysis to ensure their adherence to the prescribed emission and discharge standards and to ensure that the national ambient air quality standards are not violated. In case of industrial projects such as chemical industry, metallurgical industries, thermal power projects etc. the maximum impacts will be during their operation phase due to emission and discharges which need to be monitored and kept under control. It would also need to be ensured that recycling and reuse is practiced for optimization of resource utilization and waste minimization and management. Safety of operation and the conditions related there with such as mine safety, dump slope stabilization, breach of tailing pond / ash dyke, storage of hazardous chemicals would require special attention and monitoring. In addition, occupational health aspects, completion of R&R, activities relating to CSR, greenbelt development and plantations and other issues which gain importance during operation phase and their effective implementation would be a pre-requisite for ensuring sustainable development. Besides, sharing of information in the public domain particularly relating to environmental scenario in the area, pollution load (discharges and emissions) from the project / activity is also required to be carried out during this phase.

4.3 Post Operation / Decommissioning Phase:

Post operation / de-commissioning phase attains significant importance in certain specific projects such as mining (reclamation and restoration of mined out areas and mine closure), site closure for TSDF and de-commissioning of nuclear power plants and related facilities. Monitoring of EC conditions and environmental safeguards during post operation phase would be very much desirable and critical in respect of such projects.

5.0 New Approach to Monitoring EC / CRZ Compliance:

Keeping in view the limitations of the existing system of monitoring and analysis of the EC conditions during different stages of project cycle, a new approach to monitoring of EC / CRZ compliance has been envisaged which is based on the following components:-

- (i) Generation of synergy amongst the available resources in terms of manpower laboratory facilities and other infrastructure.
- (ii) Involvement of specialized agencies / institutions in monitoring EC compliance.
- (iii) Transparent self monitoring by project proponent.
- (iv) Enhancement of penalty and Environment (Protection) Act.
- (v) Use of IT / Space Technology for inter agency coordination, putting information in public domain and checking of CRZ violations.

5.1 Synergy of available Resources:

Synergy amongst the various agencies presently involved in monitoring namely CPCB, SPCBs, SCZMAs and the Regional Offices of MoEF need to be generated so as to maximize the output with minimal constraints on the resources. The laboratory facilities and related field infrastructure available with the CPCB and SPCBs may also be optimally utilized for sampling and monitoring of emission and discharges from various units as also to utilize the results of air and water quality network established by these organizations.

Third party monitored data may also be crossed checked by SPCBs for their reliability and authenticity. It would also help in establishing a reliable data base on environmental parameters in different regions of the country, which may be useful in establishing the trend and decision making for sustainable development planning.

5.2 Involvement of Specialized Agencies / Institutions in EC Compliance Monitoring:

The various specialized agencies / institutions, depending upon their area of expertise may be associated with the EC compliance monitoring. Based on the preliminary exercise, some of the institutions have been identified for their possible association (the list is representative and not comprehensive) as given below:

Area	Possible Institutions
Physical Monitoring during pre-construction and construction phase	ROs of MoEF
Air Pollution, Water Pollution, compliance with emission/discharge standards, Hazardous Waste Management	CPCB, SPCBs / UTPCCs
Green Belt / Plantation / Compensatory	ICFRE, FSI, ICAR, WII, Central Soil and

Afforestation, Catchment Area & Command Area Development, Biodiversity Conservation	Water Conservation Research and Training Institute
OB / Tailings Management Mine Closure Plan Mine Safety	IBM, Central Mining Research Institute, Indian School of Mines DGMS
Energy Efficiency Building Layout, Rainwater Harvesting and other conditions for construction projects	BEE School of Planning and Architecture
Radioactive Pollutants Nuclear Waste Management	Health Physics Division, Environmental Surveillance Labs, BARC AERB
Marine / Oceanography related issues and CRZ Issues	NIO, Goa, NIOT, Chennai, NCSCM, SAC, Ahmedabad and SCZMAs

5.3 Transparency in Self Monitoring by Project Proponent:

To ensure transparency in monitoring of compliance of EC conditions by the project proponent, the results of monitoring need to be shared with all concerned to allay any apprehension regarding the working of the unit. The following action on the part of the project proponent may help achieve the same.

- The project proponent should ensure compliance with the stipulated conditions with the help of in-house team of experts
- The status of compliance should be reported to MoEF and its ROs, CPCB, SPCBs and also put on the website of the company, display board at a prominent place near the main gate
- Each unit should identify a senior person both at plant level and at company level who will be liable for non-compliance, analogous to the position of mines manager under the Mines Act.

5.4 Enhancement of Penalty under Environment (Protection) Act:

The existing quantum of penalty prescribed under the Environment (Protection) Act, 1986 is too meager and also the process involved imposing penalty is so cumbersome and time consuming that it makes the law neither deterrent nor punitive enough. It may, therefore, be desirable that:

- The quantum of penalty for non-compliance of the EC conditions may be made sufficiently high and there may not be any ceiling on the quantum of penalty amount for serious offences.
- Serious offences may be made cognizable by police and non bail-able.
- The process of imposing penalty need to be made swifter and prompt in terms of payment of penalty.

5.5 Use of IT / Satellite Technology:

With the emerging frontiers of technology particularly in the field of communication and information technology, it may be desirable to use this technology for enhanced inter-action and coordination among various regulatory agencies. The following guidelines may help in this regard:-

- The compliance reports may be put on the website and updated regularly based on the compliance status provided by the proponent as well as by the monitoring agencies.
- Action taken or proposed by Government Authority or Courts should also be put in public domain.
- Use of Satellite imageries for pollution monitoring and CRZ encroachments / violations should be encouraged.

6.0 Format of Reporting:

Based on the monitoring carried out by one of the agencies, reporting of the observations made during monitoring / inspections is an important aspect for taking effective follow up post monitoring action. It may, therefore, be desirable that a format of reporting is developed so that the reports submitted by various agencies / individuals are mutually cohesive. The conditions whose compliance is quantifiable such as air and water quality, emissions and discharges, quantity of waste generation, extent of recycling and reuse adopted in the project, area covered under plantation, area reclaimed, details of R&R and CSR etc should be reported in quantitative terms. The conditions which need to be complied over a period of time should be backed by a time bound action plan with pert chart to indicate the slippage, if any. Thus, the monitoring report should focus and bring out the following:-

- (i) Availability of all the requisite statutory clearances for the project.
- (ii) Compliance with the physical conditions.
- (iii) Compliance with the notified emissions and discharge standards.

- (iv) Compliance with the conditions required to be implemented pari passu with the project and the slippage, if any.

7.0 Analysis of Monitoring Report:

The monitoring reports need to be analysed to assess the degree of non-compliance for the purpose of initiating action under the provisions of Environment (Protection) Act, 1986. Based on the severity of non-compliance, actions may be contemplated against the non-compliant units.

8.0 Post Monitoring Actions:

Based on the analysis of monitoring report, actions may be initiatives at different levels. Cases where significant non-compliance have been reported such as violation of the prescribed standards, action may be initiatives by the Monitoring Cell in the Ministry based on the recommendations of the concerned Regional Office. In respect of cases where there is partial non-compliance such as slippage of targets, simple follow-up by the Regional Office may suffice. Even the partial non-compliance beyond a certain time frame may qualify in the category of serious non-compliance attracting actions under the EP Act. Thus, depending upon the degree of non-compliance and its severity, actions could be:

- Persuasive and
- Punitive

9.0 What will it involve?

To effectively implement the approach proposed in the preceding pages, for monitoring compliance of the EC / CRZ conditions, various actions would need to be taken which are summarized as under:-

- (i) Strengthening of Regional Offices of MoEF, CPCB and SPCBs.
- (ii) Discussion between identified institutions to decide on the details of the work and procedure to be followed in this regard.
- (iii) To develop a mechanism for funding of these institutions / agencies to be involved in the monitoring.
- (iv) Delegation of powers to these institutions / agencies under section 5 of the EP Act.

- (v) Amendment to EP Act to enhance the penalty for non-compliance.
- (vi) Innovative methods of involving various stakeholders such as Industry Association, NGOs and Civil Society.

10.0 Concluding Remarks:

The approach for monitoring compliance to the EC / CRZ conditions proposed in this paper is an outcome of the deliberation of the Committee based on the experience of various members and discussion held in this regard. This paper outlines the way forward for strengthening and streamlining the process for transparent monitoring mechanism. The draft paper has been prepared to initiate discussions and to see further comments from all concerned before finalizing the report of the Monitoring Committee.

No. J-11013/30/2009-IA.II(I)
Government of India
Ministry of Environment and Forests

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New Delhi-110003

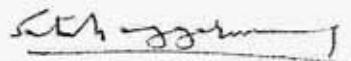
Dated 5th September, 2011

ORDER

Sub: Development of criteria and formulation of guidelines for categorization of non compliances into the category of serious and not so serious – Extension of tenure of the Committee - regarding.

In continuation to this Ministry's earlier order of even no. dated 19.5.2011 constituting a Committee under the Chairmanship of Dr. B. Sengupta, former Member Secretary, CPCB regarding the above mentioned subject, the tenure of the said Committee is hereby extended up to 30th September, 2011. All other terms and conditions of the Committee shall remain unchanged.

This issues with the approval of the Secretary (E&F).


(Dr. S.K. Aggarwal)
Director

To

1. All the Members of the Committee
2. Chairman, CPCB
3. All PCCFs of Regional Offices of MoEF.

Copy for information to:-

4. PS to SS (JMM)
5. Advisor (NB)
6. Website of MoEF

No. J-11013/24/2012-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 12th March, 2012

CIRCULAR

Sub: Order of Hon'ble National Green Tribunal dated 24.1.2012 in MA No. 30/2011 arising out of appeal no. 15/2011 in the matter of Satish Umesh Prabhu and Ors. Vs M/s Matoshri Infrastructure Pvt. Ltd. and Ors – Compliance thereof - Regarding.

Reference is invited to the above referred order of the Hon'ble National Green Tribunal which has arisen due to stipulation of a condition in the environment clearance granted by the Maharashtra State Level Impact Assessment Authority dated 5th July, 2011, which reads as under:

"Any appeal against this environmental clearance shall lie with the National Green Tribunal, Van Vigyan Bhawan, Sec-5, R.K. Puram, New Delhi – 110 022, if preferred, within 60 days as prescribed under Section 35 of the National Green Tribunal Act, 2010."

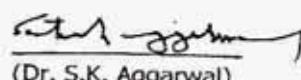
2. As the contents of the above referred condition are factually incorrect in terms of the prescribed time limit and the relevant section of the National Green Tribunal Act, 2010, the Hon'ble National Green Tribunal has directed as under:

"Therefore, we direct the authorities concerned as well as Ministry of Environment & Forests to henceforth refrain incorporating such a clause in the order of Environment Clearance".

3. In the light of the above background, all concerned are hereby directed to ensure that only a correct condition as given below is incorporated in this regard in the clearance letter.

"Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010".

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. PPS to JS(RG)
5. Website, MoEF
6. Guard File

No. J-11013/19/2012-IA.II(I)
Government of India
Ministry of Environment & Forests

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C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

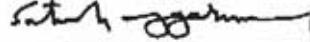
Dated the 20th March, 2012

Order

Sub: Submission of project documents and information for obtaining environment clearance in electronic format along with hard copy – compliance of the order of Central Information Commission dated 18.1.2012 – Regarding.

In compliance to the decision dated 18.1.2012 of the Central Information Commission (CIC), it is hereby directed that all State Pollution Control Boards / UT Pollution Control Committees (SPCBs/UTPCCs) shall ensure that the proceedings of public hearing conducted in terms of the provisions of the EIA Notification, 2006 are displayed regularly and with due priority on their respective websites. This order may also be displayed on this website.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. PS to MEF
5. PPS to Secretary (E&F)
6. PPS to SS(JMM)
7. PPS to JS(RG)
8. Deputy Secretary, RTI Cell, MoEF
9. Website, MoEF
10. Guard File

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
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Telefax. 2436 2434

Dated the 18th May, 2012

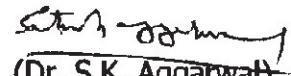
Office Memorandum

**Sub: Institutionalizing Corporate Environmental Responsibility –
Regarding.**

Ministry of Environment & Forests recognizes that there is a need to integrate environmental concerns into the mainstream of Corporate Policies. Accordingly it is considered desirable that Corporate Houses, major public sector undertaking (PSUs) and companies put in place and implement a concrete Corporate Environmental Policy for protection of environment.

In this regard, Ministry of Environment & Forests has held a meeting with senior representatives of ASSOCHEM, CII, FICCI and FIMI. Based on the discussions, a draft concept paper has been prepared outlining the element of Corporate Environment Policy.

A copy of the draft paper is hereby placed in public domain for inviting comments / suggestions from all stakeholders. The comments may be sent to the undersigned by post or by email at skag@nic.in within 45 days from today.


(Dr. S.K. Aggarwal)
Director

**Encl.: Copy of the draft concept paper
on Institutionalizing Corporate
Environmental Responsibility.**

Website of MoEF

Institutionalizing Corporate Environmental Responsibility

1. Introduction and Scope

1.1 Introduction:

Environment¹ and natural resources are the prime source of all material inputs to economic activities. The environment also acts as a receiver and sink of the various kinds of waste generated through human activity. A proper balance between the developmental needs and environmental concerns, is necessary in order to pursue the path of sustainable development.

Sustainable Development involves an enduring and balanced approach to economic growth, social protection and justice, and environmental conservation.²

The Ministry of Environment & Forests issued the National Environment Policy (NEP) in the year 2006, as a "response to our national commitment to a clean environment as mandated in the Constitution in Articles 48A and 51A (g) and strengthened by judicial interpretation of Article 21." The NEP is intended to mainstream environmental concerns in all development activities. The dominant theme of the policy is that "while conservation of environmental resources is necessary to secure livelihoods and well-being of all, the most secure basis for conservation is to ensure that people dependent on particular resources obtain better livelihoods from the fact of conservation than from degradation of the resource."

The National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business were notified by Ministry of Corporate Affairs on 8th July 2011. The Guidelines are designed to be used by all businesses irrespective of size, sector or location. The Guidelines, which are voluntary in nature, also provide a framework for responsible business action for Indian MNCs planning to invest or already operating in other parts of the world.

¹ The "Environment" comprises all entities, natural or manmade, external to oneself, and their interrelationships, which provide value, now or perhaps in the future, to humankind. Environmental concerns relate to their degradation through the actions of humans.

² The present day consensus on sustainable development involves three foundational aspirations: First, that human beings should be able to enjoy a decent quality of life; second, that humanity should become capable of respecting the finiteness of the biosphere; and third, that neither the aspiration for the good life, nor the recognition of biophysical limits, should preclude the search for greater justice in the world.

In order to further streamline and strengthen environmental actions, going beyond legal compliance, by business organisations, a draft guideline document on Corporate Environment Responsibility is hereby prepared for further discussions and improvement.

1.2 Scope:

The draft guidelines cover projects, activities, expenditure, documentation and monitoring of environmental initiatives of a business organisation. In the event that an organisation is unable to adhere or comply with the Guidelines, it shall inform its stakeholders about the aspects of the Guidelines the company was unable to follow either partially or fully.

The Corporate Environment Responsibility guidelines will assist organisations in formulating and implementing their corporate environmental policy, projects/activities, and aligning suitably the organizational structure for achieving the goal of improved environmental performance.

2 Corporate Environmental Policy

Environmental compliance initiatives need to be corporate policy driven to ensure efficient and effective implementation across the organisation. The organisation shall adopt an environmental policy:.. The policy shall:

- a. Be appropriate to the nature and scale of the organisation's activities, products and services, and adopted at the Board level. It shall be documented, implemented, maintained, and communicated to all persons working for the organisation, and on its behalf.
- b. Contain environmental norms and standards that where relevant, exceed legal compliance requirements, and be progressively enhanced.
- c. Define a specific organizational structure for guidance, implementation.
- d. Promote self-regulation on environmental compliance related to all activities in the business cycle of the organisation.
- e. Ensure the required commitment from the top management for the allocation of sufficient financial, human, organizational infrastructure, and technology resources for its implementation.
- f. Shall be integrated with all stages of the project/activity cycle of the organisation
- g. Ensure environmental performance of all projects/activities over and above the applicable legal requirements to which organization has to comply.

- h. Shall be aligned with the policies and management systems of the organisation, including the Environmental Management Systems (EMS) or other environmental performance initiatives.
- i. Shall provide for incentives to its employees for achieving corporate environmental targets that go beyond legal compliance, and disincentives for failure to achieve these.
- j. Provide for monitoring and review of corporate environmental performance, along with the reporting of non-compliances. The monitoring, reporting of implementation, and review shall be at the level of the Board, and the guidance of the Board shall be communicated to all concerned in writing for compliance. Together these would comprise the Corporate Environmental Performance Report, and shall be included in the Organization's Annual Report.

2.1 Generic elements of Corporate Environment Policy:

The generic elements of the Corporate Environment Policy for industry are given below:

- Operate the facilities in compliance with all applicable environmental laws and regulations, and beyond, and in a way that is protective of the health and safety of its employees and the surrounding communities. For this purpose targets may be defined for factors such as reducing emissions, discharges and generation of wastes, besides industrial accidents, health related absenteeism, among employees etc.
- Prepare and maintain facility/site³ specific legal register listing all the applicable regulations and the compliance requirements.
- Continually improve the environmental performance of organizational processes and products through waste minimization and pollution abatement. Review facilities and programs on a regular basis and establish monitorable targets, quantified as appropriate, for continuous improvement in the environmental performance.
- Integrate the consideration of environmental concerns and impacts into decision making and activities,
- Minimize consumption of natural resources through the reduction, reuse or recycling of materials, as much as possible..
- Encourage efficient use of energy, water, and utilities,

³ (State level environmental laws may vary from place to place and each Company location must comply accordingly.)

- As far as possible, purchase products and services that do the least damage to the environment on a lifecycle basis..
- Promote environmental awareness among the employees and encourage them to work in an environmentally responsible manner,
- Communicate the environmental commitment and performance of the organization to its clients, customers, and the public
- Where required by legislation or where significant health, safety or environmental hazards exist, develop and maintain appropriate emergency and spill response programmes.

2.2 Corporate Policy Implementation

Resources, Roles and Responsibility

The organisation shall specify an organizational structure to oversee the effective implementation of Corporate Environmental Policy. This structure shall define key responsibilities within the various levels of an organization for policy implementation and shall include top to bottom and bottom to top involvement throughout the Organisation. A suggested model structure is provided below in Figure-1.

The management shall ensure the availability of resources essential to implement the corporate environmental policy across all its activities/projects. Resources shall include human resources, organizational infrastructure, technology and financial resources. Roles and responsibilities shall be defined, documented and communicated to facilitate the effective implementation of the environment policy.

As part of the existing Board structure, compliance committee should also oversee the environmental performance status inclusive of the conditions prescribed under various environmental consents and clearances, as well as the corporate norms, standards and targets that exceed the legal compliance requirements.

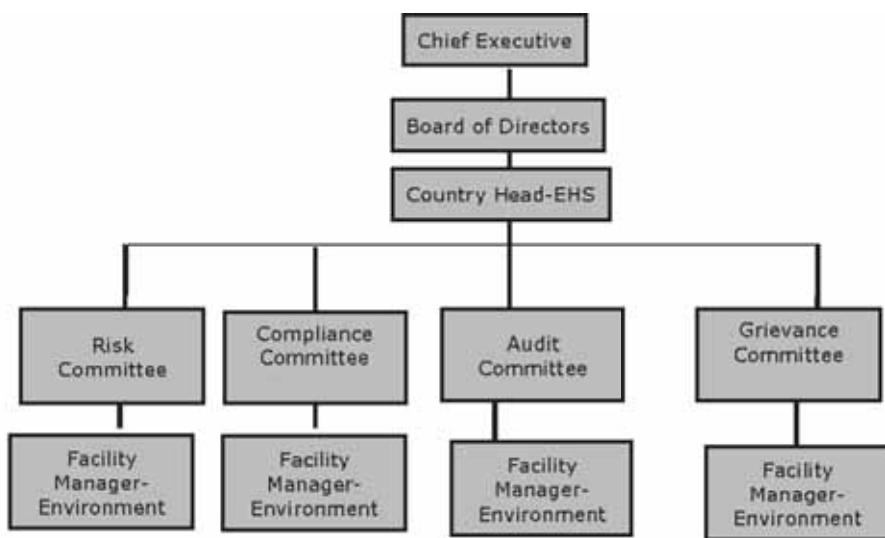


Figure1: Suggested Model Organisational Structure

Documentation

The policy shall be made available on the organization's website, be clearly signposted, and be available in hard copy.

The organisation shall clearly specify and document the following:

- a. Corporate Environment Policy.
- b. Resource allocation for its effective implementation.
- c. Defined responsibilities and roles.
- d. Expected major measureable and perceivable results/deliverables, including corporate targets.

The planning, implementation and monitoring of the organisational environmental performance have to be documented meticulously. All achieved milestones should be well supported by documentary evidence in the form of photographs, monitoring records, and/or reports, wherever applicable.

2.2 Transparency in the implementation of Environmental Policy

Monitoring is crucial and needs to be conducted periodically. Monitoring helps those involved with implementation of Environmental Policy to assess if progress is being achieved in line with expectations. It serves to drive accountability and transparency, and provides for learning to implement in future initiatives. Systematic and structured reporting process will

facilitate accountability and transparency between the organisations and their internal and external stakeholders

The organisations shall implement a monitoring mechanism by its defined organizational structure with clear roles and responsibilities for every project/activity comprising of the following steps:

- a. Creating a legal register specifying all the regulatory compliance conditions along with the compliance conditions, clearance conditions that have been found by the Ministry or other public authorities. Conducting a baseline assessment in order to be able to monitor progress
- b. Monitoring, collecting and documenting data on the environmental performance.
- c. Preparing Annual Environmental Performance report and including it in its Annual Report

The organisations may publish/communicate information on their environmental performance in a structured manner to all their stakeholders and the public at large.

The management shall ensure that appropriate and necessary information that describes the organisations' environmental performance is communicated throughout the company. This will allow the internal stakeholders to fulfil their responsibilities to help the organisation reach the planned environmental performance.

Compilation Team :

- ★ Shri Manoj Kumar Singh, Joint Secretary
- ★ Dr. P.B. Rastogi, Director
- ★ Dr. Satish C. Garkoti, Director
- ★ Dr. R.B. Lal, Joint Director
- ★ Shri Anshu Sharma, Personal Assistant/Stenographer
- ★ Shri Santosh Kr. Sinha, Data Entry Operator

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Ministry of Environment, Forests & Climate Change

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भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2056।

नई दिल्ली, बृहस्पतिवार, अक्टूबर 9, 2014/आश्विन 17, 1936

No. 2056।

NEW DELHI, THURSDAY, OCTOBER 9, 2014/ASVINA 17, 1936

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 9 अक्टूबर, 2014

का.आ. 2600(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में, लोक हित में, उक्त नियम के उप-नियम (3) के खंड (क) के अधीन सूचना की अपेक्षा का त्याग करने के पश्चात्, निम्नलिखित और संशोधन करती है, अर्थात् :—

1. उक्त अधिसूचना में, परिशिष्ट 6 में,—

- (i) पैरा 2 में, 'लोक प्रशासन या प्रबंध' शब्दों के स्थान पर, 'लोक प्रशासन या विभिन्न विकासात्मक सेक्टरों और पर्यावरणीय मुद्दों के अंतर्गत आने वाले प्रबंध' शब्द रखे जाएंगे।
- (ii) पैरा 3 के पश्चात्, निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात् :—

"4. अध्यक्ष, विभिन्न विकासात्मक सेक्टरों से संबंधित प्रबंध में या लोक प्रशासन से संबंधित मुद्दों की पर्यावरणीय नीति में अनुभव रखने वाला छात्रप्राप्त व्यक्ति होगा।"

[फा. सं. जे.-11013/12/2013-आई.ए.-II(I)(पार्ट)]

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र, असंधारण, भाग II, खंड 3, उप-खंड (ii) में अधिसूचना संख्याक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007, का.आ. 3067(अ), तारीख 1 दिसंबर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896(अ), तारीख 13 दिसंबर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559(अ), तारीख 22 अगस्त, 2013, का.आ. 2731(अ), तारीख 9 सितंबर, 2013, का.आ. 562(अ), तारीख 26 फरवरी, 2014, का.आ. 637(अ), तारीख 28 फरवरी, 2014 और का.आ. 1599(अ), तारीख 25 जून, 2014 द्वारा संशोधित किए गए थे।

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 9th October, 2014

S.O. 2600(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006, namely:—

In the said notification, in the APPENDIX VI,—

- (i) in paragraph 2, for the words “Public Administration or Management”, the words “Public Administration or Management covering various developmental sectors and environmental issues”;
- (ii) after paragraph 3, the following paragraph shall be inserted, namely:—
“4. The Chairperson shall be an eminent person having experience in environmental policy related issues, in management or in public administration dealing with various developmental sectors”.

[F. No. J-11013/12/2013-IA-II (I) (part)]

AJAY TYAGI, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E), dated the 11th October, 2007, S.O. 3067(E), dated the 1st December, 2009, S.O. 695(E), dated the 4th April, 2011, S.O. 2896(E), dated the 13th December, 2012, S.O. 674(E), dated the 13th March, 2013, S.O. 2559(E), dated the 22nd August, 2013, S.O. 2731(E), dated the 9th September, 2013, S.O. 562(E), dated the 26th February, 2014, S.O. 637(E), dated the 28th February, 2014 and S.O. 1599(E), dated the 25th June, 2014.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2615]
No. 2615]नई दिल्ली, सोमवार, दिसम्बर 22, 2014/पौष 1, 1936
NEW DELHI, MONDAY, DECEMBER 22, 2014/PAUSA 1, 1936

पर्यावरण वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 22 दिसम्बर, 2014

का.आ. 3252(अ).—एक प्ररूप अधिसूचना, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) की अपेक्षानुसार अधिसूचना, सं. का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 (जिसे इसमें इसके पश्चात् मूल अधिसूचना कहा गया है) का और संशोधन करने के लिए, सं. का.आ. 2319 (अ) तारीख 11 सितम्बर, 2014 (जिसे इसमें इसके उक्त अधिसूचना कहा गया है) द्वारा, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप-खंड (ii) में प्रकाशित की गई थी, उन सभी व्यक्तियों से जिनके उससे प्रभावित होने की संभावना है उक्त अधिसूचना के राजपत्र की प्रतियां जनता को उपलब्ध होने की तारीख से साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और उक्त राजपत्र की प्रतियां जनता को 11 सितम्बर, 2014 को उपलब्ध करा दी गई थीं ;

और साठ दिन की विनिर्दिष्ट अवधि के भीतर उक्त अधिसूचना के संबंध में कोई आक्षेप या सुझाव प्राप्त नहीं हुए हैं ;

अतः अब केंद्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना में निम्नलिखित और संशोधन करती है, अर्थात् :—

मूल अधिसूचना में अनुसूची में स्तंभ (1) के अधीन भवन/संनिर्माण परियोजनाएं/नगरीय और क्षेत्र विकास परियोजनाओं से संबंधित मद 8 और उपमद 8(क) तथा उपमद 8(ख) तद्वीन विनिर्दिष्ट उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद, उपमद और प्रविष्टियां रखी जाएंगी, अर्थात् :—

(1)	(2)	(3)	(4)	(5)	
"8		भवन या संनिर्माण परियोजनाएं या नगरीय और क्षेत्र विकास परियोजनाएं			
8(क)	भवन और संनिर्माण परियोजनाएं		>20000 वर्ग मीटर और < 1,50,000 वर्ग मीटर निर्मित क्षेत्र	इस अधिसूचना के प्रयोजन के लिए "निर्मित क्षेत्र" को, सभी तलों पर इकट्ठे निर्मित या आच्छादित क्षेत्र के रूप में परिभाषित किया गया है जिसके अंतर्गत बेसमेंट और अन्य सेवा क्षेत्र भी हैं जिनका भवन/संनिर्माण परियोजनाओं के लिए प्रस्ताव किया गया है। टिप्पणि 1 : परियोजना या कार्यकलापों में औद्योगिक शेड, विद्यालय, महाविद्यालय, शैक्षिक संस्थाओं के लिए छात्रावास शामिल नहीं होंगे किंतु ऐसे भवन भरणीय पर्यावरणीय प्रबंधन ठोस और द्रव अपशिष्ट प्रबंधन, वर्षा जल संरक्षण का सुनिश्चय करेंगे और वे पुनः चक्रित सामग्रियों जैसे भस्म ईंटों का उपयोग कर सकेंगे। टिप्पणि 2 : "साधारण शर्तें" लागू नहीं होंगी।	
8(ख)	नगरीय और क्षेत्र विकास परियोजनाएं		जो >50 हेक्टेयर के क्षेत्र और या >1,50,000 वर्ग मीटर क्षेत्र को कवर कर रही हैं	इस मद के अधीन आने वाली नगरीय और क्षेत्र विकास परियोजनाओं से पर्यावरण निर्धारण रिपोर्ट की अपेक्षा होगी और उनका निर्धारण श्रेणी "ख1" परियोजना के रूप में किया जाएगा। टिप्पणि : "साधारण शर्तें" लागू नहीं होंगी।	

[फा. सं. 19-2-2013-आईए. III]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पणि: मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप-खंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और निम्नानुसार पश्चावर्ती संशोधन किए गए:—

- का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
- का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
- का.आ. 695(अ), तारीख 4 अप्रैल, 2011
- का.आ. 2896(अ), तारीख 13 दिसंबर, 2012;
- का.आ. 674(अ), तारीख 13 मार्च, 2013;
- का.आ. 2559(अ), तारीख 22 अगस्त, 2013;
- का.आ. 2731(अ), तारीख 9 सितंबर, 2013;
- का.आ. 562(अ), तारीख 26 फरवरी, 2014; और
- का.आ. 1599(अ), तारीख 25 जून, 2014

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd December, 2014

S.O. 3252(E).—Whereas, a draft notification further to amend the notification number S.O 1555(E), dated the 14th September, 2006 (hereinafter referred to as the principal notification), was published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 in the Gazette of India ,Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 2319, (E) dated the 11th September, 2014 (hereinafter referred to as the said notification), inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 11th September, 2014;

And whereas, no objections or suggestions have been received in response to the said notification within the specified period of sixty days;

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 Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:—

In the principal notification, in the Schedule, under Column (1), for item 8 relating to Building/Construction Projects/Area Development Projects and Townships and sub-items 8 (a) and 8 (b) and the entries relating thereto, specified there under, the following item, sub-items and entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
“8	Building or Construction projects or Area Development projects and Townships			
8 (a)	Building and Construction projects	>20000 sq.mtrs and < 1,50,000 sq. mtrs. of built up area	The term “built up area” for the purpose of this notification the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building or construction projects. Note 1. - The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks. Note 2. - “General Conditions” shall not apply.	
8	Townships and Area Development Projects	Covering an area of > 50 ha and or built up area > 1,50,000 sq. mtrs	A project of Township and Area Development Projects covered under this item shall require an Environment Assessment report and be appraised as Category ‘B1’ Project. Note. - “General Conditions” shall not apply.	

[F. No. 19-2/2013-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* Notification Number S.O. 1533(E), dated the 14th September, 2006 and was subsequently amended as follows:—

1. S.O. 1737 (E), dated the 11th October, 2007;
2. S.O. 3067 (E), dated the 1st December, 2009;
3. S.O. 695 (E), dated the 4th April, 2011;
4. S.O. 2896 (E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559 (E), dated the 22nd August, 2013 ;
7. S. O. 2731 (E), dated the 9th September, 2013;
8. S. O. 562(E), dated the 26th February 2014; and
9. S. O. 1599(E), dated the 25th June, 2014.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 294]

नई दिल्ली, शुक्रवार, फरवरी 6, 2015/माघ 17, 1936

No. 294]

NEW DELHI, FRIDAY, FEBRUARY 6, 2015/MAGHA 17, 1936

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 3 फरवरी, 2015

का.आ. 382(अ).—पर्यावरण समाधात निर्धारण अधिसूचना, 2006 में, कतिपय संशोधन करने के लिए केंद्रीय सरकार द्वारा पर्यावरण(संरक्षण) अधिनियम, 1986 के नियम 5 के उप-नियम (3) के अधीन प्रारूप अधिसूचना, जो का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा जारी की गई थी, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में का.आ. संख्यांक 2545(अ), तारीख 30 सितंबर, 2014 द्वारा प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से, जिनके बिना उससे प्रभावित होने की संभावना है, उस तारीख से जिसको उक्त अधिसूचना वाले राजपत्र की प्रतियां जनता को उपलब्ध करवा दी जाती हैं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव मांगे गए थे;

और उक्त अधिसूचना की प्रतियां 30 सितंबर, 2014 को जनता को उपलब्ध करवा दी गई थीं;

और, केन्द्रीय सरकार द्वारा ऊपर वर्णित प्रारूप अधिसूचना के जवाब में कोई आक्षेप और सुझाव प्राप्त नहीं हुए हैं;

अतः, अब, केंद्रीय सरकार, उक्त पर्यावरण संरक्षण नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पर्यावरण समाधात निर्धारण अधिसूचना, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्—

पर्यावरण समाधात निर्धारण अधिसूचना, 2006 के पैरा 7 (i) में,—

(क) 'प्रक्रम (2)- विस्तारण' से संबंधित उपपैरा II के खंड (i) में, पहले परंतुक में मद (ii) के स्थान पर निम्नलिखित

मर्दं रखी जाएंगी, अर्थात् :-

"(ii) अनुसूची की मद 7(च) के सामने स्तंभ (3) की प्रविष्टि (i) और स्तंभ (4) की प्रविष्टि (i) के अंतर्गत आने वाले सीमावर्ती राज्यों में की सभी राजमार्ग परियोजनाएं;

(iii) अनुसूची की मद 7(च) के सामने स्तंभ (3) की प्रविष्टि (ii) और स्तंभ (4) की प्रविष्टि (ii) के अंतर्गत आने वाली सभी राजमार्ग विस्तारण परियोजनाएं;

(ख) 'प्रक्रम (3)- लोक परामर्श से संबंधित उपरैरा III के खंड (i) में, उप-खंड (च) के पश्चात् निम्नलिखित उपखंड अंतःस्थापित किया जाएगा, अर्थात् :—

"(छ) सीमावर्ती राज्यों में राजमार्ग, पाइपलाइन, आदि जैसी सभी अनुरेखीय परियोजनाएं।"

[फा. सं. 2-33/2014-आईए-111]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3 उप-खंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको निम्नलिखित द्वारा संशोधित किया गया :—

1. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ. 2896(अ), तारीख 13 दिसंबर, 2012;
5. का.आ. 674(अ), तारीख 13 मार्च, 2013;
6. का.आ. 2559(अ), तारीख 22 अगस्त, 2013;
7. का.आ. 2731(अ), तारीख 9 सितम्बर, 2013;
8. का.आ. 562(अ), तारीख 26 फरवरी, 2014; और
9. का.आ. 1599(अ), तारीख 25 जून, 2014

**MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the 3rd February, 2015

S.O. 382(E).—Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for making certain amendments in the Environment Impact Assessment Notification, 2006, issued vide number S.O. 1533(E), dated the 14th September, 2006, was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) vide number S.O. 2545(E), dated the 30th September, 2014 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 30th September, 2014;

And whereas, no objections and suggestions received in response to the above mentioned draft notification by the Central Government;

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 Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, 1986 the Central Government hereby makes the following further amendments in the Environment Impact Assessment Notification, 2006 namely:—

In the said Environment Impact Assessment Notification, 2006 in paragraph 7 (i),—

- (a) in sub-paragraph II relating to Stage (2)- Scoping, in clause (i), in the first proviso, for item (ii), the following items shall be substituted, namely:—
 - “(ii) all Highway projects in border States covered under entry (i) of column (3) and entry (i) of column (4) against item 7 (f) of the Schedule;
 - (iii) all Highway expansion projects covered under entry (ii) of column (3) and entry (ii) of column (4) against item 7 (f) of the Schedule;
- (b) in sub-paragraph III relating to Stage (3)- Public Consultation, in clause (i), after sub-clause (f), the following sub-clause shall be inserted, namely:—
 - “(g) all linear projects such as Highways, pipelines, etc., in border States.”

[F. No. 2-33/2014-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:—

1. S.O. 1737(E), dated the 11th October, 2007;
2. S.O. 3067(E), dated the 1st December, 2009;
3. S.O. 695(E), dated the 4th April, 2011;
4. S.O. 2896(E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559(E), dated the 22nd August, 2013 ;
7. S.O. 2731(E), dated the 9th September, 2013;
8. S.O. 562(E), dated the 26th February 2014; and
9. S.O. 1599(E), dated the 25th June, 2014



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 617]

नई दिल्ली, सोमवार, मार्च 23, 2015/चैत्र 2, 1937

No. 617]

NEW DELHI, MONDAY, MARCH 23, 2015 /CHAITRA 2, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 23 मार्च, 2015

का.आ. 811(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में नोटिस की अपेक्षा से अभिमुक्ति के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 (जिसे इसके पश्चात् उक्त अधिसूचना कहा गया है) में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना के पैरा 11 को उसके उपपैरा (1) के रूप में पुनःसंख्यांकित किया जाएगा और इस प्रकार पुनःसंख्यांकित उपपैरा के पश्चात्, निम्नलिखित उपपैरा अंतःस्थापित किया जाएगा, अर्थात्:—

"(2) जहां किसी विधिक कार्यवाही में या सरकार द्वारा विधि के अनुसार कोयला ब्लॉक का आबंटन रद्द कर दिया जाता है, ऐसे कोयला ब्लॉक के संबंध में मंजूर की गई पर्यावरणीय अनापत्ति, किसी विधिक व्यक्ति को जिसे ऐसे ब्लॉक का तत्पश्चात् आबंटन किया जाता है, उसी वैधता अवधि के अधीन जो आरंभ में मंजूर की गई थी, अंतरित की जा सकेगी और ऐसे मामले में या तो पर्यावरण अनापत्ति के धारक से या संबंधित विनियामक प्राधिकारी से "निरापेक्ष" प्राप्त करना आवश्यक नहीं होगा और संबंधित विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति को निर्देश नहीं किया जाएगा"।

[फा. सं. जेड-11013/109/2014-आईए-II(एम)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में अधिसूचना संख्यांक का. आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको निम्नलिखित द्वारा संशोधित किया गया :—

1. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007 ;
2. का.आ. 3067(अ), तारीख 1 दिसम्बर, 2009 ;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ;
4. का.आ. 2896(अ), तारीख 13 दिसम्बर, 2012 ;
5. का.आ. 674(अ), तारीख 13 मार्च, 2013 ;
6. का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ;
7. का.आ. 2731(अ), तारीख 9 सितम्बर, 2013 ;
8. का.आ. 562(अ), तारीख 26 फरवरी, 2014 ;
9. का.आ. 637(अ), तारीख 28 फरवरी, 2014;
10. का.आ. 1599(अ), तारीख 25 जून, 2014;
11. का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014; और
12. का.आ. 3252(अ), तारीख 22 दिसम्बर, 2014 ।

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION**

New Delhi, the 23rd March, 2015

S.O. 811(E).— In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after dispensing with the requirement of notice in public interest, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006, (hereinafter referred to as the said notification), namely:—

In the said notification, paragraph 11 shall be renumbered as sub-paragraph (1) thereof, and after sub-paragraph (1) as so renumbered, the following sub-paragraph shall be inserted, namely:—

“(2) Where an allocation of coal block is cancelled in any legal proceeding, or by the Government in accordance with law, the environmental clearance granted in respect of such coal block may be transferred, subject to the same validity period as was initially granted, to any legal person to whom such block is subsequently allocated, and in such case, obtaining of “no objection” from either the holder of environment clearance or from the regulatory authority concerned shall not be necessary and no reference shall be made to the Expert Appraisal Committee or the State Level Expert Appraisal Committee concerned.”

[F. No. Z-11013/109/2014-IA-II(M)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* Notification Number S.O. 1533(E), dated the 14th September, 2006 and was subsequently amended as follows:—

1. S.O. 1737 (E), dated the 11th October, 2007;
2. S.O. 3067 (E), dated the 1st December, 2009;
3. S.O. 695 (E), dated the 4th April, 2011;
4. S.O. 2896 (E), dated the 13th December, 2012;
5. S.O. 674(E), dated the 13th March, 2013;
6. S.O. 2559 (E), dated the 22nd August, 2013;
7. S.O. 2731 (E), dated the 9th September, 2013;
8. S.O. 562(E), dated the 26th February, 2014;
9. S.O. 637 (E), dated the 28th February, 2014;
10. S.O. 1599(E), dated the 25th June, 2014;
11. S.O. 2601(E), dated the 7th October, 2014; and
12. S.O. 3252(E), dated the 22nd December, 2014.



भारत का राजपत्र

The Gazette of India

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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 765]

नई दिल्ली, शुक्रवार, अप्रैल 10, 2015/चैत्र 20, 1937

No. 765]

NEW DELHI, FRIDAY, APRIL 10, 2015 /CHAITRA 20, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 10 अप्रैल, 2015

का.आ. 996(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के पश्चात् लोकहित में भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, -

पैरा 7 के उप-पैरा 2 के उपशीर्ष के खंड (i) और (i) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

(i) "विस्तारण" उस प्रक्रिया को निर्दिष्ट करता है जिसके द्वारा विस्तृत व्यापक कार्य अवधारित करने के लिए उस परियोजना या क्रियाकलापों के संबंध में कोई पर्यावरणीय समाधात निर्धारण रिपोर्ट तैयार करने के लिए सभी सुसंगत पर्यावरणीय समुदायों को जिसके लिए पूर्व पर्यावरणीय अनापत्ति ईस्पित की गई है। सेक्टर विशेषज्ञ आकलन समिति से परामर्श कर मंत्रालय द्वारा विकसित मानक परियोजना क्रियाकलापों के लिए सौंपे गए कृत्य पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की वेबसाइट पर प्रदर्शित किए जाएंगे :

परंतु यह कि विशेषज्ञ आकलन समिति या राज्य विशेषज्ञ आकलन समिति, यदि परियोजना के लिए यह आवश्यक पाया जाए तो विनिर्दिष्ट प्ररूप 1 या प्ररूप 2 में आवेदन को स्वीकार करने के तीस दिन में संशोधन को अंतिम रूप में प्रदान करेगी।

मानक सौंपे गए कृत्य आवेदन के आनलाइन प्रस्तुत होने और रजिस्ट्रीकरण के सफलतापूर्वक होने के पश्चात् कोई पर्यावरण समाधात निर्धारण के प्रारंभ की तैयारी का परियोजना प्रस्ताव होगा।

तथापि यह और कि विशेषज्ञ आकलन, यदि यह आवश्यक हो तो विनिर्दिष्ट आवेदन प्ररूप 1 और प्ररूप 2 में आवेदन को स्वीकार होने में तीस दिन में अतिरिक्त सौंपे गए कृत्यों का अनुबंध कर सकेगी।

और प्रस्तावक परियोजना अतिरिक्त सौंपे गए कृत्यों के साथ-साथ मानक सौंपे गए कृत्यों पर आधारित ईआईए को करेगा यदि सीईएसी द्वारा अनुबंधित हो, यदि कोई हो ।

परंतु यह कि निम्नलिखित के लिए विस्तारण अपेक्षित नहीं है :—

- (i) अनुसूची के मद 8 (क) के सामने प्रवर्ग 'ख' के अधीन सूचीबद्ध सभी परियोजना और क्रियाकलाप ;
- (ii) अनुसूची के मद 7 (च) के सामने और स्तंभ (3) को (i) स्तंभ (4) की प्रविष्टि (ii) के अधीन आने वाले सीमांत राज्यों के सभी राजमार्ग ;
- (iii) अनुसूची के मद 7 (च) के सामने स्तंभ (3) की प्रविष्टि (i) और प्रविष्टि (ii) के अधीन आने वाले सभी राजमार्ग विस्तार परियोजना ;

परंतु यह भी कि –

- (क) खंड (i) में निर्दिष्ट सभी परियोजना और कृत्य प्ररूप 1 और प्ररूप 1क और संकल्पना परियोजना के आधार पर आकलित किए जाएंगे ।
- (ख) खंड (ii) में निर्दिष्ट सभी परियोजनाएं पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा विनिर्दिष्ट मानक सौंपे गए कृत्यों के आधार पर पर्यावरण समाधान निर्धारण रिपोर्ट और पर्यावरण ईएमपी की रिपोर्ट के आधार पर तैयार किए जाएंगे ।
- (ii) पैरा 7 के उप पैरा (i) के उपशीर्ष में खंड (iii) को उनके खंड (ii) के रूप में पुर्णसंख्याक्रित किया जाएगा ।

[फा. सं. 22-62/2015-आईए-III]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पणी : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप खंड (ii) संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 को प्रकाशित की गई थी और अंतिम संशोधन का.आ. 1737 (अ), तारीख 11 अक्टूबर, 2007, का.आ. 3067 (अ), तारीख 1 दिसम्बर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896 (अ), तारीख 13 दिसम्बर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559 (अ), तारीख 22 अगस्त, 2013, का.आ. 2731(अ), तारीख 9 सितम्बर, 2013, का.आ. 562 (अ), तारीख 26 फरवरी, 2014, का.आ. 637 (अ), तारीख 28 फरवरी, 2014, का.आ. 1599 (अ), तारीख 25 जून, 2014, का.आ. 2601 (अ), तारीख 7 अक्टूबर, 2014, का.आ. 3252 (अ), तारीख 22 दिसम्बर, 2014, का.आ. 382 (अ), तारीख 3 फरवरी, 2015, का.आ. 811 (अ), तारीख 23 मार्च, 2015 द्वारा संशोधित किए गए थे ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 10th April, 2015

S.O. 996(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause(a) of sub-rule (3) of said rule 5, in public interest, namely.—

In the said notification, in paragraph 7 in sub-paragraph (i), in sub-heading II. for clauses (i) and (ii), the following shall be substituted, namely:—

(i) “Scoping” refers to the process to determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. Standard TOR developed by the Ministry in consultation with the sector specific Expert Appraisal Committees shall be the deemed approved TOR for the projects or activities. The standard Terms of Reference are displayed on the website of the Ministry of Environment, Forest and Climate Change:

Provided that the Expert Appraisal Committee (EAC) or State Expert Appraisal Committee (SEAC) may finalise amendment, if found necessary for a project within thirty days of the acceptance of application in specified application Form I or Form IA. These standard TOR shall enable the Project Proponent to commence preparation of an Environment Impact Assessment Report after successful online submission and registration of the application:

Provided further that, the Expert Appraisal Committee (EAC) or State Expert Appraisal Committee (SEAC) may stipulate additional Terms of Reference, if found necessary, within thirty days of the acceptance of the application in the specified application Form I or Form IA and the Project Proponent shall carry out the EIA study based on the standard TORs as well as the additional TOR, if any, stipulated by EAC/SEAC:

Provided also that the following shall not require Scoping—

- (i) all projects and activities listed under Category 'B', against Item 8(a) of the Schedule;
- (ii) all Highway projects in border States covered under entry (i) of column (3) and entry (i) of column (4) against item 7(f) of the Schedule;
- (iii) all Highway expansion projects covered under entry (ii) of column (3) and entry (ii) of column (4) against item 7(f) of the Schedule;

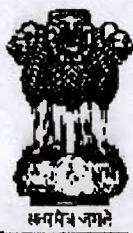
Provided also that—

- (A) the project and activities referred to in clause (i) shall be appraised on the basis of Form I or Form IA and the conceptual plan;
- (B) the projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of standard TOR specified by the Ministry of Environment, Forest and Climate Change;
- (ii) in Paragraph 7 in sub-paragraph (i), in sub-heading, clause (iii) shall be renumbered as clause (ii) thereof.

[F. No. 22-62/2015-IA.III]

MANOJ KUMAR SINGH, Jt. Secy.

Note.- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O. 2896(E) dated the 13th December, 2012, S.O. 674(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014, S.O.637(E) dated the 28th February, 2014, S.O. 1599(E) dated the 25th June, 2014, S.O. 2601 (E) dated 7th October, 2014, S.O. 3252(E) dated 22nd December, 2014, S.O. 382 (E) dated 3rd February, 2015, and S.O. 811(E) dated 23rd March, 2015.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 887]

नई दिल्ली, बृहस्पतिवार, अप्रैल 30, 2015/वैशाख 10, 1937

No. 887]

NEW DELHI, THURSDAY, APRIL 30, 2015/VAISAKHA 10, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 17 अप्रैल, 2015

का.आ. 1142(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की आवश्यकता से छूट के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 का निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची में मद 7(घ) और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियां अंतःस्थापित की जाएगी, अर्थात्:—

(1)	(2)	(3)	(4)	(5)
"7(घ)(क)	जैव-चिकित्सा (बायो-मैडिकल) अपशिष्ट उपचार सुविधाएं		सभी परियोजनाएं	

[फा.सं.3-9/2014-आईए.III]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं.का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और निम्नानुसार पश्चातवर्ती संशोधन किए गए:—

- का.आ.1737(अ), तारीख 11 अक्टूबर, 2007;
- का.आ.3067(अ), तारीख 1 दिसंबर, 2009;
- का.आ.695(अ), तारीख 4 अप्रैल, 2011;
- का.आ.2893(अ), तारीख 13 दिसंबर, 2012;

5. का.आ.674(अ), तारीख 13 मार्च, 2013;
6. का.आ.2559(अ), तारीख 22 अगस्त, 2013;
7. का.आ.2731(अ), तारीख 9 सितंबर, 2013;
8. का.आ.562(अ), तारीख 26 फरवरी, 2014
9. का.आ.637(अ), तारीख 28 फरवरी, 2014;
10. का.आ.1599(अ), तारीख 25 जून, 2014;
11. का.आ.2601(अ), तारीख 7 अक्टूबर, 2014;
12. का.आ.3252(अ), तारीख 22 दिसंबर, 2014;
13. का.आ.382(अ), तारीख 3 फरवरी, 2015;
14. का.आ.811(अ), तारीख 23 मार्च, 2015; और
15. का.आ.996(अ), तारीख 10 अप्रैल, 2015।

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 17th April, 2015

S.O.1142(E).— In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O.1533(E), dated the 14th September, 2006 after dispensed with the requirement of notice under clause(a) of sub-rule(3) of the said rule 5 in public interest, namely:—

In the said notification, in the Schedule, after item 7(d) and the entries relating thereto, the following item and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“7(da)	Bio-Medical Waste Treatment Facilities	-	All projects	-

[F. No. 3-9/2014-IA.III]

MANOJ KUMAR SINGH, Jt. Secy.

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended as follows:-

1. S.O.1737(E) dated the 11th October, 2007
2. S.O. 3067(E) dated the 1st December, 2009
3. S.O.695(E) dated the 4th April, 2011
4. S.O.2896(E) dated the 13th December, 2012
5. S.O.674(E) dated the 13th March, 2013
6. S.O.2559(E) dated the 22nd August, 2013
7. S.O. 2731(E) dated the 9th September, 2013
8. S.O. 562(E) dated the 26th February, 2014
9. S.O.637(E) dated the 28th February, 2014
10. S.O. 1599(E) dated the 25th June, 2014
11. S.O. 2601 (E) dated 7th October, 2014
12. S.O. 3252(E) dated 22nd December, 2014
13. S.O. 382 (E) dated 3rd February, 2015
14. S.O. 811(E) dated 23rd March, 2015
15. S.O. 996(E) dated 10th April, 2015.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 886]

नई दिल्ली, बृहस्पतिवार, अप्रैल 30, 2015/वैशाख 10, 1937

No. 886]

NEW DELHI, THURSDAY, APRIL 30, 2015 /VAISAKHA 10, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 29 अप्रैल, 2015

का.आ. 1141(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा से अभिमुक्ति के पश्चात्, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में,-

(i) पर्यावरणीय अनापत्ति (ईसी) की विधिमान्यता के संबंध में पैरा 9 पैरा उसके पैरा (i) के रूप में पुनःसंख्यांकित किया जाएगा;

(ii) पैरा (i) इस प्रकार संख्यांकित किया जाएगा,-

(क) “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में पांच वर्ष” शब्दों के स्थान पर “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में सात वर्ष” शब्दों को रखा जाएगा;

(ख) “तथापि, क्षेत्र विकास परियोजनाओं और नगर क्षेत्र की दशा में” शब्दों के साथ प्रांरभिक भाग पर और “यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ समिति के परामर्श” शब्दों के साथ समाप्त होने वाले भाग पर निम्नलिखित शब्दों को रखा जाएगा, अर्थात्:—

“(ii) क्षेत्र विकास परियोजनाओं और नगर क्षेत्र [मद 8(ख)], की दशा में विधिमान्य अवधि केवल ऐसे क्रियाकलापों तक सीमित होगा जहां तक किसी विकासकर्ता के रूप में आवेदक का उत्तरदायित्व है :

परंतु यह भी कि विधिमान्यता की यह अवधि संबंधित विनियामक प्राधिकरण द्वारा सात वर्ष की अधिकतम अवधि तक बढ़ाया जा सकेगा परंतु यह तब जबकि कोई आवेदन आवेदक द्वारा विनियामक प्राधिकरण को संनिर्माण परियोजनाओं या क्रियाकलापों (अनुसूची की मद 8) अद्यतन प्रारूप । और अनुपूरक प्रारूप 1क सहित विधिमान्य अवधि के भीतर विनियामक अवधि के भीतर किया जाता है :

परंतु यह भी कि विनियामक प्राधिकरण यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति इसके विस्तार की मंजूरी के लिए परामर्श भी कर सकेगा ।

(क) ईसी की विधिमान्य अवधि के पश्चात् एक मास के भीतर ऐसे मामलों के लिए विलंब को संबंधित विशेषज्ञ आंकलन समिति (ईएसी) या राज्य स्तर आंकलन समिति (एसईएसी) और उनकी सिफारिशों के आधार पर यथास्थिति संयुक्त सचिव पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या सदस्य सचिव एसईआईएए के स्तर पर माफ किया जाएगा;

(ख) ईसी की विधिमान्य अवधि के पश्चात् एक माह से अधिक परंतु ऐसी विधिमान्य अवधि के पश्चात् तीन मास से अन्यून है तो ईएसी या एसईएसी की सिफारिशों के आधार पर यथास्थिति पर्यावरण, वन और जलवायु परिवर्तन प्रभारी मंत्री या अध्यक्ष के अनुमोदन से विलंब माफ किया जाएगा :

परंतु यह कि विलंब की माफी के लिए विस्तार हेतु कोई आवेदन ईसी की 90 दिन की विधिमान्य अवधि के पश्चात् मंजूर नहीं किया जाएगा ।”।

[फा. सं. जे-11013/12/2013-आईए-II(I)(भाग)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में अधिसूचना संख्यांक का. आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको निम्नलिखित द्वारा संशोधित किया गया का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007 ; का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 ; का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ; का.आ. 2896(अ), तारीख 13 दिसंबर, 2012 ; का.आ. 674(अ), तारीख 13 मार्च, 2013 ; का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ; का.आ. 2731(अ), तारीख 9 सितंबर, 2013 ; का.आ. 562(अ), तारीख 26 फरवरी, 2014 ; का.आ. 637 (अ), तारीख 28 फरवरी, 2014 का.आ. 1599(अ), तारीख 25 जून, 2014; का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014; और का.आ. 3252(अ), तारीख 22 दिसंबर, 2014 ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 29th April, 2015

S.O. 1141(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment(Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India , in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause(a) of sub-rule(3) of rule 5 of the said rule, in public interest, namely:—

In the said notification,—

(i) Paragraph 9 relating to validity to Environment Clearance (EC) shall be re-numbered as paragraph (i) thereof;

(ii) in paragraph (i) as so numbered,-

(a) for, the words “and five years in the case of all other projects and activities”, the words “and seven years in the case of all other projects and activities” shall be substituted;

(b) for the portion beginning with the words “However, in the case of Area Development projects and Townships” and ending with the words “consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.” The following shall be substituted, namely:-

“(ii) In the case of Area Development projects and Townships [item 8 (b), the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that this period of validity may be extended by the regulatory authority concerned by a maximum period of seven years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee, as the case may be, for grant of such extension.

(iii) Where the application for extension under sub-paragraph (ii) has been filed-

- (a) within one month after the validity period of EC, such cases shall be referred to concerned Expert Appraisal Committee (EAC) or State Level Expert Appraisal committee (SEAC) and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, SEIAA, as the case may be;
- (b) more than one month after the validity period of EC but less than three months after such validity period, then, based on the recommendations of the EAC or the SEAC, the delay shall be condoned with the approval of the Minister in charge of Environment Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for delay shall be granted for any application for extension filed 90 days after the validity period of EC.”

[F. No. J-11013/12/2013-IA-II (I) (part)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and amended *vide* S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O.2896(E) dated the 13th December, 2012 , S.O.674(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 , S.O. 637(E) dated the 28th February, 2014, S.O. 1599(E) dated the 25th June, 2014, S.O. 2601 (E) dated 7th October, 2014 and S.O. 3252(E) dated 22nd December, 2014.



भारत का राजपत्र

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1448]

नई दिल्ली, मंगलवार, जुलाई 7, 2015/आषाढ़ 16, 1937

No. 1448]

NEW DELHI, TUESDAY, JULY 7, 2015/ASHADHA 16, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 6 जुलाई, 2015

का.आ.1834(अ).—केन्द्रीय सरकार पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन, लोक हित में सूचना की अपेक्षा से अभिमुक्ति देने के पश्चात, भारत सरकार की तत्कालीन पर्यावरण और वन मंत्रालय में अधिसूचना संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्—

उक्त अधिसूचना में, अनुसूची में, मद 1(घ) में ताप विद्युत संयंत्रों से संबंधित स्तंभ (4) में पंक्ति (1) में " ≥ 50 मे.वा." से चिन्ह, अंक और अक्षरों के स्थान पर " > 5 मे.वा." चिन्ह, अंक और अक्षर रखे जाएंगे ।

[फा.सं. जे-11013/12/2013-आईए. II(1)(पार्ट)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र असाधारण, भाग II, खंड 3, उपखंड (ii) में सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् निम्नानुसार संशोधित की गई का.आ. 1737(अ), तारीख 11 अक्तुबर, 2007, का.आ. 3067(अ), तारीख 1 दिसंबर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559(अ), तारीख 22 अगस्त, 2013, 2731 (अ), तारीख 9 सितंबर, 2013, का.आ. 562(अ), तारीख 26 फरवरी, 2014, का.आ. 637(अ), तारीख 28 फरवरी, 2014, का.आ. 1599(अ), तारीख 25 जून, 2014, का.आ. 2601(अ), तारीख 7 अक्तूबर, 2014, का.आ. 2600(अ), तारीख 9 अक्तूबर, 2014, का.आ. 3252(अ), तारीख 22 दिसंबर, 2014, का.आ. 382(अ), तारीख 3 फरवरी, 2015,

का.आ. 811(अ), तारीख 23 मार्च, 2015, का.आ. 996(अ), तारीख 10 अप्रैल, 2015, का.आ. 1142(अ), तारीख 17 अप्रैल, 2015 और का.आ. 1141(अ), तारीख 29 अप्रैल, 2015

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 6th July, 2015

S.O.1834(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rule, in public interest, hereby makes the following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests number S.O.1533(E), dated the 14th September, 2006 namely:—

In the said notification, in the Schedule, against item 1(d) relating to Thermal Power Plants, in column 4 in line one, for the symbol, figure and letters “ ≥ 50 MW”, the symbol, figure and letters “ ≥ 5 MW” shall be substituted.

[F. No. J-11013/12/2013-IA-II(I)(part)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii) vide number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended vide numbers S.O. 1737(E) dated the 11th October, 2007, S.O. 3067(E), dated the 1st December, 2009, S.O. 695(E), dated the 4th April, 2011, S.O. 2896(E), dated the 13th December, 2012, S.O. 674(E), dated the 13th March, 2013, S.O. 2559(E), dated the 22nd August, 2013, S.O. 2731(E), dated the 9th September, 2013, S.O. 562(E), dated the 26th February, 2014, S.O. 637(E), dated the 28th February, 2014, S.O. 1599(E), dated the 25th June, 2014, S.O. 2601(E), dated 7th October, 2014, S.O. 2600(E) dated 9th October, 2014, S.O. 3252(E) dated 22nd December, 2014, S.O. 382(E), dated 3rd February, 2015, S.O. 811(E), dated 23rd March, 2015, S.O. 996(E) dated 10th April, 2015, S.O. 1142(E) dated 17th April, 2015 and S.O. 1141(E) dated 29th April, 2015.



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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 125]

नई दिल्ली, शुक्रवार, जनवरी 15, 2016/पौष 25, 1937

No. 125]

NEW DELHI, FRIDAY, JANUARY 15, 2016/ PAUSA 25, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय अधिसूचना

नई दिल्ली, 15 जनवरी, 2016

का. आ. 141(अ)—एक प्ररूप अधिसूचना, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार अधिसूचना, सं. का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 में कितिपय और संशोधन करने के लिए सं. का.आ. 2588 (अ) तारीख 22 सितम्बर, 2014 द्वारा प्रकाशित की गई थी, उन सभी व्यक्तियों से जिनके उससे प्रभावित होने की संभावना है उक्त अधिसूचना के राजपत्र की प्रतियां जनता को उपलब्ध होने की तारीख से साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और उक्त राजपत्र की प्रतियां जनता को 22 सितम्बर, 2015 को उपलब्ध करा दी गई थीं ;

और केन्द्रीय सरकार द्वारा पूर्वोक्त वर्णित प्रारूप अधिसूचना पर प्राप्त सुझावों या आक्षेपों पर सम्यक्तः विचार किया गया है ;

और दीपक कुमार आदि बनाम हरियाणा राज्य और अन्य आदि के मामले में माननीय उच्चतम न्यायालय के 2009 की विशेष अनुमति याचिका (सि) सं. 19628-19629 तारीख 27 फरवरी, 2012 में आई.ए.सं. 12-13, के आदेश के अनुसरण में खनन पट्टे के क्षेत्र पर विचार किए बिना लघु खनिजों के खनन के लिए पूर्व पर्यावरणीय अनापत्ति अब आज्ञापक हो गई है ;

और माननीय उच्चतम न्यायालय के पूर्वोक्त आदेश के अनुसरण में ऐसे मामले जिनके लिए पूर्व पर्यावरणीय अनापत्ति अभिप्राप करना अपेक्षित हो गया है, सारवान रूप से बढ़ गए हैं ;

और माननीय राष्ट्रीय हरित अधिकरण ने बालू खनन के मामले में 13 जनवरी, 2015 के अपने आदेश द्वारा समूह में लघु खनिजों के खनन पट्टे की पर्यावरणीय अनापत्ति के लिए नीति बनाने का निदेश दिया है ;

और राज्य सरकारों ने लघु खनिजों के खनन के लिए पर्यावरणीय अनापत्ति की प्रक्रिया को सुव्यवस्थित बनाने के लिए अभ्यावेदन दिए हैं ;

और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने राज्य सरकारों के साथ परामर्श से भरणीय बालू खनन के लिए मार्गदर्शक सिद्धांत तैयार किए हैं जिसमें क्लस्टर के लिए पर्यावरणीय निकासी के उपबंधों, जिला

पर्यावरण संघात निर्धारण प्राधिकरण के ब्यौरे दिए गए हैं और सूचना प्रौद्योगिकी और सूचना प्रौद्योगिकी समर्थित सेवाओं का स्नोत से गंतव्य तक खनन की गई सामग्रियों को ट्रैक करने में समर्थ होने में उपयोग करने का वर्णन किया गया है ;

अतः, अब, केन्द्रीय सरकार पर्यावरण संरक्षण नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में,-

(क) पैरा 2 में, "उक्त अनुसूची में" शब्दों के पश्चात् निम्नलिखित शब्द अंतःस्थापित किए जाएंगे, अर्थात् :-

"और जिला स्तर पर उक्त अनुसूची में लघु खनिजों के खनन के लिए 'ब' प्रवर्ग के अधीन आने वाले मामलों के लिए जिला पर्यावरण संघात निर्धारण प्राधिकरण (डीईआईएए)" ;

(ख) पैरा 3 के पश्चात् निम्नलिखित पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

"3क. जिला स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण :-

(1) केन्द्रीय सरकार द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन जिला स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण (जिसे इसमें इसके पश्चात् डीईआईएए कहा गया है) का गठन किया जाएगा जो चार सदस्यों के मिलकर बनेगा जिसके अंतर्गत अध्यक्ष और सदस्य सचिव है ।

(2) जिला मजिस्ट्रेट या जिला कलक्टर डीईआईएए का अध्यक्ष होगा ।

(3) राज्य के संबंधित जिला मुख्यालय का उप प्रभागीय मजिस्ट्रेट या उप प्रभागीय अधिकारी डीईआईएए का सदस्य सचिव होगा ।

(4) डीईआईएए के अन्य दो सदस्य सबसे ज्येष्ठ प्रभागीय वन अधिकारी और एक विशेषज्ञ होंगे । विशेषज्ञ को, यथास्थिति, प्रभाग के प्रभागीय आयुक्त या मुख्य वन परिरक्षक द्वारा नामनिर्दिष्ट किया जाएगा । पात्रता मानदंड को पूरा करने वाले विशेषज्ञ की पदावधि और अर्हताएं इस अधिसूचना के परिशिष्ट 7 में दी गई है ।

(5) डीईआईएए के ऐसे सदस्य जो संबंधित राज्य सरकार या संघ राज्य क्षेत्र प्रशासन के सेवारत अधिकारी हैं सिवाय विशेषज्ञ सदस्य के पदेन सदस्य होंगे ।

(6) जिला स्तरीय विशेषज्ञ निर्धारण समिति जिसे इसमें इसके पश्चात् डीईएसी कहा गया है ग्यारह सदस्यों से मिलकर बनेगी जिसके अंतर्गत एक अध्यक्ष और एक सदस्य सचिव है ।

(7) संबंधित राज्य सरकार के जिले या संघ राज्यक्षेत्र प्रशासन में सबसे ज्येष्ठ कार्यपालक इंजीनियर, सिंचाई विभाग डीईएसी का अध्यक्ष होगा ।

(8) खनन और भूविज्ञान विभाग में सहायक निदेशक या उप निदेशक या जिले का भूविज्ञानी डीईएसी का उस क्रम में सदस्य सचिव होगा ।

(9) राज्य प्रदूषण नियंत्रण बोर्ड या समिति का प्रतिनिधि, जिले में सबसे ज्येष्ठ उप प्रभागीय अधिकारी (वन) सुदूर संवेदन विभाग या भूविज्ञान विभाग या राज्य भूजल विभाग का प्रतिनिधि, एक व्यवसायिक स्वास्थ्य विशेषज्ञ या चिकित्सा अधिकारी को जिला मजिस्ट्रेट या जिला कलक्टर द्वारा नामनिर्दिष्ट किया जाएगा, जिला परिषद् से इंजीनियर और, यथास्थिति, प्रभागीय आयुक्त या मुख्य वन परिरक्षक द्वारा नामनिर्दिष्ट किए जाने वाले तीन विशेषज्ञ सदस्य डीईएसी के अन्य सदस्य होंगे । पात्रता मानदंड को पूरा करने वाले विशेषज्ञ की पदावधि और अर्हताएं इस अधिसूचना के परिशिष्ट 7 में दी गई है ।

(10) डीईएसी के ऐसे सदस्य जो संबंधित राज्य सरकार या संघ राज्यक्षेत्र प्रशासन के सेवारत अधिकारी हैं सिवाय विशेषज्ञ सदस्य के पदेन सदस्य होंगे ।

(11) जिला मजिस्ट्रेट या जिला कलक्टर किसी अभिकरण को डीईआईएए के सचिवालय के रूप में कार्य करने के लिए अधिसूचित करेंगे और डीईएसी उनको कानूनी कृत्यों के लिए सभी वित्तीय और लोजिस्टिक सहायता प्रदान करेंगी ।

(12) डीईआईएए और डीईएसी समय-समय पर यथासंशोधित इस अधिसूचना में विनिर्दिष्ट प्रक्रिया का अनुसरण करेंगे और शक्तियों का प्रयोग करेंगे ।

(13) डीईएसी सामूहिक उत्तरदायित्व के सिद्धांत पर कार्य करेगी और अध्यक्ष प्रत्येक दशा में एक मत पर पहुंचने का प्रयास करेगा और यदि सहमति नहीं होती है तो बहुमत का मत अभिभावी होगा ।" ;

(ग) पैरा 4 में उप पैरा (iii) के पश्चात् निम्नलिखित उप पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

"(iv) 'ख2' प्रवर्ग की पांच हेक्टेयर से कम या उसके बराबर लघु खनिज के खनन से संबंधित परियोजनाओं के लिए डीईआईएए से पूर्व पर्यावरणीय अनापत्ति अपेक्षित होगी । डीईआईएए अपने विनिश्चय को इस अधिसूचना के लिए यथागठित डीईएसी की सिफारिशों पर आधारित करेगी ।" ;

(घ) पैरा 5 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :-

"5. स्क्रीनिंग, स्कोपिंग और निर्धारण समितियां :-

केन्द्रीय सरकार में वहीं विशेषज्ञ निर्धारण समितियां (ईएसी) राज्य या संघ राज्य स्तर पर एसईएसी और जिला स्तर पर डीईएसी प्रवर्ग 'क', 'ख1', 'ख2', प्रवर्ग की परियोजनाओं या कार्यकलापों की स्क्रीनिंग, स्कोपिंग और निर्धारण तथा क्रमशः पांच हेक्टेयर से कम या उसके बराबर लघु खनिजों के खनन पट्टे की 'ख2' प्रवर्ग की परियोजनाओं की स्क्रीनिंग, स्कोपिंग और निर्धारण करेगी । ईएसी, एसईएसी और डीईएसी प्रत्येक मास कम से कम एक बार बैठक करेंगी ।

(क) ईएसी की संरचना परिशिष्ट 6 में दिए अनुसार होगी । राज्य या संघ राज्य स्तर पर एसईएसी का गठन केन्द्रीय सरकार द्वारा संबंधित राज्य सरकार या संघ राज्यक्षेत्र प्रशासन के परामर्श से उसी प्रकार किया जाएगा । जिला स्तर पर डीईएसी का गठन केन्द्रीय सरकार द्वारा पैरा 3क में दी गई संरचना के अनुसार किया जाएगा ।

(ख) केन्द्रीय सरकार संबंधित राज्य सरकारों या संघ राज्यक्षेत्र प्रशासनों की पूर्व सहमति से प्रशासनिक सुविधा और लागत के कारणों से एक से अधिक राज्य या संघ राज्यक्षेत्र के लिए एक एसईएसी का गठन कर सकेगी ।

(ग) ईएसी और एसईएसी का प्रत्येक तीन वर्ष के पश्चात् पुनर्गठन किया जाएगा ।

(घ) संबंधित ईएसी, एसईएसी और डीईएसी के प्राधिकृत सदस्य उस परियोजना या कार्यकलाप से संबंधित स्थल का जिसके लिए स्क्रीनिंग या स्कोपिंग या निर्धारण के प्रयोजनों के लिए पर्यावरणीय निकासी की ईप्सा की गई है । परियोजना प्रस्तावक जो निरीक्षण के लिए आवश्यक सुविधाएं उपलब्ध कराएगा, को कम से कम सात दिन की पूर्व सूचना देकर निरीक्षण कर सकेंगे ।

(ङ) ईएसी, एसईएसी और डीईएसी सामूहिक उत्तरदायित्व के सिद्धांत पर कार्य करेंगे । अध्यक्ष प्रत्येक दशा में एक मत पर पहुंचने का प्रयास करेगा और यदि सहमति नहीं होती है तो बहुमत का मत अभिभावी होगा ।" ;

(ङ) पैरा 6 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :-

"(6) पूर्व पर्यावरणीय अनापत्ति (ईसी) के लिए आवेदन :-

कोई संनिर्माण कार्यकलाप करने या भूमि को तैयार करने या परियोजना प्रस्तावक द्वारा स्थल पर खनन करने से पूर्व सभी मामलों में पूर्व पर्यावरणीय अनापत्ति की ईप्सा करने वाला आवेदन परियोजना प्रस्तावक द्वारा परियोजना के लिए प्रस्तावित स्थल (स्थलों) की पहचान या कार्यकलापों जिनसे आवेदन संबंधित है की पहचान करने के पश्चात् इसके साथ उपावद्ध प्ररूप 1 और अनुपूरक प्ररूप 1क, यदि लागू हों, जैसा परिशिष्ट 2 में दिया गया है, में किया जाएगा और प्रवर्ग 'ख2' परियोजनाओं के अधीन पांच हेक्टेयर तक लघु खनिजों के खनन के लिए प्ररूप1ड में किया जाएगा । परियोजना प्रस्तावक आवेदन के साथ पूर्व साध्यता परियोजना रिपोर्ट की एक प्रति प्ररूप 1, प्ररूप 1क और प्ररूप1ड के साथ प्रस्तुत करेगा ; और संनिर्माण परियोजनाओं या कार्यकलापों की दशाओं (अनुसूची की मद 8) अवधारणा योजना की एक प्रति पूर्व साध्यता रिपोर्ट के स्थान पर प्रस्तुत की जाएगी ।" ;

(च) पैरा 7 में,-

(i) उप पैरा (i) में शीर्ष "। प्रक्रम (1)-स्क्रीनिंग : " , विद्यमान उप पैरा को उप पैरा "(क)" के रूप में पुनः अक्षरांकित किया जाएगा और इस प्रकार अक्षरांकित उप पैरा के पश्चात् निम्नलिखित उप पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

"(ख) परिशिष्ट 9 में यथाविनिर्दिष्ट मामलों को पूर्व पर्यावरणीय अनापत्ति से छूट प्रदान की जाएगी ।" ;

(ii) उप पैरा 7(ii) के पश्चात् निम्नलिखित उप पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

"7 (iii) बालू खनन या नदी तट खनन और अन्य लघु खनिजों के खनन के लिए जिला सर्वेक्षण रिपोर्ट तैयार

करना :

(क) खनन या नदी तट खनन और अन्य लघु खनिजों के खनन के लिए जिला सर्वेक्षण रिपोर्ट तैयार करने की विहित प्रक्रिया परिशिष्ट 10 में दी गई है ।

(ख) लघु खनिजों के खनन जिसके अंतर्गत समूह अवस्थिति भी है, के लिए पर्यावरणीय अनापत्ति की विहित प्रक्रिया परिशिष्ट 11 में दी गई है ।" ;

(द्व) पैरा 8 में,-

(i) "ईएसी या एसईएसी" अक्षरों और शब्द के स्थान पर "ईएसी या एसईएसी या डीईएसी" शब्द और अक्षर रखे जाएंगे ;

(ii) "विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द जहां-जहां वे आते हैं, के स्थान पर "विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति या जिला स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द रखे जाएंगे ;

(ज) पैरा 9 में, उप पैरा (i) में, -

"विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द जहां-जहां वे आते हैं, के स्थान पर "विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति या जिला स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द रखे जाएंगे ;

(झ) पैरा 10 में, उप पैरा (iii) के पश्चात् निम्नलिखित उप पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

"(iv) बालू खनन या नदी तट खनन और मानीटरी की विहित प्रक्रिया परिशिष्ट 12 में दी गई है ।" ;

(ञ) पैरा 11 में,-

"विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द जहां-जहां वे आते हैं, के स्थान पर "विशेषज्ञ मूल्यांकन समिति या राज्य स्तरीय विशेषज्ञ मूल्यांकन समिति या जिला स्तरीय विशेषज्ञ मूल्यांकन समिति" शब्द रखे जाएंगे ;

(ट) अनुसूची में,-

(i) मद 1(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

(1)	(2)	(3)	(4)	(5)
"1(क)	(i) खनिजों का खनन	गैर कोयला खनन पट्टे के संबंध में ≥ 50 खनन पट्टा क्षेत्र कोयला खनन पट्टे के संबंध में >150 खनन पट्टा क्षेत्र खनन क्षेत्र तक विचार किए विना अज्ञेस्टो	गैर कोयला खनन पट्टे के संबंध में <50 खनन पट्टा क्षेत्र कोयला खनन पट्टे के संबंध में ≤ 150 खनन पट्टा क्षेत्र	सिवाय निम्नलिखित के साधारण शर्तें लागू होंगी: (i) प्रवर्ग 'ख2' लघु खनिजों के खनन (25 हेक्टेयर खनन पट्टा क्षेत्र तक) के लिए परियोजना या कार्यकलाप ; (ii) अंतरराज्यीय सीमा के लेखे नदी

	का खनन	तट खनन परियोजनाएं। टिप्पण : (1) खनिज के पूर्वेक्षण को छूट दी गई है। ”; (2) लघु खनिजों जिसके अंतर्गत समूह अवस्थिति है, के खनन के लिए पर्यावरणीय अनापत्ति की विहित प्रक्रिया परिशिष्ट 11 में दी गई है। ”; (3) ऐसे खनन पट्टे जिन्होंने पर्यावरण निकासी, पर्यावरण संघात निर्धारण अधिसूचना, 1994 और पर्यावरण संघात निर्धारण अधिसूचना, 2006 के अधीन अभिप्राप की है, के लिए नई पर्यावरणीय अनापत्ति नवीकरण के दौरान प्राप्त करने की अपेक्षा नहीं होगी परंतु यह कि परियोजना के पास विधिमान्य और विद्यमान पर्यावरणीय अनापत्ति हो।
(ii) पिच्छल पाइप लाईनें (कोयला लिगनाइट और अन्य अयस्क) जो राष्ट्रीय उद्यानों या अभ्यारण्यों या कोरल रीफ, पारिस्थितिकी संवेदी क्षेत्रों से गुजरती है।	सभी परियोजनाएं।	

(ठ) परिशिष्ट 6 के पश्चात् निम्नलिखित परिशिष्ट अंतःस्थापित किए जाएंगे, अर्थात् :-

“परिशिष्ट 7”

(पैरा 3क देखें)

डीईआईएए और डीईएसी में विशेषज्ञों की अर्हताएं और निबंधन

1. अर्हता : व्यक्ति के पास कम से कम (i) संबंधित विषय में पांच वर्ष का औपचारिक विश्वविद्यालय प्रशिक्षण होना चाहिए जिसकी परिणीति एम.ए. या एम.एस.सी. डिग्री के रूप में हों या (ii) इंजीनियरी/प्रौद्योगिकी/अभिन्यास विषय की दशा में उस क्षेत्र में विहित व्यवहारिक प्रशिक्षण के साथ चार वर्ष का औपचारिक प्रशिक्षण पाठ्यक्रम जिसकी परिणीति बी.टेक./बी.ई./बी.आर्क. डिग्री के रूप में हो (iii) अन्य व्यवसायिक डिग्री (अर्थात् एम.बी.ए. आदि) जिसमें कुल पांच वर्ष का औपचारिक विश्वविद्यालय प्रशिक्षण और विहित व्यवहारिक प्रशिक्षण अंतर्वलित हों या (iv) विहित शिक्षुता/आर्टिकल शिप और संबंधित व्यवसायिक संगमों द्वारा संचालित परीक्षा उत्तीर्ण (अर्थात् चार्टर्ड एकाउंटेंसी) या (v) विश्वविद्यालय डिग्री के पश्चात् विश्वविद्यालय या सेवा अकादमी (अर्थात् एम.बी.ए./एम.पी.ए.) आदि के पश्चात् दो वर्ष का औपचारिक प्रशिक्षण। व्यष्टिक व्यवसायियों का चयन करते समय उनके द्वारा अपने संबंधित क्षेत्रों में अर्जित अनुभव का ध्यान रखा जाएगा।

2. विशेषज्ञ : पूर्वोक्त पात्रता मानदंड को पूरा करने वाला व्यवसायी जिसके पास संबंधित क्षेत्र में कम से कम दस वर्ष का अनुभव हो या कम से कम पांच वर्ष के सुसंगत अनुभव के साथ संबंधित क्षेत्र में उन्नत डिग्री (अर्थात् पी.एच.डी.)।

3. आयु : सत्तर वर्ष से कम। तथापि किसी दिए गए क्षेत्र में विशेषज्ञों की अनुपलब्धता या कमी की दशा में अधिकतम आयु को पचहत्तर वर्ष तक अनुज्ञात किया जा सकेगा।

4. क्षेत्र : खनन, भूविज्ञान, जल विज्ञान, सुदूर संवेदन पर्यावरण क्लालिटी, पर्यावरण संघात निर्धारण प्रक्रिया, जोखिम निर्धारण, जीव विज्ञान, समुद्र विज्ञान, वाणिकी और वन्य जीवन, पर्यावरण अर्थशास्त्र, जैव विभिन्नता और नदी पारिस्थितिकी।

5. पदावधि : विशेषज्ञ सदस्यों की अधिकतम पदावधि दो पदावधियों में तीन वर्ष होगी।

6. विशेषज्ञ सदस्य को उसकी पदावधि की समाप्ति से पूर्व बिना कारण और उचित जांच के नहीं हटाया जाएगा।

परिशिष्ट 8
(पैरा 6 देखें)
प्ररूप 1 ड

पांच हेक्टेयर से कम और उसके बराबर प्रवर्ग 'ख2' के अधीन लघु खनिजों के खनन के लिए आवेदन

(I) मूल सूचना

- (i) खनन पट्टा स्थल का नाम :
- (ii) अवस्थिति/स्थल (जीपीएस समन्वयक):
- (iii) खनन पट्टे का आकार (हेक्टेयर):
- (iv) खनन पट्टे की क्षमता (टीपीए):
- (v) खनन पट्टे की कालावधि :
- (vi) परियोजना की अनुमानित लागत:
- (vii) संपर्क सूचना:

पर्यावरण संवेदनशीलता

क्रम सं.	क्षेत्र	किलोमीटर में दूरी / ब्लौरे
1.	निकटतम रेल या संबंधित नदी, उप नदी, नाले आदि के ऊपर पुल से परियोजना की दूरी	

2.	अवसंरचना प्रसुविधा से दूरी रेलवे लाईन राष्ट्रीय राजमार्ग राज्य राजमार्ग प्रमुख जिला सड़क कोई अन्य सड़क वैद्युत पारेषण लाईन खंभा या टावर नहर या चैक बांध या जलाशय या झील या तालाब पेयजल पंप हाउस के लिए अन्तर्ग्रहण सिंचाई नहर पंपों के लिए अन्तर्ग्रहण	
3.	अंतरराष्ट्रीय अभिसमयों, राष्ट्रीय या स्थानीय विधान के अधीन अपनी पारस्थितिकी, भूदृश्य, सांस्कृतिक या अन्य संबंधित मूल्य के लिए संरक्षित क्षेत्र	
4.	ऐसे क्षेत्र जो पारिस्थितिकी कारणों से महत्वपूर्ण या संवेदनशील हैं—आर्द्रभूमि, जलमार्ग या अन्य जल निकाय, तटीय क्षेत्र, जीव मंडल, पर्वत, वन	
5.	प्राणी या वनस्पति प्रजातियों के उनके प्रजनन, घोंसलों, चराई, आराम के लिए सर्दियों में, प्रवास के लिए इस्तेमाल किए जाने वाले संरक्षित, महत्वपूर्ण या संवेदनशील क्षेत्र	
6.	अंतर्राष्ट्रीय, तटीय, समुद्री या भूगर्भीय जल	
7.	राज्य, राष्ट्रीय सीमाएं	
8.	पब्लिक द्वारा मनोरंजन या अन्य पर्यटन, धार्मिक स्थलों तक पहुंच के लिए उपयोग किए जाने वाले मार्ग या सुविधाएं	
9.	रक्षा संस्थापन	
10.	गहन जनसंख्या या निर्मित क्षेत्र, निकटतम मानव पर्यावास से दूरी	
11.	मानव निर्मित संवेदनशील भू-उपयोग के अधिभोग में क्षेत्र (अस्पताल, स्कूल, पूजास्थल, सामुदायिक सुविधाएं)	
12.	ऐसे क्षेत्र जिनमें महत्वपूर्ण उच्च क्लालिटी या दुर्लभ स्रोत विद्यमान है (भूजल स्रोत, भू-स्रोत, वानिकी, कृषि, मछली उद्योग, पर्यटन, खनिज)	
13.	ऐसे क्षेत्र जिनमें पहले से ही प्रदूषण या पर्यावरण नुकसान हुआ है (ऐसे क्षेत्र जहां विद्यमान विधि पर्यावरणीय मानकों से परे कार्य किया गया है)	
14.	ऐसे क्षेत्र जो प्राकृतिक संकटों के प्रति अति संवेदनशील हैं जिससे परियोजना द्वारा पर्यावरणीय समस्याएं उपस्थित हो सकती हैं (भूकंप, अवतलन, भूस्खलन, अवक्षयन, बाढ़ या अत्यधिक या प्रतिकूल जलवायु परिवर्तन)	
15.	क्या प्रस्तावित खनन स्थल के लिए भूजल रिचार्ज के लिए विदर/ दरार के पास अवस्थित है	
16.	क्या प्रस्ताव में निम्नलिखित विनियमों या अधिनियमों के अधीन अनुमोदन या निकासी अंतर्वलित है, अर्थात्— (क) वन (परिरक्षण) अधिनियम, 1980;	

	(ख) वन्यजीव (संरक्षण) अधिनियम, 1972; (ग) तटीय विनियमन जोन अधिसूचना, 2011. यदि हां, तो उनके ब्यौरे और परिस्थिति दी जानी है।	
17.	अंतर्वलित वन भूमि (हेक्टेयर)	
18.	क्या परियोजना और/या भूमि जिसमें परियोजना स्थापित किए जाने के लिए प्रस्तावित है, के विरुद्ध कोई मुकदमेबाजी लंबित है? (क) न्यायालय का नाम (ख) वाद संख्या (ग) न्यायालय के आदेश या निदेश, यदि कोई हों और उनकी प्रस्तावित परियोजना के लिए संगतता।	

(नाम और पते के साथ परियोजना
प्रस्तावक के हस्ताक्षर)

परिशिष्ट 9

[पैरा 7 (i)(ख) देखें]

कतिपय मामलों में पर्यावरणीय अनापत्ति की अपेक्षा से छूट

निम्नलिखित मामलों को पूर्व पर्यावरणीय अनापत्ति की अपेक्षा नहीं होगी, अर्थात् :—

1. साधारण मिट्टी या बालू की कुम्हारों द्वारा मिट्टी के घड़े, लैंप, खिलौने आदि बनाने के लिए उनकी प्रथाओं के अनुसार निकासी।

2. मिट्टी की टाइलें बनाने वालों द्वारा जो मिट्टी की टाइलें बनाते हैं, के लिए साधारण मिट्टी या बालू की निकासी।

3. किसानों द्वारा बाढ़ के पश्चात् कृषि भूमि से बालू के जमाव को हटाना।

4. ग्राम पंचायत में अवस्थित स्त्रोतों से बालू और साधारण मिट्टी को वैयक्तिक उपयोग या ग्राम में सामुदायिक कार्य के लिए प्रथा के अनुसार खनन।

5. सामुदायिक कार्य जैसे ग्रामीण तालाबों या टैंकों से गाद हटाना, महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार और गांरटी स्कीमों, अन्य सरकारी प्रायोजित स्कीमों तथा सामुदायिक प्रयासों द्वारा ग्रामीण सङ्कों, तालाबों, बांधों का संनिर्माण।

6. बांधों, मेडों, बैराजों, नदी और नहरों की उनके अनुरक्षण तथा आपदा प्रबंधन के प्रयोजन के लिए तलमार्जन और गाद निकालना।

7. गुजरात में गुजरात सरकार की तारीख 14 फरवरी, 1990 की अधिसूचना सं.जीयू/90(16)/एमसीआर-2189 (68)/5-सीएचएच द्वारा बंजारा और ओड द्वारा बालू के पारंपरिक उपजीविका कार्य।

8. सिंचाई या पेयजल के लिए कुंओं की खुदाई।

9. ऐसे भवनों की नींव के लिए खुदाई जिनके लिए पूर्व पर्यावरणीय अनापत्ति अपेक्षित नहीं है।

10. जिला कलक्टर या जिला मजिस्ट्रेट के आदेश पर किसी नहर, नाला, ड्रेन, जल निकाय आदि में होने वाली दरार को भरने के लिए साधारण मिट्टी या बालू का उत्थनन ताकि किसी आपदा या बाढ़ जैसी स्थिति से निपटा जा सके।

11. ऐसे कार्यकलाप जिन्हें राज्य सरकार द्वारा विधान या नियमों के अधीन पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकारी की सहमति से गैर खननकारी कार्यकलाप घोषित किया है।

परिशिष्ट - 10

[पैरा 7 (iii) (क) देखें]

जिला सर्वेक्षण रिपोर्ट तैयार करने के लिए प्रक्रिया

जिला सर्वेक्षण रिपोर्ट तैयार करने का मुख्य उद्देश्य निम्नलिखित का सुनिश्चय करना है :

भूमिवृद्धि या जमाव के क्षेत्रों की पहचान जहां खनन को अनुज्ञात किया जा सकता है ; और अपक्षरण के क्षेत्रों की पहचान तथा उसकी अवसंरचना, ढांचों और संस्थापनों से निकटता जहां खनन को प्रतिषिद्ध किया जाना चाहिए तथा फिर से भराव की वार्षिक दर की संगणना तथा क्षेत्र में खनन के पश्चात् भराव के लिए अनुज्ञात समय ।

रिपोर्ट का निम्नलिखित ढांचा होगा :

1. प्राक्कथन
2. जिले में खनन कार्यकलापों पर विवरण दृष्टि
3. अवस्थिति, क्षेत्र और विधिमान्यता का कालावधि के साथ जिले में खनन पट्टों की सूची
4. पिछले तीन वर्षों के दौरान प्राप्त स्वामिस्व या राजस्व के ब्यौरे
5. पिछले तीन वर्षों के दौरान बालू या बजरी के उत्पादन के ब्यौरे
6. जिले की नदियों में तलछटों के जमाव की प्रक्रिया
7. जिले का सामान्य प्रोफाइल
8. जिले में भूमि के उपयोग का पैटर्न : वन, कृषि, उद्यान कृषि, खनन आदि
9. जिले की भू-भौगोलिकी
10. वर्षा : मास-वार
11. जियोलोजी और खनिज संपदा

उपरोक्त के अतिरिक्त, रिपोर्ट में निम्नलिखित अंतर्विष्ट होगा :

- (क) नदी या धाराओं का जिलावार ब्यौरा और बालू के अन्य स्रोत ।
 (ख) जिलावार बालू या पत्थरों की उपलब्धता या समग्र संसाधन ।
 (ग) जिलावार बालू के विद्यमान खनन पट्टों के ब्यौरे तथा समग्र ।

डीईआईए द्वारा जिले में जियोलोजी विभाग या सिंचाई विभाग या वन विभाग या लोक निर्माण विभाग या भूजल बोर्ड या सुदूर संवेदन विभाग या खनन विभाग आदि की सहायता से एक सर्वेक्षण किया जाएगा ।

मुख्य नदियों के विवरण सहित निकासी प्रणाली

क्रम सं.	नदी का नाम	निकासी क्षेत्र (वर्ग कि.मी.)	जिले में निकासी किया गया % क्षेत्र

महत्वपूर्ण नदियों और धाराओं की मुख्य विशेषताएं :

क्रम सं.	नदी या धारा का नाम	जिले में कुल दूरी (कि.मी. में)	उद्धम का स्थान	उद्धम पर ऊंचाई

खनिज छूट के लिए सिफारिश किया गया नदी या धारा का भाग	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की लंबाई (कि.मी. में)	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की औसत चौड़ाई (मीटर में)	खनिज छूट के लिए सिफारिश किया गया क्षेत्र (वर्ग मीटर में)	खनन योग्य खनिज संभावना (मीट्रिक टन में) (कुल खनिज संभावना का 60%)

खनिज संभावना

बोल्डर (एमटी)	बजरी (एमटी)	बालू (एमटी)	कुल खनन योग्य खनिज संभावना (एमटी)

वार्षिक जमाव

क्रम सं.	नदी या धारा	खनिज छूट के लिए सिफारिश किया गया नदी या धारा का भाग	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की लंबाई (कि.मी. में)	खनिज छूट के लिए सिफारिश किए गए क्षेत्र की औसत चौड़ाई (मीटर में)	खनिज छूट के लिए सिफारिश किया गया क्षेत्र (वर्ग मीटर में)	खनन योग्य खनिज संभावना (मीट्रिक टन में) (कुल खनिज संभावना का 60%)
जिले के लिए योग						

उप प्रभागीय मजिस्ट्रेट सिंचाई विभाग से अधिकारियों, राज्य प्रदूषण नियंत्रण बोर्ड या समिति, वन विभाग जियोलोजी या खनन अधिकारी से मिलकर बनने वाली उप प्रभागीय समिति ऐसे प्रत्येक स्थल का भ्रमण करेगी जिसके लिए पर्यावरणीय अनापत्ति के लिए आवेदन किया गया है और खनन के लिए या खनन का प्रतिषेध करने के लिए स्थल की उपयोगिता पर सिफारिश करेगी ।

खनिज संभावना की संगणना के लिए अंगीकृत विधि :

खनिज संभावना की संगणना क्षेत्र की जांच और नदी या धाराओं के आवाह क्षेत्र की जियोलोजी के आधार पर की जाती है । स्थल की स्थिति और अवस्थिति के अनुसार खनन योग्य खनिजों की गहराई को परिभाषित किया जाता है । किसी नदी या धारा में खनिजों को हटाने के क्षेत्र का विनिश्चय जियो-मोर्फोलोजी और अन्य कारकों पर निर्भर करता है । यह किसी विशिष्ट नदी या धारा में क्षेत्र का पचास प्रतिशत से साठ प्रतिशत तक हो सकता है । उदाहरण के लिए कुछ पहाड़ी राज्यों में खनिज संघटक जैसे बोल्डर, नदी से बजरी, बालू को एक मीटर की गहराई तक स्त्रोत खनिज माना जा सकता है । अन्य संघटक जैसे क्ले और गाद को किसी विशिष्ट नदी या धारा की खनिज संभावना की संगणना करते समय अपशिष्ट के रूप में अपवर्जित किया जाता है ।

जिले में प्रत्येक लघु खनिज के लिए जिला सर्वेक्षण रिपोर्ट पृथक् रूप से तैयार की जाएगी और इसके प्रारूप को कोलेक्टोरेट में इसकी प्रति को रखते हुए पब्लिक डोमेन में रखा जाएगा तथा इसे जिले की वेबसाइट पर इक्कीस दिन के लिए पोस्ट किया जाएगा। प्राप्त की गई टिप्पणियों पर विचार किया जाएगा और उपयुक्त पाए जाने पर उन्हें डीईआईएए द्वारा छः मास के भीतर अंतिम रूप दी जाने वाली अंतिम रिपोर्ट में शामिल किया जाएगा।

जिला सर्वेक्षण रिपोर्ट पर्यावरणीय अनापत्ति रिपोर्टों को तैयार करने और परियोजनाओं के मूल्यांकन के लिए आवेदन का आधार होगी। रिपोर्ट को प्रत्येक पांच वर्ष में अद्यतन किया जाएगा।

परिशिष्ट - 11

[पैरा 7 (iii) (ख) देखें]

समूह सहित लघु खनिजों के खनन के लिए पर्यावरणीय अनापत्ति की प्रक्रिया

समूह अवस्थिति सहित लघु खनिजों के खनन के लिए पर्यावरणीय अनापत्ति के लिए निम्नलिखित नीति का अनुसरण किया जाएगा:-

- (1). राज्यों (वर्णीय बालू खनन मार्गदर्शक सिद्धांत) द्वारा उपलब्ध कराया गया डाटा उपदर्शित करता है कि लघु खनिजों के लिए अधिकांश खनन पट्टे पांच हेक्टेयर से कम पट्टा क्षेत्र के लिए है। यह भी रिपोर्ट किया गया है कि पहाड़ी राज्यों में पांच हेक्टेयर से अधिक नदी के भाग को प्राप्त करना बहुत असामान्य है। इसलिए लघु खनिजों के लिए पट्टे का आकार जिसके अंतर्गत नदी बालू खनन है, का अवधारण राज्यों द्वारा उनकी परिस्थितियों के आधार पर किया जाएगा।
- (2). लघु खनिजों का अधिकांशतः खनन समूहों में है। पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना को समस्त समूह के लिए तैयार करने की आवश्यकता है ताकि सभी संभावित बाह्यताओं को लिया जा सके। इन रिपोर्टों में समूह की वहन क्षमता, परिवहन और संबंधित मुद्दे पुनः भराव और रिचार्ज मुद्दों, समूह क्षेत्र का भूजलीय अध्ययन शामिल होगा। पर्यावरणीय संघात निर्धारण या पर्यावरणीय प्रबंधन योजना को राज्य या राज्य द्वारा नामनिर्दिष्ट अभिकरण या परियोजना प्रस्तावकों द्वारा समूह में या समूह के समर्थकों द्वारा तैयार किया जाएगा।
- (3). संपूर्ण समूह के लिए एक लोक परामर्श होगा जिसके पश्चात् समूह के लिए अंतिम पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना रिपोर्ट तैयार की जाएगी।
- (4). पर्यावरण अनापत्ति के लिए आवेदन किया जाएगा और उसे व्यष्टिक परियोजना प्रस्तावक को जारी किया जाएगा। समूह में व्यष्टिक पट्टा धारक उसी पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना का पर्यावरणीय अनापत्ति के लिए आवेदन करने में उपयोग कर सकते हैं। समूह पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना को आवश्यकता के अनुसार महत्वपूर्ण परिवर्तनों को ध्यान में रखते हुए अद्यतन किया जाएगा।
- (5). पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना को उस समूह में प्रत्येक पर्यावरण अनापत्ति में उपदर्शित किया जाएगा और डीईएसी, एसईएसी और ईएसी यह सुनिश्चित करेंगे कि पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना से न्यूनीकरण उपाय अध्ययन को व्यष्टिक परियोजना प्रस्तावकों की उस समूह में पर्यावरणीय अनापत्ति में उपदर्शित किया जाए।
- (6). किसी समूह का तब निर्माण किया जाएगा जब किसी पट्टे की सीमाओं के बीच दूरी किसी अन्य पट्टे की सीमा से किसी एक समान खनिज क्षेत्र में 500 मीटर से कम हो।
- (7). प्ररूप 1ड, पूर्व साध्यता रिपोर्ट और लघु खनिजों के खनन के लिए प्रवर्ग 'ख2' परियोजना प्रवर्ग के लिए खनन योजना को रजिस्ट्रीकृत अर्हित व्यक्ति या भारत की क्लालिटी परिषद् के प्रत्ययित सलाहकारों, राष्ट्रीय शिक्षा और प्रशिक्षण प्रत्यय बोर्ड द्वारा तैयार किया जाएगा। प्रवर्ग 'क' और प्रवर्ग 'ख1' परियोजनाओं के लिए पर्यावरण संघात निर्धारण या पर्यावरण प्रबंधन योजना को भारत की क्लालिटी परिषद् के प्रत्ययित सलाहकारों, राष्ट्रीय शिक्षा और प्रशिक्षण प्रत्यय बोर्ड द्वारा तैयार किया जाएगा।
- (8). एसईआईएए के पास डीईआईएए पर पर्यवेक्षणीय आधिकारिता होगी और डीईआईएए के विनिश्चयों की एसईआईएए द्वारा किसी विद्यमान विधि के उपबंधों पर प्रतिकूल प्रभाव डाले बिना समीक्षा की जाएगी।

लघु खनिजों जिसके अंतर्गत समूह स्थिति है की पर्यावरणीय निकासी के लिए अपेक्षाओं का स्कीमटाइज्ड प्रस्तुतीकरण

पट्टे का क्षेत्र (हेक्टेयर)	परियोजना का प्रवर्ग	ईआईए / ईएमपी की अपेक्षा	लोक सुनवाई की अपेक्षा	ईसी की अपेक्षा	जो ईआईए / ईएमपी तैयार कर सकता है	ईसी के लिए कौन आवेदन करेगा	ईसी का मूल्यांकन/ अनुदत्त करने के लिए प्राधिकारी	ईसी की अनुपालन की मानीटरी करने के लिए प्राधिकारी
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व्यष्टिक खनन पट्टे के आधार पर बालू खनन और अन्य लघु खनिजों के खनन के लिए ईसी प्रस्ताव

0 – 5ha	'ख2'	प्ररूप – 1एम, पीएफआर और अनुमोदित खनन योजना	नहीं	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	डीईएसी/ डीईआईएए	डीईआईएए एसआईएए एसपीसीबी सीपीसीबी एमओईएफसीसी एमओईएफएफ द्वारा नामनिर्देशित अभिकरण
> 5 ha और < 25 ha	'ख2'	प्ररूप – I, पीएफआर और अनुमोदित खनन योजना तथा ईएमपी	नहीं	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	सीईएसी / एसआईएए	
≥ 25ha और < 50ha	'ख1'	हां	हां	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	सीईएसी/ सीआईएए	
≥ 50 ha	'क'	हां	हां	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	ईएसी/ एमओईएफसीसी	

समूह स्थिति में बालू खनन और अन्य लघु खनिज खनन के लिए ईसी प्रस्ताव

5 ha तक खनन पट्टे का समूह क्षेत्र	'ख2'	प्ररूप – I, पीएफआर और अनुमोदित खनन योजना तथा ईएमपी	नहीं	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	डीईएसी/ डीईआईएए/	एमओईएफसीसी द्वारा नामनिर्दिष्टडीईआईएए एसईआईए एसपीसीबी सीपीसीबी अभिकरण
> 5 ha तक खनन पट्टे का	'ख2'	प्ररूप – I, पीएफआर और	नहीं	हां	राज्य, राज्य अभिकरण, परियोजना	परियोजना प्रस्तावक	डीईएसी/ डीईआईएए/	

सभूह क्षेत्र और < 25 ha बिना किसी व्यष्टिक पट्टे के > 5 ha		अनुमोदित खनन योजना तथा सभूह में सभी पट्टों के लिए एक ईएमपी			प्रस्तावकों का सभूह, परियोजना प्रस्तावक			
व्यष्टिक पट्टा आकार < 50ha हेक्टेयर के साथ > 25 से खनन पट्टे का सभूह	'ख1'	हां	हां	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का सभूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	सीईएसी/ एसईआईए	
≥ 50ha से किसी व्यष्टिक पट्टे के आकार का कोई सभूह	'क'	हां	हां	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का सभूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	ईएसी/ एमओईएफसीसी	

परिशिष्ट - XII

[पैरा 10 (iv) देखें]

बालू खनन या नदी तट खनन की मानीटरी की प्रक्रिया

1. परिवहन अनुज्ञा पत्र के सुरक्षा अभिलक्षण नीचे दिए अनुसार है :

- (क) भारतीय बैंक संगम द्वारा अनुमोदित चुंबकीय स्याही अक्षर पहचान (एमआईसीआर) कोड पेपर पर मुद्रित
- (ख) विशिष्ट बारकोड
- (ग) विशिष्ट त्वरित प्रतिक्रिया (क्यूआर) कोड
- (घ) फ्यूजिटिव इंक पृष्ठभूमि
- (ङ) अदृश्य इंक चिन्ह
- (च) वायड पॅटओग्रेफ
- (छ) वॉटरमार्क

2. खनन पट्टा स्थल पर अपेक्षा :

- (क) छोटे आकार का प्लाट (5 हेक्टेयर तक): एंडरायड आधारित स्मार्ट फोन
- (ख) बड़े आकार के प्लाट (5 हेक्टेयर से अधिक): सीसीटीवी कैमरा, पर्सनल कंप्यूटर (पीसी), इंटरनेट कनेक्शन, पावर बैकअप
- (ग) खनन पट्टा स्थल का पहुंच नियंत्रण
- (घ) इस्तेमाल किए गए वाहन के ट्रेलर के आयतन के आधार पर खनन किए गए खनिज के भार को तोलने के लिए प्रबंध या अनुमानित भार।

3. परिवहन अनुज्ञापत्र या रसीद की स्कैनिंग और उसे सर्वर पर अपलोड करना :

- (क) वेबसाईट: खनन स्थल पर रसीद की स्कैनिंग, बारकोड स्कैनर और कंप्यूटर के माध्यम से सोफ्टवेयर का इस्तेमाल करके की जा सकती है;
- (ख) एंडरायड अनुप्रयोग : खनन स्थल पर स्कैनिंग, स्मार्ट फोन का उपयोग करके एंडरायड अनुप्रयोग द्वारा की जा सकती है। इसके लिए सिमकार्ड पर इंटरनेट की उपलब्धता की अपेक्षा होगी ;
- (ग) एसएमएस : सर्वर पर परिवहन अनुज्ञापत्रों या रसीद को मोबाइल फोन के माध्यम से एसएमएस भेजकर अपलोड किया जाएगा। एक बार परिवहन अनुज्ञापत्र या रसीद को अपलोड करने पर अपनी विधिमान्यता की अवधि के साथ एक विशिष्ट बीजक कोड सूजित हो जाता है।

4. प्रणाली का प्रस्तावित कार्यकरण :

राज्य खनन विभाग को परिवहन अनुज्ञापत्र या रसीद को ऊपर पैरा 1 में उपदर्शित सुरक्षा अभिलक्षणों के साथ मुद्रित करना चाहिए और उन्हें जिला कलक्टर के माध्यम से पट्टा धारक को जारी किया जाएगा। एक बार इन परिवहन अनुज्ञापत्रों या रसीदों को जारी करने के पश्चात् उन्हें खनन पट्टा क्षेत्र के विरुद्ध सर्वर पर अपलोड किया जाएगा। प्रत्येक रसीद अधिमानतः पूर्व नियत मात्रा के साथ होनी चाहिए ताकि जारी की गई रसीदों के लिए कुल मात्रा का अवधारण किया जा सके।

जब परिवहन अनुज्ञापत्र या रसीद का बारकोड स्कैन हो जाता है और बीजक का सूजन कर दिया जाता है जिससे विशिष्ट बारकोड का इस्तेमाल होता है और उसकी विधिमान्यता के समय को सर्वर पर अभिलिखित कर दिया जाता है। ताकि खनन की गई सामग्री के परिवहन के सभी व्यौरों को सर्वर पर रखा जा सके और परिवहन अनुज्ञापत्र या रसीद का पुनः इस्तेमाल नहीं किया जा सके।

5. मार्ग पर जांच :

खनन किए गए खनिजों को ले जाने वाले यानों की जांच करने के प्रयोजन के लिए तैनात कर्मचारिवृंद को परिवहन अनुज्ञापत्र या रसीद की वेबसाईट, एंडरायड अनुप्रयोग और एसएमएस का उपयोग करके उन्हें स्कैन करने की स्थिति में होना चाहिए।

6. यानों का खराब हो जाना :

यान के खराब होने की दशा में परिवहन अनुज्ञापत्र या रसीद की विधिमान्यता का चालक द्वारा यान के खराब हो जाने की रिपोर्ट करने के लिए विशिष्ट फोरमेट में एसएमएस भेजकर विस्तार किया जाएगा। सर्वर इस सूचना को रजिस्टर करेगा और खराब होने को रजिस्टर करेगा। राज्य एक काल सेंटर की भी स्थापना कर

सकता है जो ऐसे यानों के खराब होने को रजिस्टर कर सकता है तथा वैधता की अवधि का विस्तार कर सकता है। यान के पश्चात्वर्ती ठीक होने की भी इसी प्रकार सर्वर या काल सेंटर में रिपोर्ट की जानी चाहिए।

7. यानों की ट्रैकिंग :

यान के स्रोत से गंतव्य तक के मार्ग को जांच बिंदुओं, आरएफआईडी टेगों और जीपीएस ट्रैकिंग के माध्यम से ट्रैक किया जा सकता है।

8. चौकसी या रिपोर्ट सूजन और कार्रवाई समीक्षा :

प्रणाली दैनिक उठाई रिपोर्ट, यान लोग या इतिहास, आवंटन के विश्वव्यापक उठाई और कुल उठाई जैसे विभिन्न पैरामीटरों पर प्राधिकारियों को आवधिक रिपोर्ट विकसित करने में समर्थ करेगी। प्रणाली का उपयोग आटोमेल या एसएमएस सृजित करने के लिए किया जा सकता है। इससे जिला कलक्टर या जिला मजिस्ट्रेट सभी सुसंगत व्यावेर प्राप्त करने में समर्थ होंगे और इससे प्राधिकारी किसी अनियमितता में लिपि पाए गए किसी स्थल से स्कैनिंग सुविधा को रोकने में समर्थ होंगे। जब भी कोई प्राधिकारी अवैध बालू का परिवहन करने वाले किसी यान को अंतर्रुद्ध करता है तो वह सर्वर पर रजिस्ट्रीकृत हो जाएगा और अधिकारी के लिए की गई कार्रवाई पर रिपोर्ट करना आज्ञापक होगा। प्रत्येक अंतररुद्ध किए गए यान को ट्रैक किया जाएगा।

खनन किए गए खनिज, पर्यावरणीय अनापत्ति शर्तों और पर्यावरण प्रबंधन योजना के प्रवर्तन की मानीटरी का डीईआईएए, एसईआईएए और राज्य प्रदूषण नियंत्रण बोर्ड या समिति द्वारा सुनिश्चिय किया जाएगा। ऊपर परकल्पित मानीटरी इंतजामों को तीन मास से पूर्व लागू किया जाएगा। पर्यावरणीय अनापत्ति शर्तों के प्रवर्तन की मानीटरी केन्द्रीय प्रदूषण नियंत्रण बोर्ड, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय तथा इस प्रयोजन के लिए मंत्रालय द्वारा नामनिर्दिष्ट अभिकरण द्वारा किया जाएगा।”।

[सं. जेड-11013/98/2014-आईए-॥ (एम)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पणी : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में का.आ. सं. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और उनका पश्चात्वर्ती संशोधन निम्नलिखित संघ्याओं द्वारा किया गया :-

1. का.आ. 1737(अ) तारीख 11 अक्टूबर 2007;
2. का.आ. 3067(अ) तारीख 1 दिसंबर 2009;
3. का.आ. 695(अ) तारीख 4 अप्रैल 2011;
4. का.आ. 2896(अ) तारीख 13 दिसम्बर 2012;
5. का.आ. 674(अ) तारीख 13 मार्च 2013;
6. का.आ. 2204(अ) तारीख 19 जुलाई 2013;
7. का.आ. 2555(अ) तारीख 21 अगस्त 2013;
8. का.आ. 2559(अ) तारीख 22 अगस्त 2013;
9. का.आ. 2731(अ) तारीख 9 सितंबर 2013;

- 10 का.आ. 562(अ) तारीख 26 फरवरी 2014;
11. का.आ. 637(अ) तारीख 28 फरवरी 2014;
12. का.आ. 1599(अ) तारीख 25 जून 2014;
13. का.आ. 2601(अ) तारीख 7 अक्टूबर 2014;
14. का.आ. 2600(अ) तारीख 9 अक्टूबर 2014
15. का.आ. 3252(अ) तारीख 22 दिसम्बर 2014;
16. का.आ. 382(अ) तारीख 3 फरवरी, 2015;
17. का.आ. 811(अ) तारीख 23 मार्च, 2015;
18. का.आ. 996(अ) तारीख 10 अप्रैल 2015;
19. का.आ. 1142(अ) तारीख 17 अप्रैल 2015;
20. का.आ. 1141(अ) तारीख 29 अप्रैल 2015;
21. का.आ. 1834(अ) तारीख 6 जुलाई 2015;

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 15th January, 2016

S.O. 141(E).—Whereas in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment Notification, 2006, issued *vide* number S.O. 1533(E), dated the 14th September 2006, was published under sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, *vide* number S.O. 2588(E), dated 22nd September, 2015, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date of publication on which copies of Gazette containing the said notification were available to the public;

And whereas, copies of said notification were made available to the public on 22nd September 2015;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

And whereas, in pursuance to the order of Hon'ble Supreme Court dated the 27th February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals irrespective of the area of mining lease;

And whereas, as a result of the above said Order of Hon'ble Supreme Court, the number of cases which are now required to obtain prior environmental clearance has increased substantially;

And whereas, the Hon'ble National Green Tribunal, *vide* its order dated the 13th January, 2015 in the matter regarding sand mining has directed for making a policy on environmental clearance for mining leases in cluster for minor minerals;

And whereas, the State Governments have represented for streamlining the process of environmental clearance for mining of minor mineral;

And whereas, the Ministry of Environment, Forest and Climate Change in consultation with State Governments has prepared Guidelines on Sustainable Sand Mining detailing the provisions on environmental clearance for cluster, creation of District Environment Impact Assessment Authority and proper monitoring of sand mining using information technology and information technology enabled services to track the mined out material from source to destination;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification,-

(a) in paragraph 2, after the words “in the said Schedule”, the following words shall be inserted, namely:- “and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category ‘B2’ for mining of minor minerals in the said Schedule”;

(b) after paragraph 3, the following paragraph shall be inserted, namely:-

“3 A. District Level Environment Impact Assessment Authority:-

- (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.
- (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
- (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.
- (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.
- (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
- (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member-Secretary.
- (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
- (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
- (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
- (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
- (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
- (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
- (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.”;
- (c) in paragraph 4, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:- “(iv) The ‘B2’ Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification.”;
- (d) for paragraph 5, the following paragraph shall be substituted, namely:-

“5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category ‘A’, ‘B1 and B2’ and ‘B2’ projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union

territory Administration with identical composition. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3 A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

(c) The EAC and SEAC shall be reconstituted after every three years.

(d) The authorised members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.”;

(e) for paragraph 6, the following paragraph shall be substituted, namely:-

“6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made by the project proponent in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II after the identification of prospective site (s) for the project and/or activities to which the application relates; and in Form 1M for mining of minor minerals up to five hectare under Category ‘B2’ projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land, or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.”;

(f) in paragraph 7,-

(i) in sub-paragraph (i), under the heading “I. Stage (1)- Screening:”, the existing sub-paragraph shall be lettered as sub-paragraph “(A)” and after sub-paragraph as so lettered, the following sub-paragraph shall be inserted, namely:- “(B) The cases as specified in Appendix IX shall be exempted from prior environmental clearance.”;

(ii) after sub-paragraph 7 (ii), the following sub-paragraph shall be inserted, namely:-

“7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of other Minor Minerals:

(a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.

(b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI.”;

(g) in paragraph 8,-

(i) for the letters and word “EAC or SEAC”, the words and letters “EAC or SEAC or DEAC” shall be substituted; (ii) for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee” wherever they occur, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(h) in paragraph 9, in sub-paragraph (i),-

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(i) in paragraph 10, after sub-paragraph (iii), the following sub-paragraph shall be inserted, namely:-

“(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.”;

(j) in paragraph 11, -

for the words “Expert Appraisal Committee or State Level Expert Appraisal Committee”, the words “Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee” shall be substituted;

(k) in the Schedule,-

(i) for item 1 (a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)
“1(a)	(i) Mining of minerals	≥50 ha of mining lease area in respect of non-coal mine lease >150 ha of mining lease area in respect of coal mine lease Asbestos mining	<50 ha of mining lease area in respect of non-coal mine lease ≤150 ha of mining lease area in respect of coal mine lease	General Conditions shall apply except: (i) for project or activity of mining of minor minerals of Category ‘B2’ (up to 25 ha of mining lease area); (ii) River bed mining projects on account of inter-state boundary.

		irrespective of mining area		Note: (1) Mineral prospecting is exempted. ";
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks or sanctuaries or coral reefs, ecologically sensitive areas.	All projects.		(2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI."; (3) The mining leases which have obtained environmental clearance under Environment Impact Assessment Notification, 1994 and Environment Impact Assessment Notification, 2006 shall not require fresh environmental clearance during renewal provided the project has valid and subsisting environmental clearance.

- (I) after Appendix VI, the following appendices shall be inserted, namely:-

“APPENDIX VII

(See paragraph 3 A)

Qualifications and terms for the Experts in DEIAA and DEAC

1. **Qualification:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal training course together with prescribed practical training in the field leading to a B. Tech/ B.E./ B. Arch. Degree, or (iii) Other professional degree (e.g. MBA etc.) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/ article ship and pass examinations conducted by the concerned professional associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
2. **Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
3. **Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
4. **Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.

5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

APPENDIX VIII
(See paragraph 6)
FORM 1 M

APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY 'B2' FOR LESS THAN AND EQUAL TO FIVE HECTARE

(II) Basic Information

- (viii) Name of the Mining Lease site:
- (ix) Location / site (GPS Co-ordinates):
- (x) Size of the Mining Lease (Hectare):
- (xi) Capacity of Mining Lease (TPA):
- (xii) Period of Mining Lease:
- (xiii) Expected cost of the Project:
- (xiv) Contact Information:

Environmental Sensitivity

Sl. No.	Areas	Distance in kilometer / Details
1.	Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.	
2.	Distance from infrastructural facilities Railway line National Highway State Highway Major District Road Any Other Road Electric transmission line pole or tower Canal or check dam or reservoirs or lake or ponds In-take for drinking water pump house Intake for Irrigation canal pumps	
3.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	
4.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	
5.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	
6.	Inland, coastal, marine or underground waters	
7.	State, National boundaries	
8.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	
9.	Defence installations	
10.	Densely populated or built-up area, distance from nearest human habitation	
11.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	
12.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	
13.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	
14.	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	

15.	Is proposed mining site located over or near fissure / fracture for ground water recharge	
16.	Whether the proposal involves approval or clearance under the following Regulations or Acts, namely:- (a) The Forest (Conservation) Act, 1980; (b) The Wildlife (Protection) Act, 1972; (c) The Coastal Regulation Zone Notification, 2011. If yes, details of the same and their status to be given.	
17.	Forest land involved (hectares)	
18.	Whether there is any litigation pending against the project and/or land in which the project is proposed to be set up? (a) Name of the Court (b) Case No. (c) Orders or directions of the Court, if any, and its relevance with the proposed project.	

(Signature of Project Proponent
Along with name and address)

APPENDIX - IX

[See paragraph 7(i) (B)]

EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE

The following cases shall not require prior environmental clearance, namely:-

1. Extraction of ordinary clay or sand, manually, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand, manually, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works like de-silting of village ponds or tanks, construction of village roads, ponds, bunds undertaken in Mahatama Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes, and community efforts.
6. Dredging and de-silting of dams, reservoirs, weirs, barrages, river, and canals for the purpose of their maintenance, upkeep and disaster management.
7. Traditional occupational work of sand by Vanjara and Oads in Gujarat *vide* notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
8. Digging of well for irrigation or drinking water.
9. Digging of foundation for buildings not requiring prior environmental clearance.
10. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nala, drain, water body, etc., to deal with any disaster or flood like situation upon orders of District Collector or District Magistrate.
11. Activities declared by State Government under legislations or rules as non-mining activity with concurrence of the Ministry of Environment, Forest and Climate Change, Government of India.

APPENDIX - X

[See paragraph 7 (iii) (a)]

PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following:

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

1. Introduction
2. Overview of Mining Activity in the District
3. The List of Mining Leases in the District with location, area and period of validity
4. Details of Royalty or Revenue received in last three years
5. Detail of Production of Sand or Bajari or minor mineral in last three years
6. Process of Deposition of Sediments in the rivers of the District
7. General Profile of the District
8. Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.

9. Physiography of the District
10. Rainfall: month-wise
11. Geology and Mineral Wealth

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source.
- (b) District wise availability of sand or gravel or aggregate resources.
- (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the DEIAA with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

Drainage system with description of main rivers

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District

Salient Features of Important Rivers and Streams:

S. No.	Name of the River or Stream	Total Length in the District (in Km)	Place of origin	Altitude at Origin

Portion of the River or Stream Recommended for Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition

S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
Total for the District						

A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

Methodology adopted for calculation of Mineral Potential:

The mineral potential is calculated based on field investigation and geology of the catchment area of the river or streams. As per the site conditions and location, depth of minable mineral is defined. The area for removal of the mineral in a river or stream can be decided depending on geo-morphology and other factors, it can be 50 % to 60 % of the area of a particular river or stream. For example in some hill States mineral constituents like boulders, river born Bajri, sand up

to a depth of one meter are considered as resource mineral. Other constituents like clay and silt are excluded as waste while calculating the mineral potential of particular river or stream.

The District Survey Report shall be prepared for each minor mineral in the district separately and its draft shall be placed in the public domain by keeping its copy in Collectorate and posting it on district's website for twenty one days. The comments received shall be considered and if found fit, shall be incorporated in the final Report to be finalised within six months by the DEIAA.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years.

APPENDIX - XI

[See paragraph 7 (iii) (b)]

PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR MINERALS INCLUDING CLUSTER

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation:-

- (1). The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2). The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3). There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4). Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5). The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigative measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearance's of individual project proponents in that cluster.
- (6). A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area.
- (7). Form 1M, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8). The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.

Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation

Area of Lease (Hectare)	Category of Project	Requirement of EIA / EMP	Requirement of Public Hearing	Requirement of EC	Who can prepare EIA/ EMP	Who will apply for EC	Authority to appraise/ grant EC	Authority to monitor EC compliance
EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease								
0 – 5ha	'B2'	Form –1M, PFR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB MoEFCC Agency

> 5 ha and < 25 ha	'B2'	Form -I, PFR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC / SEIAA	nominated by MoEFCC
≥ 25ha and < 50ha	'B1'	Yes	Yes	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	
≥ 50 ha	'A'	Yes	Yes	Yes	Project Proponent	Project Proponent	EAC/ MoEFCC	
EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation								
Cluster area of mine leases up to 5 ha	'B2'	Form -IM, PFR and Approved Mine Plan	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	DEIAA SEIAA SPCB CPCB MoEFCC Agency nominated by MoEFCC
Cluster area of Mine leases > 5 ha and < 25 ha with no individual lease > 5 ha	'B2'	Form -I, PFR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	
Cluster of mine leases of area ≥ 25 hectares with individual lease size < 50ha	'B1'	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	SEAC/ SEIAA	
Cluster of any size with any of the individual lease ≥ 50ha	'A'	Yes	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/ MoEFCC	

APPENDIX - XII

[See paragraph 10 (iv)]

PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING

1. The security feature of Transport Permit shall be as under:

- (a) Printed on Indian Banks' Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
- (b) Unique Barcode.
- (c) Unique Quick Response (QR) code.
- (d) Fugitive Ink Background.
- (e) Invisible Ink Mark.
- (f) Void Pantograph.
- (g) Watermark.

2. Requirement at Mine Lease Site:

- (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.

- (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
- (c) Access control of mine lease site.
- (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.

3. Scanning of Transport Permit or Receipt and Uploading on Server:

- (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
- (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
- (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.

4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security features enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with pre-fixed quantity, so the total quantity gets determined for the receipts issued.

When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

5. Checking On Route:

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.

6. Breakdown of Vehicle:

In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.”.

[No. Z-11013/98/2014-IA-II (M)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers :-

1. S.O. 1737 (E) dated the 11th October, 2007;
2. S.O. 3067 (E) dated the 1st December, 2009;
3. S.O. 695 (E) dated the 4th April, 2011;
4. S.O. 2896 (E) dated the 13th December, 2012;
5. S.O. 674 (E) dated the 13th March, 2013;
6. S.O. 2204 (E) dated the 19th July 2013;
7. S.O. 2555 (E) dated the 21st August, 2013;
8. S.O. 2559 (E) dated the 22nd August, 2013;
9. S.O. 2731 (E) dated the 9th September, 2013;
10. S.O. 562 (E) dated the 26th February, 2014;
11. S.O. 637 (E) dated the 28th February, 2014;
12. S.O. 1599 (E) dated the 25th June, 2014;
13. S.O. 2601 (E) dated the 7th October, 2014;
14. S.O. 2600 (E) dated the 9th October, 2014
15. S.O. 3252 (E) dated the 22nd December, 2014;
16. S.O. 382 (E) dated the 3rd. February, 2015;
17. S.O. 811 (E) dated the 23rd March, 2015;
18. S.O. 996 (E) dated the 10th April, 2015;
19. S.O. 1142 (E) dated the 17th April, 2015;
20. S.O. 1141 (E) dated the 29th April, 2015;
21. S.O. 1834 (E) dated the 6th July, 2015.

Printed by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 217]

नई दिल्ली, बुधवार, जनवरी 27, 2016/माघ 7, 1937

No. 217]

NEW DELHI, WEDNESDAY, JANUARY 27, 2016/ MAGHA 7, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 25 जनवरी, 2016

का.आ. 246(अ).—भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना का.आ. 1533(अ), तारीख 14 सितंबर, 2016 का और संशोधन करने के लिए निम्नलिखित अधिसूचना का प्रारूप, जिसे केंद्रीय सरकार द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) के खंड (v) के साथ पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए जारी किए जाने का प्रस्ताव है, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार जनसाधारण की जानकारी के लिए, जिनके उससे प्रभावित होने की संभावना है, प्रकाशित किया जाता है और यह सूचना दी जाती है कि उक्त प्रारूप अधिसूचना पर, उस तारीख से, जिसको उक्त अधिसूचना अंतर्विष्ट करने वाली भारत के राजपत्र की प्रतियां जनता को उपलब्ध करा दी जाती हैं, साठ दिन की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा;

प्रारूप अधिसूचना में अंतर्विष्ट प्रस्ताव पर कोई आक्षेप करने या सुझाव देने का इच्छुक कोई व्यक्ति, इस प्रकार विनिर्दिष्ट अवधि के भीतर लिखित में सचिव, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड, अलीगंज, नई दिल्ली-110003 को डाक द्वारा या इलैक्ट्रॉनिक रूप से ई-मेल पते : mk.singh65@ias.nic.in और satish.garkoti@nic.in पर उन्हें अग्रेषित कर सकेगा।

प्रारूप अधिसूचना

केंद्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय द्वारा पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के अधीन जारी की गई अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 द्वारा यह निदेश दिया था कि इस अधिसूचना के प्रकाशन की तारीख से ही नवीन परियोजनाओं या क्रियाकलापों के अपेक्षित संनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों के विस्तारण या आधुनिकीकरण के कार्य को, जिसमें प्रक्रिया या तकनीक और/या

उत्पाद मिश्रण में परिवर्तन सहित क्षमता में वृद्धि किया जाना सम्मिलित है, भारत के किसी भाग में केवल, यथास्थिति, केंद्रीय सरकार या केंद्रीय सरकार द्वारा उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन सम्यक रूप से गठित राज्य स्तरीय पर्यावरण समाधात निर्धारण प्राधिकरण से, उसमें विनिर्दिष्ट प्रक्रिया के अनुसार, पूर्व पर्यावरणीय अनापत्ति लेने के पश्चात ही आरंभ किया जाएगा;

और मंत्रालय को अधिसूचना के उपबंधों के कार्यन्वयन को और सुव्यवस्थित करने के लिए सुझाव प्राप्त हुए हैं और इस प्रकार प्राप्त सुझावों को विचारार्थ और सिफारिशों के लिए विशेषज्ञ समिति को निर्दिष्ट किया गया था। उनकी सिफारिशों के आधार पर पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय द्वारा उक्त अधिसूचना के उपबंधों का पुनर्विलोकन किया गया है;

और कुछ औद्योगिक परियोजनाओं में, उत्पादन प्रक्रिया, उपस्करों, प्राक्तिक प्रदूषण भार और योजनाबद्ध न्यूनीकरण उपायों की जानकारी, जो पर्यावरणीय अनापत्ति में उल्लिखित है, व्यौरेवार डिजाइन इंजीनियरी, जिसे मुख्यतः पर्यावरणीय अनापत्ति अभिप्राप्त करने के पश्चात आरंभ किया जाता है, के पश्चात परिवर्तित हो जाती है। पर्यावरण समाधात निर्धारण अधिसूचना, 2006 में, संपूर्ण पर्यावरणीय अनापत्ति प्राप्त करने की प्रक्रिया से पुनः गुजरे बिना वास्तविक जानकारी या डाटा के आधार पर पर्यावरणीय अनापत्ति में पारिणामिक परिवर्तन के लिए उपबंध होना चाहिए, परंतु प्रस्तावित परिवर्तन के परिणामस्वरूप पर्यावरण पर कोई प्रतिकूल प्रभाव नहीं पड़ना चाहिए;

और विद्यमान भूखंड के भीतर विद्यमान परियोजनाओं (जिन्हें पर्यावरणीय अनापत्ति प्राप्त है) के आधुनिकीकरण या उत्पाद मिश्रण में परिवर्तन को उस समय पृथक पर्यावरणीय अनापत्ति से छूट प्रदान की जाए, यदि पूर्व में अनुमोदित परिकल्पित सीमा से परे कोई अतिरिक्त प्रदूषण भार नहीं है;

और सीमेंट उद्योग में कोयले की मांग को कम करने और सह-प्रसंस्करण में वृद्धि करने के लिए सीमेंट भट्टों में कोयले के स्थान पर पेट कोक, जो कि पेट्रोलियम परिष्करण उद्योग में एक उप-उत्पाद है, के उपयोग का संवर्धन किया जाए। सीमेंट भट्टों में ईंधन के रूप में पेट कोक का उपयोग करने से आधिक्य SO_2 उत्सर्जन उत्पन्न नहीं होते हैं और इससे फ्लाई एश और धातुमल के उपयोग में आगे और वृद्धि करने में भी सहायता प्राप्त होती है। ईंधन मिश्रण में कोयले के स्थान पर पेट कोक को परिवर्तित करने में सीमेंट इकाइयों की पर्यावरणीय अनापत्ति में कोई संशोधन अपेक्षित नहीं होना चाहिए, जहां केवल कोयले को ईंधन के रूप में विहित किया गया है;

और उक्त पर्यावरण (संरक्षण) नियमों के नियम 5 के उपनियम (3) के खंड (क) में यह उपबंधित है कि जब कभी केन्द्रीय सरकार यह विचार करती है कि किसी क्षेत्र में कोई प्रसंस्करण या प्रचालन करने वाले किसी उद्योग पर प्रतिषेध या निर्बंधन अधिरोपित किए जाने चाहिए, तो वह अपने ऐसा करने के आशय की सूचना देगी;

अतः, अब, केंद्रीय सरकार, उक्त पर्यावरण संरक्षण नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में,-

(I) पैरा 7 के उप पैरा (ii) के पश्चात निम्नलिखित उप पैरा अंतःस्थापित किया जाएगा, अर्थात् :-

“7(ii)(क) व्यौरेवार डिजाइन इंजीनियरी के पश्चात पूर्ववर्ती पर्यावरणीय अनापत्ति में उत्पादन प्रक्रिया, उपस्कर, प्राक्तिक प्रदूषण भार और योजनाबद्ध न्यूनीकरण उपायों के संबंध में परिवर्तन की ईप्सा करने वाला आवेदन अपेक्षित सूचना के साथ प्ररूप 1 में किया जाएगा:

परंतु प्रस्तावित परिवर्तनों के परिणामस्वरूप पर्यावरण पर कोई प्रतिकूल प्रभाव नहीं पड़ेगा:

परंतु यह और कि पर्यावरणीय अनापत्ति को, संबंधित विशेषज्ञ आंकलन समिति (ईएसी) या राज्य विशेषज्ञ आंकलन समिति (एसईएसी) द्वारा किए गए इस आंकलन के आधार पर कि प्रस्तावित परिवर्तन के परिणामस्वरूप

पर्यावरण पर कोई अतिरिक्त महत्वपूर्ण प्रभाव नहीं पड़ेगा, संपूर्ण पर्यावरणीय अनापत्ति प्रक्रिया से गुजरे बिना प्रदान किया जा सकेगा।

7(ii)(ब) ऐसे विद्यमान परिसरों के भीतर, जिनके पास इस अधिसूचना के अधीन पूर्ववर्ती पर्यावरणीय अनापत्ति है, आधुनिकीकरण के साथ या उत्पाद मिश्रण में कोई परिवर्तन किए बिना पर्यावरणीय अनापत्ति की ईप्सा करने वाला कोई आवेदन इस प्रभाव की अपेक्षित जानकारी के साथ प्ररूप 1 में किया जा सकेगा, जो यह साबित कर सके कि गुणवत्ता और मात्रा, दोनों के निबंधनानुसार प्रदूषण भार में कोई वृद्धि नहीं हुई है:

परंतु ऐसे आवेदन का आंकलन विशेषज्ञ आंकलन समिति (ईएसी) या राज्य विशेषज्ञ आंकलन समिति (एसईएसी) द्वारा यह सिफारिश करने के लिए किया जाएगा कि कोई पृथक् पर्यावरणीय अनापत्ति प्राप्त की जाए या पूर्ववर्ती पर्यावरणीय अनापत्ति में संशोधन किया जाए।”;

(II) अनुसूची की मद 3(ब) के सामने स्तंभ (5) में की प्रविष्टि “साधारण शर्त लागू होगी” के पश्चात् निम्नलिखित टिप्पण अंतःस्थापित किया जाएगा, अर्थात् :-

“टिप्पणः सीमेंट उद्योग के लिए ईंधन कोयला या कोयला और पेटकोक का मिश्रण हो सकेगा।”।

[फा. सं. जे-11013/12/2013-आईए-II(I)(भाग)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007; का.आ. 3067(अ), तारीख 1 दिसंबर, 2009; का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ; का.आ. 2896(अ), तारीख 13 दिसंबर, 2012 ; का.आ. 674(अ), तारीख 13 मार्च, 2013 ; का.आ. 2559 (अ), तारीख 22 अगस्त, 2013 ; का.आ. 2731(अ), तारीख 9 सितंबर, 2013; का.आ. 562(अ), तारीख 26 फरवरी, 2014; का.आ. 1599(अ), तारीख 25 जून, 2014; का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014 ; का.आ. 2600(अ), तारीख 9 अक्टूबर, 2014; का.आ. 3252(अ), तारीख 22 दिसंबर, 2014 ; का.आ. 382(अ), तारीख 3 फरवरी, 2015; का.आ. 811(अ), तारीख 23 मार्च, 2015; का.आ. 996(अ), तारीख 10 अप्रैल, 2015 ; का.आ. 1142(अ), तारीख 17 अप्रैल, 2015; का.आ. 1141(अ), तारीख 29 अप्रैल, 2015 ; का.आ. 1834(अ), तारीख 6 जुलाई, 2015 ; का.आ. 2572(अ), तारीख 14 सितंबर, 2015 और का.आ. 141(अ), तारीख 15 जनवरी, 2016 द्वारा संशोधित किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 25th January, 2016

S.O. 246(E).—The following draft of the notification, further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533(E) dated the 14th September, 2006 which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), read with clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette of India containing this notification are made available to the Public;

Any person interested in making any objections or suggestions on the proposal contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period so specified, to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003, or at e-mail address: - mk.singh65@ias.nic.in and satish.garkoti@nic.in.

DRAFT NOTIFICATION

Whereas, by notification of the Government of India in the Ministry of Environment, Forest and Climate Change vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernisation of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and / or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas, the Ministry has received suggestions for further streamlining of the implementation of provisions of the Notification and the suggestions so received were referred to the Expert Committee for consideration and recommendations. Based on their recommendations the provisions of the said notification have been reviewed by the Ministry of Environment, Forest and Climate Change;

And whereas in some industrial projects, information of production process, equipments, estimated pollution load and planned mitigation measures, which are mentioned in environmental clearance, change after detailed design engineering which is mostly undertaken after environmental clearance is granted. The Environmental Impact Assessment Notification, 2006 should provide for resultant change in environmental clearance based on factual information or data without having to go through entire environmental clearance process again, provided the proposed change does not result in any adverse impact on environment;

And whereas, the modernisation or change in product mix of existing projects (having environmental clearance) within existing plot may be exempted from separate environmental clearance if there is no additional pollution load beyond the earlier approved limit envisaged;

And whereas, the use of pet coke, a by-product of petroleum refinery industry in place of coal, in cement kilns be promoted to reduce coal demand of the cement industry and increase the co-processing. The use of Pet coke as fuel in cements kilns does not produce excess SO₂ emissions and also helps in further increasing the usage of fly ash and slag. A change in fuel mix from coal to pet coke should not require an amendment in environmental clearance of cement units where only coal has been prescribed as fuel;

And whereas clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules provides that, whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

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 Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the said Environment Protection Rules, 1986 the Central Government hereby makes the following further amendments in the said notification, namely:-

In the said Notification,-

(I) in paragraph 7, after sub-paragraph (ii), the following sub-paragraph shall be inserted, namely:-

“7 (ii)(a) Application seeking change in prior environmental clearance about change in production process, equipments, estimated pollution load and planned mitigation measures, after detailed design engineering, shall be made in Form 1 along with requisite information:

Provided that the proposed change shall not result in any adverse impact on environment:

Provided further that the environmental clearance may be made, without going through the entire environment clearance process, based on appraisal by the concerned Expert Appraisal Committee (EAC) or State Expert Appraisal Committee (SEAC), the proposed change shall not result in any additional significant impact on environment.

7(ii)(b) Application seeking environmental clearance for modernisation with or without change in product mix within the existing premises having prior environmental clearance under this notification may be made in Form 1 along with the requisite information to prove that there is no increase in pollution load in terms of both quality and quantity:

Provided that the application shall be appraised by the concerned Expert Appraisal Committee (EAC) or State Level Expert Appraisal Committee (SEAC) to recommend a separate environmental clearance or amendment of the earlier environmental clearance.”;

(II) in the Schedule, against item 3(b), in column (5), after the entry “General Conditions shall apply”, the following note shall be inserted, namely:-

“**Note:** Fuel for cement industry may be coal or mixture of coal and petcoke.”.

[F. No. J-11013/12/2013-IA-II(I)(part)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended vide numbers S.O. 1737(E) dated the 11th October, 2007, S.O. 3067(E), dated the 1st December, 2009, S.O. 695(E), dated the 4th April, 2011, S.O. 2896(E), dated the 13th December, 2012, S.O. 674(E), dated the 13th March, 2013, S.O. 2559(E), dated the 22nd August, 2013, S.O. 2731(E), dated the 9th September, 2013, S.O. 562(E), dated the 26th February, 2014, S.O. 637(E), dated the 28th February, 2014, S.O. 1599(E), dated the 25th June, 2014, S.O. 2601(E), dated 7th October, 2014, S.O. 2600(E) dated 9th October, 2014, S.O. 3252(E) dated 22nd December, 2014, S.O. 382(E), dated 3rd February, 2015, and S.O. 811(E), dated 23rd March, 2015, S.O. 996(E) dated 10th April, 2015, S.O. 1142(E) dated 17th April, 2015, S.O. 1141(E) dated 29th April, 2015, S.O. 1834(E) dated 6th July, 2015, S.O. 2572(E) dated 14th September, 2015 and S.O. 141(E) dated 15th January, 2016.