ENVIRONMENTAL IMPACT ASSESSMENT
(REAL238)

Made By- Abhishek Chauhan (A1355882008)
        Neetu Choudhary (A1355882004)
        Siddh Aggarwal (A1355882019)
        BBA REUI 3 Sem
        RICS School of Built Environment\
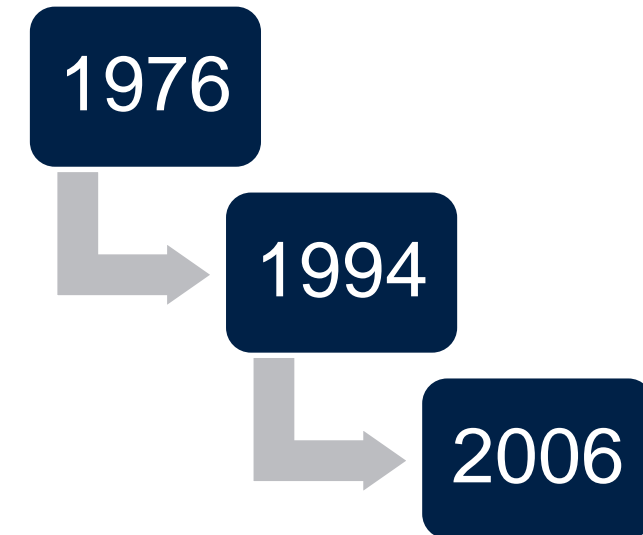
ENVIRONMENTAL IMPACT ASSESSMENT

INTRODUCTION

► **Environmental Impact Assessment (EIA)** is a process of evaluating the likely environmental impacts of a proposed project or development prior to decision-making.

► EIA aims to predict environmental impacts at an early stage in project planning and design, find ways and means to reduce adverse impacts, shape projects to suit the local environment and present the predictions and options to decision-makers.

► Environment Impact Assessment in India is statutorily backed by the **Environment Protection Act, 1986**. **Union Ministry of Environment and Forests (MEF)** and Government of India in 1994, under Environmental Protection Act 1986, enforced an EIA notification making Environmental Clearance (EC) mandatory for expansion or modernization of any activity or for setting up new projects

(drishtiias, 2020)

Image Source: https://www.corpseed.com/knowledge-centre/environmental-impact-assessment-in-india

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HISTORY

► The birth of EIA is dated back to the 1970s. In 1969, The USA had brought its first National Environment Policy Act (NEPA) 1969.

► The EIA was initially practiced by developed nations but slowly it was also introduced in developing nations including India (1976-77) when the Planning Commission asked the Department of Science and Technology to examine the river-valley projects from an environmental angle..

► Till 1994, environmental clearance from the Central Government was an administrative decision and lacked legislative support.

► MEF & GOI under Environmental Protection Act enforced EIA for mandatory Environmental Clearance for new development projects.

► **MoEFCC** notified new EIA legislation in September 2006.

  ▪ Responsibility of clearing projects on the State Government depending on size of the project.

  ▪ Mandatory for various projects (mining, thermal plant, river valley, infrastructure and industries) to get environment clearance.

1976

1994

2006

(drishtiias, 2020)

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OBJECTIVE

► The main objective of the EIA is to analyse the environmental, social and economic impacts of the development projects. Identification of these factors helps the upholder to get the most efficient method of working.

► EIA provides detailed information about the impact of the proposed project on the environment so that the state could predict the environmental consequences of the proposed project.

► EIA supports the idea of sustainable development and it provides an efficient method of sustainable development that cause the least amount of harm to the environment.
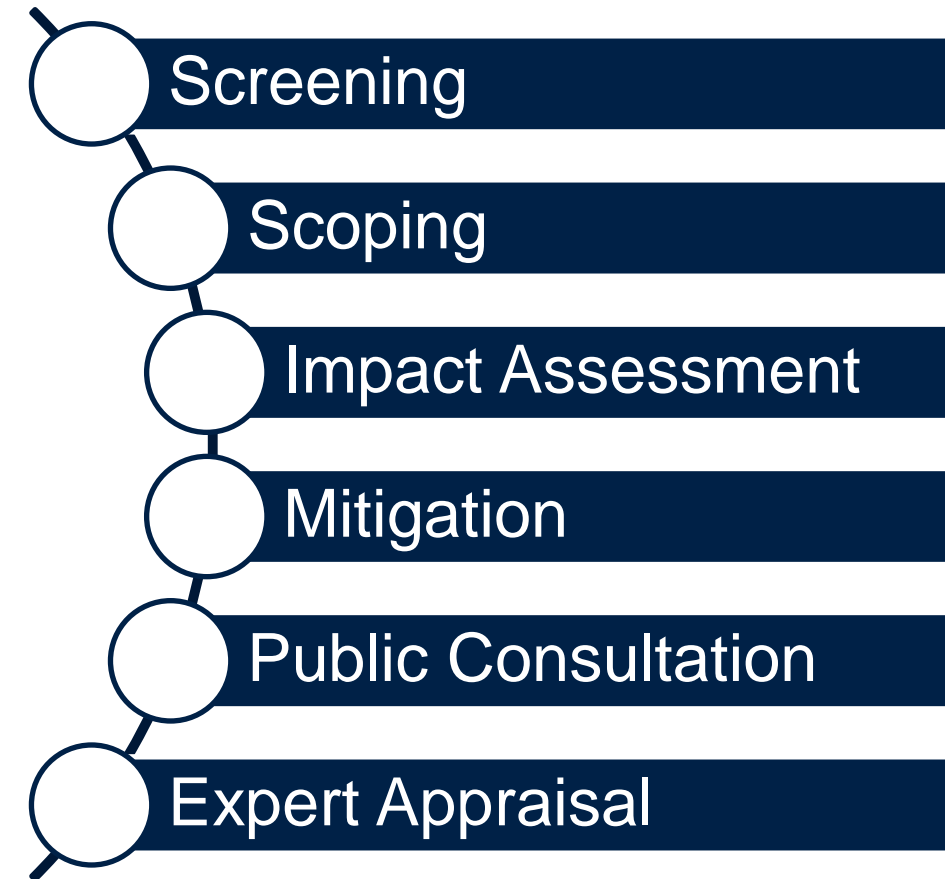
(corpspeed, n.d.)

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PROCESS

▶ **Screening:** The first step is to determine whether a project requires an EIA. This is done by comparing the project to a list of categories of projects (Schedule to the EIA Notification, 2006).

▶ **Scoping:** If a project is required to undergo an EIA, the next step is to conduct a scoping exercise. This involves identifying the key environmental issues that need to be assessed in the EIA. The scoping exercise is typically carried out by a team of experts, in consultation with the public.

▶ **Impact assessment:** Once the key environmental issues have been identified, the EIA team conducts an impact assessment. This involves predicting the likely environmental impacts of the project, both positive and negative. The impact assessment is based on a variety of factors, including the nature of the project, the location of the project, and the existing environmental conditions.

Screening

Scoping

Impact Assessment

Mitigation

Public Consultation

Expert Appraisal

(byju's, n.d.)

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PROCESS

► **Mitigation measures:** The EIA team then develops measures to mitigate or avoid the adverse environmental impacts of the project. These mitigation measures may include things like designing the project in a way that minimizes its environmental footprint, using cleaner technologies, and providing compensation to people who are affected by the project.

► **Public consultation:** The EIA team is required to involve the public in the EIA process. This typically involves holding public meetings and inviting comments from the public on the EIA report.

► **Expert appraisal and environmental clearance:** Once the EIA report is finalized, it is submitted to an Expert Appraisal Committee (EAC) for review. The EAC is a panel of experts who evaluate the EIA report and make recommendations to the government on whether or not to grant environmental clearance for the project. If the EAC recommends granting environmental clearance, the government may do so, subject to certain conditions.

- Screening
- Scoping
- Impact Assessment
- Mitigation
- Public Consultation
- Expert Appraisal

(byju's, n.d.)

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CASE LAW (Nirma Cement Plant in Gujarat)

▶ In 2008, the Nirma Group proposed to build a cement plant in the Mahuva taluka of Gujarat. The project required environmental clearance from the Ministry of Environment, Forest and Climate Change (MoEFCC).

▶ The EIA report for the project identified a number of potential environmental impacts, including air pollution, water pollution, and noise pollution. The report also proposed a number of mitigation measures, such as installing air pollution control equipment and building a wastewater treatment plant.

▶ However, many local residents were opposed to the project, arguing that it would have a negative impact on their health and livelihoods. They also argued that the EIA report had not adequately assessed the potential environmental impacts of the project.

▶ In 2009, the MoEFCC granted environmental clearance for the project, subject to certain conditions. However, the local residents challenged the decision in court.

▶ In 2011, the Supreme Court of India upheld the MoEFCC's decision to grant environmental clearance for the project. However, the Court also imposed a number of additional conditions on the project, such as requiring the Nirma Group to provide compensation to local residents who were affected by the project.

▶ This case study shows that the EIA process can be an effective tool for protecting the environment from the adverse impacts of development projects. However, it also shows that the EIA process can be challenged in court, and that developers may need to take additional steps to mitigate the environmental impacts of their projects.

CASE LAW (Godavari River Inter-linking Project)

▶ The Godavari River Inter-linking Project (GLIP) is a proposed project to link the Godavari River with other rivers in India. The project is aimed at transferring water from surplus river basins to deficit river basins.

▶ The GLIP requires environmental clearance from the MoEFCC. However, the EIA process for the project has been delayed due to a number of challenges, including:

▶ Opposition from local residents: Many local residents are opposed to the project, arguing that it will have a negative impact on their environment, livelihoods, and culture.

▶ Lack of comprehensive EIA: The EIA report for the project has been criticized for being incomplete and for not adequately assessing the potential environmental impacts of the project.

▶ Concerns about cumulative impacts: The GLIP is one of several river inter-linking projects that have been proposed in India. There is concern that the cumulative impacts of these projects could be significant.

▶ The GLIP case study shows that the EIA process can be a complex and challenging process, especially for large and complex projects. It also shows that the EIA process is important for ensuring that the potential environmental impacts of development projects are adequately assessed and mitigated.

CASE LAW (The Silent Valley Project)

▶ The Silent Valley Project was a proposed hydroelectric power project in the Western Ghats of India. The project would have involved the construction of a dam and reservoir, which would have submerged a large area of forest and displaced several villages.

▶ In the early 1980s, a group of environmental activists began to campaign against the Silent Valley Project. They argued that the project would have a devastating impact on the environment and on the lives of the people who lived in the area.

▶ In 1983, the Indian government ordered the suspension of the Silent Valley Project. The government's decision was based on the findings of an EIA, which showed that the project would have a significant negative impact on the environment.

▶ The Silent Valley Project case study is a landmark example of the power of environmental activism and the importance of EIAs. The campaign against the project helped to raise awareness of the importance of environmental protection and led to the development of stronger environmental regulations in India.

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ADVANTAGES

► EIA helps to identify and assess the potential environmental impacts of development projects at an early stage, so that measures can be taken to mitigate or avoid adverse impacts.

► EIA also helps in reduction of cost and time of the proposed project and also improves the design of the proposed project and better planning of the project.

► EIA helps in complete and optimum utilization of the available resources which creates a balance between development and environmental protection in the proposed project.

► EIA promotes public participation in the planning and decision-making process for development projects.

► EIA helps to ensure that environmental considerations are integrated into the development process.

► EIA can help to improve the environmental performance of development projects.

► EIA helps in completing the goal of sustainable development.

(corpspeed, n.d.)

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BACKLOGS

Despite its advantages, the EIA process in India faces a number of challenges, including:

► **Delays in the processing of EIA applications:** The EIA process can be very time-consuming, with projects often taking several months to be approved.

► **Lack of capacity and expertise among the authorities responsible for conducting and evaluating EIAs:** The authorities responsible for conducting and evaluating EIAs are often understaffed and lack the necessary expertise.

► **Poor public participation in the EIA process:** The public is often not adequately involved in the EIA process. This can lead to concerns that the EIA process is not transparent and that the public's views are not being taken into account.

► **Non-compliance with the EIA process by developers:** Some developers do not comply with the EIA process, either deliberately or inadvertently. This can lead to environmental damage, as projects may be implemented without proper environmental safeguards.

(cseindia, n.d.)

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CONCLUSION

► The EIA (Environmental Impact Assessment) Act is an important tool for protecting the environment from the adverse impacts of development projects.

► However, the EIA process in India faces a number of challenges that need to be addressed in order to ensure its effectiveness.

Image Source:
https://blog.ipleaders.in/environmental-impact-assessment-everything-important-you-should-know/

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THANK YOU