EIA 2020 IN. WHY, WE NEED TO WITHDRAW IT, & HOW?

Environmental Impact Assessment is a process of evaluating the likely environmental impacts of a proposed project or development; **In the wake of very evident climate change, India struggles for ecological balance and environmental justice to be discussed at the table.** The EIA 2020 encourages possibilities of taking advantage of the said disparity.

Send your objections at the earliest to the Ministry of Environment, Forest and Climate Change. Wondering what to say? Use the multilingual email copy on we wrote for you.

COLLECTIVE ACTION STRATEGY

Environmental Impact Assessment is a process of evaluating the likely environmental impacts of a proposed project or development, taking into account inter-related socio-economic, cultural and human-health impacts, both beneficial and adverse.

What is EIA 2020?

The union environment ministry unveiled the draft environment impact assessment notification 2020 to replace the 2006 version. The EIA notification governs the environment clearance process for industrial and infrastructural projects.

Why is this needed?

In the wake of very evident climate change and rise of movements like Fridays for Future, many countries shift to policies like Green New Deal and carbon-negative strategies, while India struggles for ecological balance and environmental justice to be discussed at the table. We often witness much lobbying of resources and rushed legislative changes.

The current EIA 2020 encourages possibilities of taking advantage of the same.

All individual practices aimed towards environmental justice and action, we fear, might fail if the legislation takes this massive detrimental step. However, our collective effort could help push forward the need for a better EIA; helping construct better future policies and realities.

Our Objective

Two pronged approach to the systemic environmental crisis in India:

1. Ask for immediate withdrawal of the current draft EIA 2020
2. Ultimately push for better environmental laws in the country through issues raised in the 2024 election cycle.

TARGET
Spread the approach via awareness amongst a maximum & diverse set of people. Together we have more power.

What are we doing?

We are a growing number of a diverse set of collaborators and content creators who want to actively translate complex language into visuals for easier communication.

We are in touch with communities like @letindiabreathe.in, @fridays.for.future.india, @xrebellionind and @extinction_rebellionindia trying to garner collective support and spread the word. Our network grows larger everyday.

We are also collaborating with groups like @yugma_network and other student ambassadors who would like to spread the word through translations, visual memes and other content. All others willing to contribute are welcome.

Why You?

The information is quite complex. We have tried to translate a lot of it visually and are working with language translators to make it more accessible. Our current concern is- How to make information available to an even larger audience? The answer is with you.

How can you engage?

Share our content with friends, family and colleagues. Help by explaining the concern to those who may not be able to read or do not have direct access to our social media channels. An email in various languages is available on (add linktree link here).
Send an email and help others send one too.

If you would like to create content and share, please reach out to us on Instagram. We have made our research open source on <u>our blog</u>, if you would like a reference.

HISTORY & ORIGIN

Post the 1984 Bhopal Gas Tragedy, the outrage and need for accountability towards the environment was recognised.

The current **Environment Protection Law(EPL) was enacted in 1986** "... where as it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property."

The **Environmental Impact Assessment(EIA)** came into being under the EPL in 1994, establishing the legal framework for development projects trying to make use of natural resources of the country.

Divide between Stakeholders

EIA, since the beginning, has been targeted by both the activists and the project developers.
While the activists have found the framework ineffective and lousy.

The project developers have found the paperwork cumbersome and red tapism rampant- slowing down clearances.

The changes offered in the EIA Draft 2020 do the following:

Make the government control discretionary and arbitrary.

Minimizes the role of the communities.

Absolves the project developers of accountability.

Bizarre exemptions or built in systemic loopholes

Although 40 different types of industries have been offered the exemption from the need for a Prior Environmental Clearance and public hearing within predefined industrial estates and parks, this allows for said industries to unfairly leverage the situation.
For eg; *a mining project with an area less than 2 ha would be now exempted. Similarly, bulk drug manufacturing, alkali, skin/hide, solar PV, clay extraction would now fall outside its scope.*
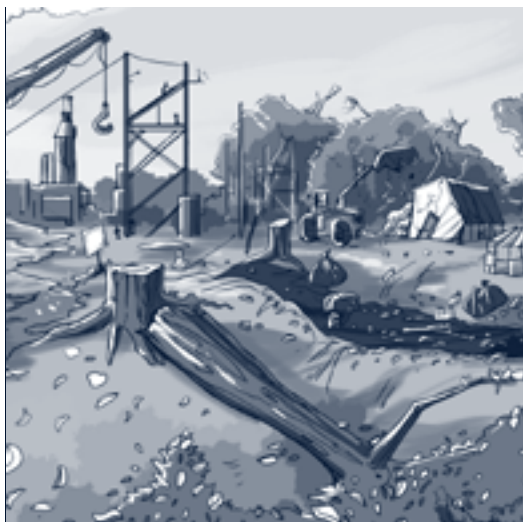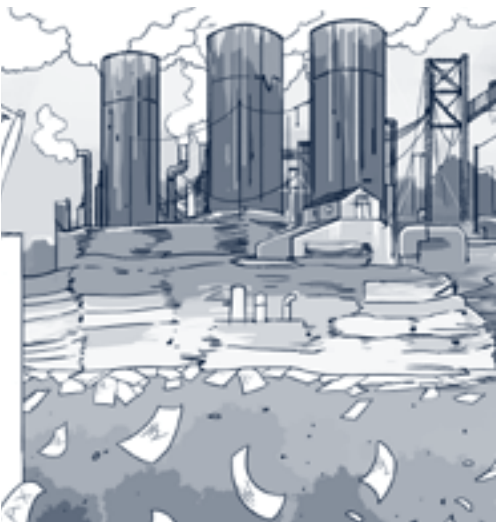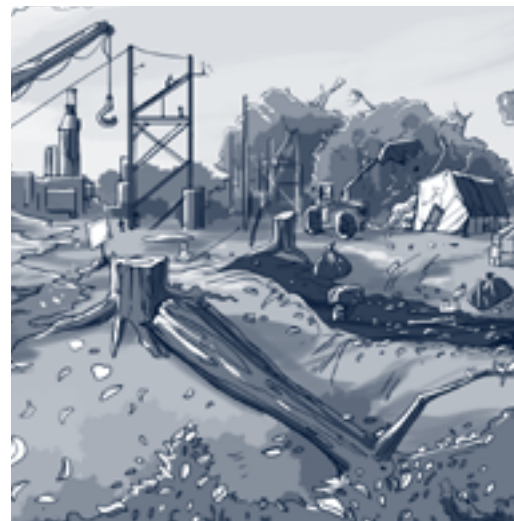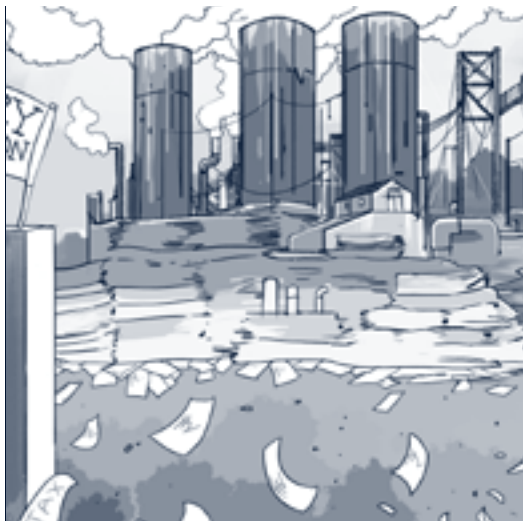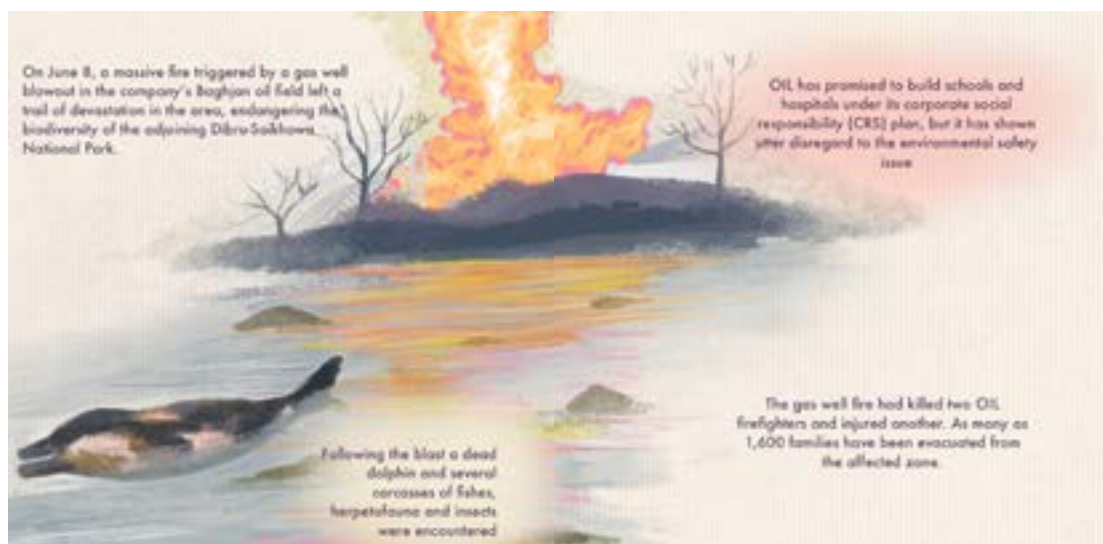
Projects important to defense and security and those requiring "**strategic planning**" would be exempted. The government would get to decide which projects get called "strategic"- and can summarily include or exclude a project on flimsy grounds.

A slew of changes introduced would ensure that coal mining becomes much easier to undertake. ***For eg;*** a mine with an area less than 5 hectares wouldn't need the existing compliances. (the idea is to reduce india's dependency on coal imports and instead make the country self-dependent- at a time when most countries are shifting to renewable sources of energy, India remains nostalgic for a distant past.)

Dilution of process for compliance

For those that will still need to acquire a prior environment clearance, the EIA draft 2020 aims to dilute the process.

Our environment impacts us according to the socio-economic inequality pervasive among us- leaving our most marginalized (read: Adivasis) more vulnerable than the rest of us in times of climate crisis. The people-centered-participatory-governance was hence kept at its core in the original EIA which the new draft seeks to deliberately undermine in the name of "ease of doing business".

Understanding EIA

Why are laws in India anti (some) people?

EIA protects the environment and ensures that natural resources are available to the poorest and whose livelihoods depend on natural resources.

Communities like Adivasis, peasants and coastal and fisher communities will be directly affected by any drastic changes in EIA and will have a direct impact on the living and working conditions of these people and the ecology.

On June 8, a massive fire triggered by a gas well blowout in the company's Baghjan oil field left a trail of devastation in the area, endangering the biodiversity of the adjoining Dibru-Saikhowa National Park.

OIL has promised to build schools and hospitals under its corporate social responsibility (CRS) plan, but it has shown utter disregard to the environmental safety issue.

Following the blast a dead dolphin and several carcasses of fishes, herpetofauna and insects were encountered

The gas well fire had killed two OIL firefighters and injured another. As many as 1,600 families have been evacuated from the affected zone.

Reduction in public access to information and say.

Expansion (10-50%)/ modernization of existing projects will not be covered in the ambit of public consultation, paving way for piecemeal expansion. Communities would no longer be allowed to report on compliances-only the project developers would have the right. Responses to the EIA and copies of public hearing will be accessible to the project developers but may entirely skip the public.
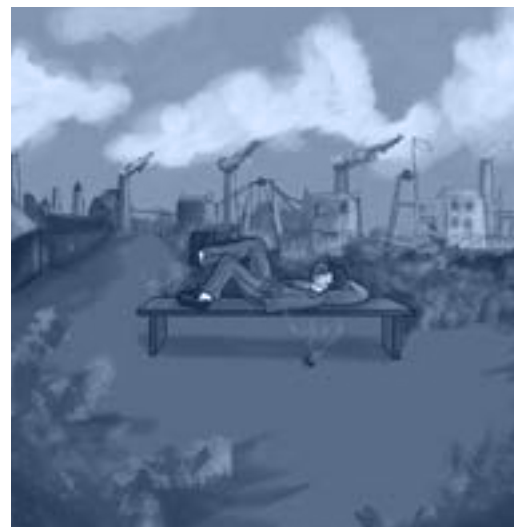
Reduced accountability

It reduces the timeframe for conducting public hearings for such projects from the erstwhile 30 days to 20 now. No means to check the viability of the means of conducting public consultation. Allows the project developers to hire private consultants to prepare EIA reports for public scrutiny- a loophole which may be used to make such reports inaccessible and incomprehensible for local communities. Limiting the information available for public scrutiny.

Monetary settlement for offences, previously deemed illegal.

The assault reaches its crescendo with the monetization of the environmental crimes. Environmental offences that would have attracted strict laws earlier- would now be settled through fines- opening up the provision for capital owners to commit offences and obtain ex-post facto clearances.

It's imperative to remember that earlier, such projects seeking ex-post facto clearances would get cracked down upon by the courts and considered "illegal"— but now they can get legitimacy through EIA fines.

Can this capital buy back the lost environment- flora and fauna, ecological balance and dignity for those rendered homeless?

Projects in the offing being encouraged by new EIA

Dibang Valley

Etalin Hydro Project and Dibang Multipurpose Project

Dehing Patakai Assam

Coal Mining

Mollem National Park

Widening of Railway Line

Our Two Cents

Any law that calls for critical assessment of a project using our natural resources shouldn't be seen as a ***return of the "license raj".***

EIA shouldn't be a code word for the takeover of our environment by the government- the role of the government should be to ***borrow the environment from the communities*** (read: adivasis) ***and lend it to a project developer "worthy" of it- the EIA is an exercise in establishing that "worthiness"***.

An effective EIA wouldn't put complete discretionary powers in the hands of any government- it would ensure that the power gets divided between the state, the center and the district- to keep each other in check.

Currently, activists blame the EIA for breaking the link between the rural economy and our ecology. ***Economic development shouldn't come at the cost of those dependent on land and water for their survival.***

In trying to protect our eco-sensitive areas, ecologies of the cities and urban centers shouldn't be ignored. Lastly, the EIA should be able to give a voice to our communities- without any compromises- to enable them to speak truth to power.

Is the outrage worth the noise?

OIL, whose oil wells blew up in Baghjan, Assam last month, **_skipped public hearings for the extension of its oil exploration and related drilling projects in 2016._** The blowout has already displaced over 7000 people from their homes in nearby villages, killed the biodiversity in the surrounding areas and killed two firefighters.

LG Polymers plant at Vizag that suffered gas leak and killed 12 people in May, '20 — had been operating since 2017 without necessary clearances.

Lives lost, biodiversity ruined and displacement of those dependent for their survival upon forest and water cannot be termed as **_"cost" of economic growth._**

How to share?

On Instagram,
1. Repost content from @materionomics or @themattercollective_
2. Add to our caption or create a unique message for the description.
3. Use relevant hashtags.

You can also share this booklet digitally via WhatsApp, LinkedIn, and over direct messages – inform your friends, family, and colleagues.

Head to linktree to download a copy.

Good Luck!
We hope that together we can make a difference by multiplying forces.

The Matter Collective

Manan/Kamal
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H/Delhi
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Eemon/Delhi   **Vishesh**/Noida

Mudita/Noida/Lucknow   **Astha**/Gangtok

Srajan/Sagar   **Ankur**/Guwahati

Piyush/Kolkata

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Saumya/Australia

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S/Bengaluru
Farzan/Edinburgh   **Sudeshna**/Bengaluru

Ashin/Kozhikode **Sharan**/Coimbatore
A/Kozhikode

M/Kochi

Across India
& the World

A group of us decided to come together to talk about EIA and its many aspects!

To know the learn more, head over to
@themattercollective_ on Instagram
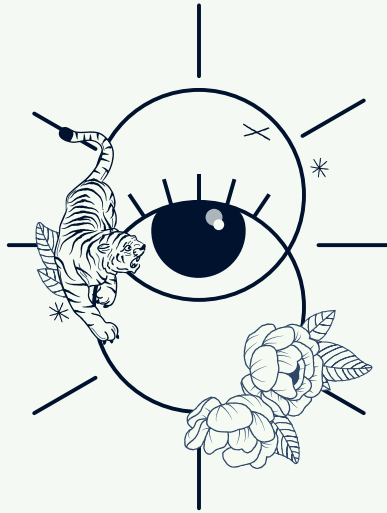
The Matter

A group of individuals and concerned citizens of India, who have come together to implore the government to recall the EIA Draft Notification, 2020 and as per rule 5 of Environmental Protection Law; and share their concerns and suggestions with respect to the same.
In the spirit of their constitutional duty, they are joining forces with other citizens and organizations to **protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures;** as stated in Article 51-A(g) of the Constitution of India.