

IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI

ORIGINAL APPLICATION NO. 148 of 2021

IN THE MATTER OF: -

D. Chandramouleswara Reddy, YSR

and Ors.

.... Applicant(s)

Versus

Union of India and Others

.... Respondent(s)

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Filed by:

Advocate for MoEF&CC

Mob. No.
Email Id

Place:
Dated



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D. Chandramouleswara Reddy, YSR

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COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

MOST RESPECTFULLY SHOWETH: -

MOST RESPECTFULLY SHOWETH:

I, DR. E. AROCKIA LENIN, S/o. J. EMANUVEL, aged about 34 working as 'Scientist C' in the Ministry of Environment, Forest and Climate Change, having office located 3rd Floor, Aranya Bhavan, Saifabad, Telangana, do hereby solemnly affirm on oath and state as under:

1. It is submitted that I am working as 'Scientist C' in the office of the Respondent No.2 and as such am well acquainted with the facts and circumstances of the case on the basis of the records available in my office and am thus duly authorized to file this Affidavit on behalf of the Respondent No. 2 herein, i.e. the Ministry of Environment, Forest & Climate Change (hereinafter referred as answering Respondent). Specifically admitted

hereunder:



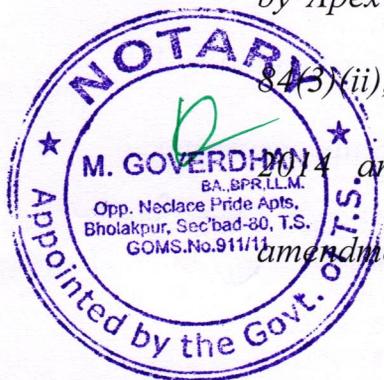
डॉ. इ. आरुकिया लीन/Dr. E. Arockia Lenin
वैज्ञानिक 'सी'/Scientist 'C'
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Ministry of Environment Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, हैदराबाद-500 004.
Integrated Regional Office, Hyderabad-500 004

2. It is submitted that the present Original Application has been filed on account of alleged illegal and unauthorized construction of Palamuru Rangareddy Lift Irrigation Scheme (hereinafter refereed as PRLIS) whereby the alleged inaction of Respondent No. 1, 2, 3 & 4 (inclusive of Ministry of Environment, Forest and Climate Change) to take appropriate action against 5th Respondent Project Proponent (hereinafter referred as 'PP') from proceeding with the PRLIS construction has been challenged. The applicant seeks to direct Respondents 1, 2 & 4 to take immediate action against the 5th Respondent project proponent for constructing PR LIS contrary to the awards of KWDT-I and II and provisions of Act 6 of 2014.

3. It is submitted that the present application has been filed by the applicant seeking:

- i. *To declare the unilateral, indiscriminate, unauthorized construction of PR LIS without any allocation as per the awards of KWDT-I AND II, contrary to the provisions of Sections 84(3)(ii), 85(8)(d) and para 10 of Eleventh Schedule of the Act 6 of 2014 and without final permissions under EIA notification, 2006 dt. 14.09.2006 and its subsequent amendments by the 5th Respondent project proponent, causing serious prejudice to the Applicant farmers and other inhabitants of the 6th Respondent State affecting the rights guaranteed under Article 21 of Constitution of India,*
- ii. *Declare the inaction of Respondents No. 1,2 ,3 & 4 herein to take cation against 5th Respondent project proponent against its unauthorized project i.e., PR LIS without any appraisal by 4th Respondent and CWC and sanction by Apex Council and contrary to the procedure envisaged under Sections 84(3)(ii), 85(8)(d) and para 7 and 10 of Eleventh Schedule of the ACT 6 OF*

2014 and EIA Notification, 2006 dt. 14.09.2006 and its subsequent amendment, prejudicial impact on the Applicant farmers and other



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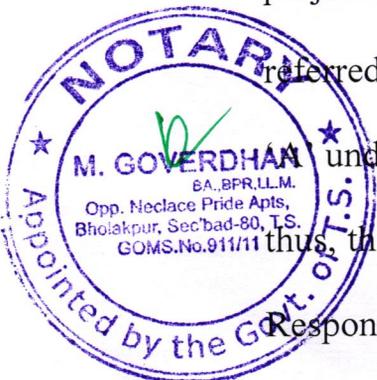
inhabitants of the 6th Respondent depending on water of river Krishna as illegal, arbitrary and unjust.

- iii. *Further prayed to direct Respondents 1, 2 & 4 to take immediate action against the 5th Respondent project proponent for constructing PR LIS contrary to the awards of KWDT-I and II and provisions of Act 6 of 2014.*
- iv. *Direct the respondents to pay the cost of the proceedings.*

4. That the answering Respondent grants Environmental Clearance to Irrigation projects in accordance with the provisions laid down in Environment Impact Assessment Notification, 2006 and its amendments thereof. The EIA Notification, 2006 clearly states the requirement of prior Environmental Clearance (“EC”) before start of any construction work in case of new projects or expansion and modernization of existing projects or activities.

5. It is submitted that the categorization of all the projects and activities are based on the spatial extent of potential impacts and potential impacts on human health and natural and man-made resources. Here it is pertinent to mention that only those projects which fall under Category ‘A’ requires prior Environmental Clearance from the answering Respondent. As per the Schedule appended to the said notification (as amended on), the irrigation projects mentioned at Item no. 1 (c) are covered under Category A, if the culturable command area is more than or equal to 50,000 ha. In light of the above facts, it is submitted that the culturable command area of the instant project namely, the Palamuru Rangareddy Lift Irrigation Scheme (hereinafter referred as PRLIS) is 4, 97,976 ha; accordingly, it is covered under Category

under item no. 1(c) of the Schedule appended to the said Notification and thus, the project requires prior Environmental Clearance from the answering Respondent.



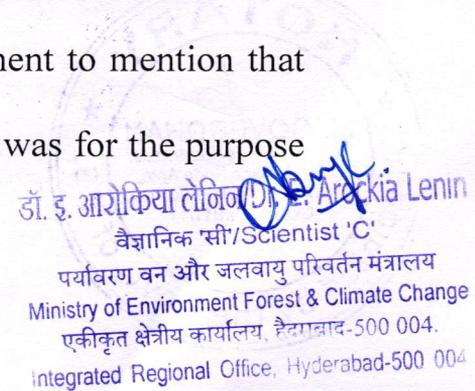
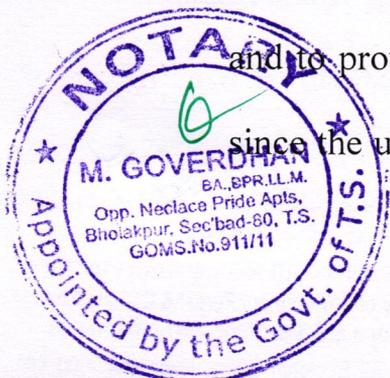
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A copy of the Environment Impact Assessment Notification, 2006 Notification together with the Schedule as amended on 14.08.2018 related to irrigation projects is enclosed as **Annexure R-2/1**.

6. That the Project Proponent vide Proposal No. IA/TG/RIV/67770/2017 dated 04.09.2017 submitted the proposal for grant of Terms of Reference (hereinafter referred as ToR) to conduct EIA study for grant of Environmental Clearance to take up PRLIS for construction of Canal network for Phase II (Irrigation Project). Details of the said Project mentioned in the pre-feasibility report as submitted to the answering Respondent are as follows:

- i. The PRLIS is undertaken by Respondent no. 5 i.e. the Project Proponent for the purposes of drinking, irrigation and industrial use. The scheme has been planned in 2 phases: Phase I (Water Supply Project) and Phase II (Irrigation Project).
- ii. Phase I has been planned with 6 Nos. Of reservoir and 5 Nos. of Lifts for basic human consumption. It was informed that the immediate purpose of the project is to provide water for drinking and industrial uses. Since the water supply project does not fall under the purview of environmental clearance of EIA Notification, 2006, the project work was initiated.
- iii. Phase II being an Irrigation Project, it will require a total of 15,790 ha. land which will be acquired for the construction of various canal network reservoirs.
- iv. The Scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of Srisaillam reservoir on Krishna River through 5 separate stages to provide drinking water facilities and to provide water for industrial use. Here it is pertinent to mention that

since the utilization of the entire 90 TMC of floodwater was for the purpose



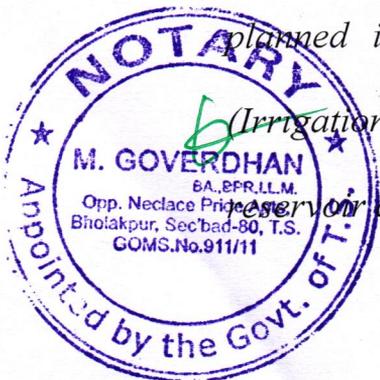
of drinking water facility, covered under Phase I of the project, as projected by the Project Proponent, it stands outside the ambit of EIA Notification, 2006 because of the exemption granted to Drinking water Projects from the requirements of Environmental Clearance.

Moreover, it is worthwhile to note that the Answering respondent received the proposal for grant of ToR specifically for the construction of canal network under Phase II of Irrigation Projects.

7. It is further submitted that during the EAC meeting the project authorities inter-alia informed that:

“...PRLIS is one of the foremost and largest welfare scheme being under taken by the Government to supply clean, potable water to the upland areas of Mahabubnagar, Rangareddy and Nalgonda districts by utilizing excess floodwater. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of the Srisailem project on Krishna river at Yellur (Village), Kollapur (Mandal) in Mahabubnagar (District) through five separate stages ending at K.P. Laxmidevipally (Village), Kondurg (Mandal) near Shadnagar town at the highest elevation. These five stages each comprise a reservoir and conduit between each reservoir for taking the water forward with pump house being constructed wherever necessary. Water will then be drawn from the selected reservoir through a separate canal and pipeline distribution network.

In view of the situation explained above, the scheme has been planned in two phases: Phase-I (Water supply project) and Phase-II (Irrigation project). The Phase-I project has been planned with 6 Nos. of reservoirs and 5 Nos. of lifts for basic human consumption.



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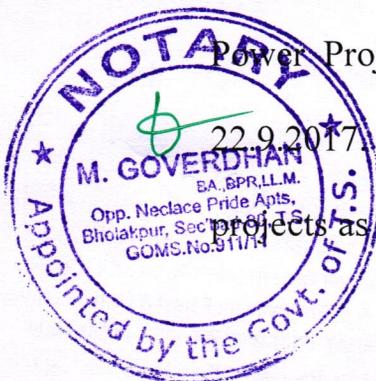
The immediate purpose for the project is to provide water for drinking and industrial uses to the enroute villages and Hyderabad city. Therefore, the 1st Phase of Palamuru-Rangareddy Lift irrigation Scheme envisages to provide drinking water facilities to enroute 1,428 villages in 74 mandals of Mahabubnagar, Rangareddy and Nalgonda district, Hyderabad city and water for industrial uses in Mahabubnagar, Rangareddy and Nalgonda districts by constructing approach channels, open channels, tunnels, pump houses and reservoirs by lifting 90 TMC of flood water in 60 days during flood season (i.e. 1.5 TMC of water per day) from foreshore of Srisailem reservoir located at Yellur (village), Kollapur Mandal in Mahabubnagar district which is the highest elevation in Mahabubnagar and Rangareddy districts with 5 stages of lifting and then utilizing water by gravity. Since the water supply project does not fall under the purview of environmental clearance of EIA Notification, 2006, thus the project work has been initiated to resolve the drought situation on an immediate basis.

In 2nd phase, canal network will be developed from the reservoirs to create irrigation to up land areas of Mahabubnagar, Rangareddy and Nalgonda districts for an ayacut of 4.97,976 ha. Later on, this stored water shall be used for irrigation purposes in various districts through a network of canals. This irrigation project (Phase-II) is Category "A" of River Valley Projects under the provisions of EIA Notification, 2006..."

8. Thereafter, the above proposal was appraised by the Expert Appraisal Committee (hereinafter referred to as EAC) for River Valley & Hydroelectric

Power Projects (RV & HEP) in its Minutes of the 8th Meeting held on

22.9.2017. After detailed deliberations and considering all the facts of the projects as presented by Project Proponent, the EAC recommended for grant



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of scoping/ToR clearance on 11.10.2017 with public consultation for pre-construction activities at the proposed site as per the provisions of the EIA Notification, 2006 and subsequent amendments for the preparation of EIA/EMP report.

The copy of the Minutes of 8th Meeting of the EAC dated 22.09.2017 and copy of the Grant of ToR Letter dated 11.10.2017 is annexed as **Annexure R-2/2** and **Annexure R-2/3** respectively.

9. That it is worthwhile to note that the final EIA/EMP Report has not been submitted by the Project Proponent till date. No final Environmental Clearance has been granted for the project by the Ministry.

10. It is submitted that the said '*Irrigation Project*' (PRLIS) is still under consideration for Environmental Clearance before the answering Respondent.

Further, the Hon'ble NGT (SZ), Chennai in the present matter directed for appointment of a Joint Committee to ascertain the contentions raised in the case and submit a report on the site visit for investigation in connection with PRLIS in Telangana. In compliance with the Hon'ble Tribunal's directions in the matter, a Sr. Officer from MoEF&CC, Regional Office, Hyderabad is a member of the Joint Committee. It is learned that the Joint Committee finalized the Report on 30.09.2021 and submitted it before the Hon'ble NGT on 04.10.2021 based on which Hon'ble Court may decide an appropriate course of action.

11. It is submitted that the present reply affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate

Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.



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12. That other/ancillary issues raised in the application under reply do not pertain to the answering respondent. The answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.

DEPONENT

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Integrated Regional Office, Hyderabad-500 004

VERIFICATION

I, **DR. E. AROCKIA LENIN** the above-named deponent do hereby solemnly affirm and state that the contents of the aforesaid affidavit are true and correct to my personal knowledge and have been derived from the official records maintained by the Respondent. No part of it is false nor has anything material been concealed therefrom.

Verified at **Hyderabad** on this **21 day of December, 2021.**

DEPONENT

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Integrated Regional Office, Hyderabad-500 004

ATTESTED

M. GOVERDHAN
BA., BPR, LL.M.
H. No. 6-4-353/4, (GOMS 911/11)
Opp. Neelace Pride Apts, Bholakpur,
SECUNDERABAD-500 080, T.S.

12 1 DEC 2021



**(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. ^{II} “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

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

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form 1/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 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

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

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 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

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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

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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)
^v 1(a)	(i) Mining of minerals. (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	<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>All projects.</p>	<p><50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease.</p> <p>≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.</p>	<p>General Condition shall apply Note: Mineral prospecting is exempted.”;</p>
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<p>Note Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
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	<p>^v “General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category ‘B’ Projects.”;</p>

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	^v " ≥ 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).";	^v "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

3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects b) Sponge iron manufacturing ≥ 200 TPD c) Secondary metallurgical processing industry All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing <200TPD Secondary metallurgical processing industry i.) All toxic and heavy metal producing units <20,000 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	≥ 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply
4				
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	^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	^v “(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.”	^v “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	^v “General as well as specific condition shall apply.”
5		Manufacturing / Fabrication		
5(a)	Chemical fertilizers	^v “All projects except Single Super Phosphate.”	^v “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	^v “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 outside 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	^v "All projects including airstrips, which are for commercial use."	-	^v "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.	^v "Genral 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

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 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		

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. 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?		

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

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		

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

(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 given 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 give, 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 Prks, Sancturries, Biosphere Reserves, Migratory Corridors of Wile Animals, the project proponenet 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 aubmission 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 proponenet 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.”

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 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 (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 it's 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

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

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 ASSESMENT 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 Irrecoverable 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: • 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

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

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 Panchyats 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**

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

• **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.

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



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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 14 अगस्त, 2018

का. आ. 3977 (अ).—भारत सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के साथ पठित पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के अधीन भारत सरकार के तत्कालीन पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना सं. 1533(अ) तारीख 14 सितंबर, 2006 द्वारा निदेश दिया गया कि इसके प्रकाशन की तारीख से ही उक्त अधिसूचना में सूचीबद्ध नई परियोजनाओं या क्रियाकलापों का अपेक्षित संनिर्माण या विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, जिसमें प्रक्रिया या प्रौद्योगिकी या उत्पाद मिश्रण में परिवर्तन सहित क्षमता वर्धन, इसमें विनिर्दिष्ट प्रक्रिया के अनुसार, यथास्थिति, केंद्रीय सरकार से या उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा सम्यक्तः गठित राज्यस्तरीय पर्यावरण संघात निर्धारण प्राधिकरण द्वारा पूर्व पर्यावरण अनापत्ति के पश्चात् हो, भारत में किसी भी भाग में किया जाएगा ;

उक्त मंत्रालय ने राज्य पर्यावरण समाघात निर्धारण प्राधिकारी (एसईआईएए) और जिला पर्यावरण समाघात निर्धारण प्राधिकारी को पर्यावरण अनापत्ति को प्रदान करने के संबंध में और अधिक शक्तियों के प्रत्यायोजन के लिए अनुरोध को स्वीकार किया है ;

और पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (क) उपबंध करता है कि जहां केंद्रीय सरकार का विचार है कि किसी उद्योग या किसी प्रक्रिया को चलाने या प्रचालन करने पर किसी क्षेत्र के प्रतिपेध या निर्बंधन अधिरोप किया जाना चाहिए तो ऐसे करने के अपने आशय का नोटिस देगी ;

और 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 प्रदत्त शक्तियों का प्रयोग करते हुए, जारी पर्यावरण समाघात निर्धारण अधिसूचना, 2006 में संशोधन करने के लिए ड्राफ्ट अधिसूचना संख्यांक का.आ. 3933(अ) तारीख 18 दिसंबर, 2017 को प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से, जिनके उससे प्रभावित होने की संभावना है, उक्त अधिसूचना के भारत के राजपत्र में प्रकाशन की तारीख साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे ;

और उक्त राजपत्र की प्रतियां जनता को 18 दिसंबर, 2017 को उपलब्ध करा दी गई थी ;

और केंद्रीय सरकार द्वारा पूर्वोक्त वर्णित प्रारूप अधिसूचना पर प्राप्त सभी आक्षेपों और सुझावों पर सम्यक्तः विचार किया गया था ;

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, पर्यावरण समाघात निर्धारण अधिसूचना 2006 में निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की अनुसूची में, मद 1(क), 1(ग) और लघु खनिज के पर्यावरणीय अनापत्ति पर अपेक्षाओं का स्कीम संबंधी प्रस्तुति, जिसके अंतर्गत परिशिष्ट-XI में समूह स्थिति भी है और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

परियोजना या कार्यकलाप		प्रारंभिक सीमा सहित प्रवर्ग		शर्तें यदि कोई हों
		क	ख	
1		खनन, प्राकृतिक संसाधनों का निष्कर्षण तथा विद्युत उत्पादन		(विनिर्दिष्ट उत्पादन क्षमता के लिए)
(क) (1)	(2)	(3)	(4)	(5)
1(क)	(i) खनिजों का खनन (ii) पिच्छल पाइप लाईने (कोयला लिफ्ट और अन्य अयस्क) जो राष्ट्रीय उद्यानों/अभ्यारण्यों /कोरल रीफ, पारिस्थितिकी संवेदी क्षेत्रों से गुजरती है	गैर कोयला खनन पट्टे के संबंध में > हे. खनन पट्टा क्षेत्र कोयला खनन पट्टे के संबंध में > 150 हे. खनन पट्टा क्षेत्र खनन क्षेत्र पर विचार किए बिना अज़ब्रेस्टो का खनन क्षेत्र सभी परियोजनाएं।	गैर कोयला खनन पट्टे के संबंध में < 100 हे. खनन पट्टा क्षेत्र कोयला खनन पट्टे के संबंध में < 150 हे. खनन पट्टा क्षेत्र	सामान्य शर्तें लागू होंगी, सिवाय : (i) प्रवर्ग 'ख2' लघु खनिजों के खनन (25 हेक्टेयर खनन पट्टा क्षेत्र तक) के लिए परियोजना का कार्यकलाप ; (ii) खनन पट्टा क्षेत्र के समूह की दशा में 'ख1' प्रवर्ग के लघु खनिज के खनन की परियोजना और क्रियाकलाप के लिए ; और (iii) अंतरराज्यीय सीमा के कारण नदी तल खनन परियोजनाएं। टिप्पण : (1) खनिज के पूर्वेक्षण को छूट दी गई है। (2) लघु खनिजों, जिनके अंतर्गत समूह अवस्थिति है, के खनन के लिए पर्यावरणीय अनापत्ति की विहित प्रक्रिया परिशिष्ट XI में दी गई है ;
1(ग)	(i) नदी घाटी परियोजनाएं (ii) सिंचाई परियोजना	(i) <50 मे.वा. जल विद्युत उत्पादन (ii) >50,000 हे. खेती योग्य कमान क्षेत्र	(i) >25 मे.वा. और <50 मे.वा.जल विद्युत उत्पादन (ii) >2000 हे और <50,000 हे.. खेती योग्य कमान क्षेत्र सिंचाई प्रणाली (क) लघु सिंचाई प्रणाली (<2000 हे.) (ख) मध्यम सिंचाई	साधारण शर्तें लागू होंगी टिप्पण : (i) एक से अधिक राज्य में आने वाली प्रवर्ग 'ख' नदी घाटी परियोजनाओं का मूल्यांकन केंद्रीय सरकार स्तर पर किया जाएगा ; (ii) किसी विद्यमान परियोजना द्वारा पर्यावरणीय लाभयुक्त सिंचाई प्रौद्योगिकी में परिवर्तन किया जाना (उदाहरणार्थ बाढ़ सिंचाई से ड्रिप सिंचाई) जिसके फलस्वरूप खेती योग्य कमान क्षेत्र में वृद्धि हो, किंतु बांध की ऊंचाई और जलमग्नता में वृद्धि न हो, के लिए पर्यावरणीय स्वीकृति अपेक्षित नहीं होगी।
			इसी की अपेक्षा छूट प्राप्त इएमपी और राज्य स्तरीय	

			प्रणाली (>2000 <10,000 हे.)	(ख2 प्रवर्ग) तैयार करना अपेक्षित।	
			(ग) महा सिंचाई प्रणाली (>10000 से <50000 हे.)	इआईए/इएमपी और राज्य स्तरीय (ख1 प्रवर्ग) तैयार करना अपेक्षित।	

लघु खनिज के पर्यावरणीय अनापत्ति पर अपेक्षाओं का स्कीम संबंधी प्रस्तुति, जिसके अंतर्गत परिशिष्ट-XI में समूह स्थिति भी है

पट्टे का क्षेत्र (हेक्टेयर)	परियोजना का प्रवर्ग	ईआईए/ ईएमपी की अपेक्षा	लोक सुनवाई की अपेक्षा	ईसी की अपेक्षा	कौन ईआईए/ ईएमपी तैयार कर सकता है	ईसी के लिए कौन आवेदन करेगा	ईसी का मूल्यांकन/ स्वीकृति देने के लिए प्राधिकारी	ईसी की अनुपालना की मानीटरी करने के लिए प्राधिकारी
व्यष्टिक खनन पट्टे के आधार पर बालू खनन और अन्य लघु खनिजों के खनन के लिए ईसी प्रस्ताव								
0-5 हे.	'ख2'	प्रारूप-1 एमपीएफआर, डीएसआर और अनुमोदित खनन योजना	नहीं	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	डीईएसी/ डीआईएए	डीईआईए एमआईएए एपीसीबी सीपीसीबी एमओईएफसीसी एमओईएफसीसी अभिकरण द्वारा नामनिर्देशिती
>5 हे. और <25 हे.	'ख2'	प्रारूप-1 पीएफआर और डीएसआर अनुमोदित खनन योजना और ईएमपी	नहीं	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	एसईएसी/ एसईआईएए	
>25 हे. और <100 हे.	'ख1'	प्रारूप-1 पीएफआर और डीएसआर अनुमोदित खनन योजना और ईआईए तथा ईएमपी	हां	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	एसईएसी/ एसईआईएए	
>100 हे.	'क'	प्रारूप-1 पीएफआर और डीएसआर अनुमोदित खनन योजना और ईआईए तथा ईएमपी	हां	हां	परियोजना प्रस्तावक	परियोजना प्रस्तावक	ईएसी/ एमओईएफसीसी	
समूह स्थिति में बालू खनन और अन्य लघु खनिज के लिए ईसी प्रस्ताव								
5 हे. तक खनन पट्टे का समूह क्षेत्र	'ख2'	प्रारूप-1 एमपीएफआर, डीएसआर और अनुमोदित खनन योजना	नहीं	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	डीईएसी/ डीआईएए	डीईआईए एमआईएए एपीसीबी सीपीसीबी एमओईएफसीसी एंजेसी द्वारा नामनिर्देशिती
>5 हे. और <25 हे. के खनन पट्टे के समूह क्षेत्र, >5 हे. के बिना किसी व्यष्टिक पट्टे के	'ख2'	प्रारूप-1 पीएफआर, डीएसआर और अनुमोदित खनन योजना तथा समूह में सभी पट्टों के लिए एक ईएमपी	नहीं	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	डीईएसी/ डीआईएए	

खनन पट्टे के समूह क्षेत्र, >5 हे. के किसी व्यष्टिक पट्टे के साथ	ख 2	प्रारूप-1 पीएफआर, डीएसआर और अनुमोदित खनन योजना तथा समूह में सभी पट्टों के लिए एक ईएमपी	नहीं	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	एसईएसी/ एसईआईएए	
व्यष्टिक पट्टा आकार <100 हे. के साथ >25 के खनन पट्टों का समूह	'ख1'	प्रारूप-1 पीएफआर, डीएसआर और अनुमोदित खनन योजना तथा समूह में सभी पट्टों के लिए एक ईआईए/ईएमपी	हां	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	सीईएसी/ एसईआईएए	
>100 हे. के किसी व्यष्टिक पट्टे के आकार का कोई समूह	'क'	प्रारूप-1 पीएफआर, डीएसआर और अनुमोदित खनन योजना तथा समूह में सभी पट्टों के लिए एक ईआईए/ईएमपी	हां	हां	राज्य, राज्य अभिकरण, परियोजना प्रस्तावकों का समूह, परियोजना प्रस्तावक	परियोजना प्रस्तावक	ईएसी/ एमओईएफसीसी	

[फा. सं. 19-2/2013-आईए. III (पार्ट. II)]

ज्ञानेश भारती, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में का. आ. 1533(अ), तारीख 14 सितंबर, 2006 में प्रकाशित किए गए थे और तत्पश्चात् निम्नलिखित संख्याओं के द्वारा संशोधित किए गए :--

1. का.आ. 1949(अ), तारीख 13 नवम्बर, 2006;
2. का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
3. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 ;
4. का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ;
5. का.आ. 156(अ), तारीख 25 जनवरी, 2012 ;
6. का.आ. 2896(अ), तारीख 13 दिसंबर, 2012 ;
7. का.आ. 674(अ), तारीख 13 मार्च, 2013 ;
8. का.आ. 2204(अ), तारीख 19 जुलाई, 2013 ;
9. का.आ. 2555(अ), तारीख 21 अगस्त, 2013 ;
10. का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ;
11. का.आ. 2731(अ), तारीख 9 सितंबर, 2013 ;
12. का.आ. 562(अ), तारीख 26 फरवरी, 2014 ;
13. का.आ. 637(अ), तारीख 28 फरवरी, 2014 ;
14. का.आ. 1599(अ), तारीख 25 जून, 2014;
15. का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014 ;
16. का.आ. 2600(अ), तारीख 9 अक्टूबर, 2014 ;
17. का.आ. 3252(अ), तारीख 22 दिसंबर, 2014 ;
18. का.आ. 382(अ), तारीख 3 फरवरी, 2015 ;
19. का.आ. 811(अ), तारीख 23 मार्च, 2015 ;
20. का.आ. 996(अ), तारीख 10 अप्रैल, 2015 ;

21. का.आ. 1142(अ), तारीख 17 अप्रैल, 2015 ;
22. का.आ. 1141(अ), तारीख 29 अप्रैल, 2015 ;
23. का.आ. 1834(अ), तारीख 6 जुलाई, 2015 ;
24. का.आ. 2571(अ), तारीख 31 अगस्त, 2015,
25. का.आ. 2572(अ), तारीख 14 सितंबर, 2015,
26. का.आ. 141(अ) 15 जनवरी, 2016,
27. का.आ. 648(अ) तारीख 3 मार्च, 2016 ;
28. का.आ. 2269(अ) तारीख 1 जुलाई, 2016 ;
29. का.आ. 2944(अ), तारीख 14 सितंबर, 2016;
30. का.आ. 3518(अ), तारीख 23 नवंबर, 2016 ;
31. का.आ. 3999(अ), तारीख 9 दिसंबर, 2016;
32. का.आ. 4241(अ), तारीख 30 दिसंबर, 2016; और
33. का.आ. 3611(अ), तारीख 25 जुलाई, 2018 ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 14th August, 2018

S.O. 3977(E).— Whereas, by notification of the Government of India in the erstwhile 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 modernisation of existing projects or activities listed in the Schedule to the said notification entailing capacity addition with change in process or technology 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 said Ministry has received requests, for delegation of more powers to State Environment Impact Assessment Authority (SEIAA) and District Environment Impact Assessment Authority (DEIAA) with respect to grant of Environment Clearances;

And whereas clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 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, a draft notification for making amendments in the Environment Impact Assessment Notification, 2006 in exercise of the powers conferred 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 was published, vide number S.O.3933 (E) dated the 18th December 2017, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of sixty days from the date of publication of said notification in the Gazette of India;

And whereas, copies of the said notification were made available to the public on 18th December 2017;

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 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 clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the Environment Impact Assessment Notification, 2006 namely:-

In the said Notification, in the SCHEDULE, for item 1(a), 1(c), and the Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation in Appendix-XI and entries relating thereto, the following item and entries shall be substituted, namely:

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.	> 100 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.	≤ 100 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) for project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area; and (iii) River bed mining projects on account of inter-state boundary. Note: (1) Mineral prospecting is exempted; (2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI;
1(c)	(i) River Valley projects (ii) Irrigation projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 50,000 ha. of culturable command area	(i) ≥ 25 MW and < 50 MW hydroelectric power generation; (ii) > 2000 ha. and < 50,000 ha. of culturable command area.	General Condition shall apply. Note:- (i) Category 'B' river valley projects falling in more than one state shall be appraised at the central Government Level. (ii) Change in irrigation technology having environmental benefits (eg. From flood irrigation to Drip irrigation etc.) by an existing project, leading to increase in Culturable Command Area but without increase in dam height and submergence, will not require amendment/ revision of EC.
			Irrigation system	Requirement of EC
			(a) Minor Irrigation system (≤ 2000 Ha)	Exempted
			(b) Medium irrigation system (> 2000 and < 10,000 ha.)	Required to prepare EMP and to be dealt at State Level (B ₂ category).

			(c) Major irrigation system (≥10,000 to < 50,000 ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B ₁ category).	
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Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals including cluster situation in Appendix-XI:

Area of Lease (Hectare)	Category of Project	Requirement of EIA / EMP/ DSR	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 –IM, PFR, DSR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB MoEFCC Agency nominated by MoEFCC
> 5 ha and < 25 ha	'B2'	Form –I, PFR, DSR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC / SEIAA	
≥ 25ha and ≤ 100ha	'B1'	Form –I, PFR, DSR and Approved Mine Plan and EIA and EMP	Yes	Yes	Project Proponent	Project Proponent	SEAC / SEIAA	
> 100 ha	'A'	Form –I, PFR, DSR and Approved Mine Plan and EIA and EMP	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, DSR 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, DSR 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 area of Mine leases > 5 ha and < 25 ha with any individual lease > 5 ha	'B2'	Form –I, PFR, DSR 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	SEAC/ SEIAA	

Cluster of mine leases of area ≥ 25 hectares with individual lease size ≤ 100 ha	'B1'	Form -I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	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 > 100 ha	'A'	Form -I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/MoEFCC	

[F. No. 19-2/2013-IA.III (Pt.II)]

GYANESH BHARTI, 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. 1949 (E) dated the 13th November, 2006
2. S.O. 1737 (E) dated the 11th October, 2007;
3. S.O. 3067 (E) dated the 1st December, 2009;
4. S.O. 695 (E) dated the 4th April, 2011;
5. S.O. 156 (E) dated the 25th January, 2012;
6. S.O. 2896 (E) dated the 13th December, 2012;
7. S.O. 674 (E) dated the 13th March, 2013;
8. S.O. 2204 (E) dated the 19th July 2013;
9. S.O. 2555 (E) dated the 21st August, 2013;
10. S.O. 2559 (E) dated the 22nd August, 2013;
11. S.O. 2731 (E) dated the 9th September, 2013;
12. S.O. 562 (E) dated the 26th February, 2014;
13. S.O. 637 (E) dated the 28th February, 2014;
14. S.O. 1599 (E) dated the 25th June, 2014;
15. S.O. 2601 (E) dated the 7th October, 2014;
16. S.O. 2600 (E) dated the 9th October, 2014
17. S.O. 3252 (E) dated the 22nd December, 2014;
18. S.O. 382 (E) dated the 3rd February, 2015;
19. S.O. 811 (E) dated the 23rd March, 2015;
20. S.O. 996 (E) dated the 10th April, 2015;
21. S.O. 1142 (E) dated the 17th April, 2015;
22. S.O. 1141 (E) dated the 29th April, 2015;
23. S.O. 1834 (E) dated the 6th July, 2015;
24. S.O. 2571 (E) dated the 31st August, 2015;
25. S.O. 2572 (E) dated the 14th September, 2015;
26. S.O. 141 (E) dated the 15th January, 2016;
27. S.O. 648 (E) dated the 3rd March, 2016;
28. S.O. 2269(E) dated the 1st July, 2016;
29. S.O. 2944(E) dated the 14th September, 2016;

30. S.O. 3518 (E) dated 23rd November 2016;
31. S.O. 3999 (E) dated the 9th December, 2016;
32. S.O. 4241(E) dated the 30th December, 2016; and
33. S.O. 3611(E) dated the 25th July, 2018.

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Draft minutes of the 8th Meeting of the Expert Appraisal Committee for River Valley and Hydroelectric Projects held on 22.09.2017 at Teesta Meeting Hall, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-3.

The 8th meeting of the re-constituted EAC for River Valley & Hydroelectric Projects was held with the Chairmanship of Dr. Sharad Kumar Jain on 22.09.2017 in the Ministry of Environment, Forest & Climate Change at Teesta Meeting Hall, 1stFloor, Vayu Wing, Ground Floor, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi. The following members were present:

- | | | | |
|-----|-----------------------|---|-------------------------|
| 1. | Dr. Sharad Kumar Jain | - | Chairman |
| 2. | Shri Sharvan Kumar | - | Representative of CEA |
| 3. | Shri N. N. Rai | - | Representative of CWC |
| 4. | Dr. Vijay Kumar | - | Rep. of MoES |
| 5. | Dr. A. K. Sahoo | - | Representative of CIFRI |
| 6. | Dr. R. Vasudeva | - | Member |
| 7. | Shri Chetan Pandit | - | Member |
| 8. | Dr. Poonam Kumria | - | Member |
| 9. | Dr. D. M. More | - | Member |
| 10. | Dr. S. Kerketta | - | Member Secretary |

Dr. T.P. Singh, Dr. S.R. Yadav, Dr. J.A. Johnson, Dr. J.P. Shukla and Dr. Govind Chakrapani could not present due to pre-occupation. The deliberations held and the decisions taken are as under:

Item No. 8.0 Confirmation of minutes of 7th EAC meeting.

The Minutes of the 7th EAC (River Valley & Hydroelectric Projects) meeting held on 11.07.2017 were confirmed.

Item No. 8.1 Kynsi Stage-I (270 MW) in West Khasi Hills & South West Khasi Hills of Meghalaya, M/s Athena Kynsi Power Private Ltd. – **For consideration of Fresh TOR.**
Proposal No. IA/ML/RIV/67978/2017

The Project Proponent (PP) and the Consultant, M/s WAPCOS, Gurgaon and NEHU, Shillong, made a detailed presentation of the project and *inter-alia*, provided the following information:

Government of Meghalaya signed a Memorandum of Agreement (MOA) with M/s Athena Power Projects Ltd (APPL) (PP) on 11.12.2007, wherein PP has been entrusted to develop the Kynshi Stage I HEP. The PP has formed a SPV (Special Purpose Vehicle) namely Athena Kynshi Power Private Limited (AKPPL) as per terms and conditions of MoA for implementation of Kynshi - Stage I HEP. The MoA was amended on 11.02.2010. The project has been granted Concurrence by Central Electricity Authority (CEA) in March, 2015.

The Dam site is located at latitude 25°26'46.81"N and longitude 91°12'44.83"E on Kynshi river 3 km upstream of Nongmawpon village and about 25 km from Nongstoin, District Headquarters West Khasi Hills District. An underground Power House is located at latitude 25°23'34"N and longitude 91°08'46"E on Kynshi river near Nongsummer village in South West Khasi Hills District and is about 65 km from Nongstoin.

Kynshi-I HEP (2x135 MW) has been contemplated as a ROR scheme with small reservoir capacity of 1.57 MCM situated in the West Khasi Hills district of Meghalaya. Dam site is located on River Kynshi, down streams of confluence of Umkyrtha River with Kynshi River. The Project will utilize a gross head of 581.00 m and design discharge of 54.86 cumecs for annual energy generation at 90% dependable year of 1078.22 million units (MU). The Project comprises a 58.10m high Concrete Gravity dam with a centrally located spillway comprising of five (5) NOF blocks and a centrally located Breast wall type Spillway having 5 bays each of size 8.50 m (w) x 11.00 m (h). All the bays have been provided with radial gates.

It is proposed to divert the Kynshi River during dam construction by using a 4.0 m diameter horse shoe shaped diversion tunnel of length 564.91 m on the right bank. The Water Conductor System (WCS) consists of an intake channel, which takes off from the left flank of the dam. The channel is 15.0 m high and has a base width of 5.0 m. The channel is designed to carry the design discharge in a slope of 1:824 over a length of 412.32 m. The intake channel feeds two surface de-silting basins of size 12.0 m (w) x 21.75 m (h) x 200.0 m (l). The de-silting basins will flush out the silt-laden water back to the river through flushing tunnels. The Head Race Tunnel measuring 4.5 m diameter horse shoe shape carries silt free water for power generation over a total length of 6,893.62 m. The headrace tunnel at its end has an 8.5 m diameter vertical simple surge shaft of over-flowing type of height 67.50 m. A 3.6 m diameter circular pressure shaft of length 1,855.29 m with a vertical shaft of 453.11 m takes water from the surge shaft to an underground powerhouse for power generation. The underground powerhouse complex comprises Machine Hall cavern and transformer-cum draft tube gate cavern. The machine hall (power house) cavern will be of 86.78 m (l) x 21.0 m (w) x 42.50 m (h) and will have 2 units of vertical axis Pelton turbines, each of 135 MW. The 166.66 MVA generator transformers (GT) and 420 kV Gas Insulated Switchgear (GIS) will be accommodated in a separate transformer cavern located 42.50m downstream of powerhouse cavern. The overall size of transformer cavern is 85.98 m (l) x 16.0 m (w) x 28.0 m (h). Main Access Tunnel (MAT) shall be of 8.0 m diameter, 1,369.28 m long to provide access to power house and transformer caverns. Two tail race tunnels of 7.6x5.0 m size of rectangular channels of length 42.50 m from draft tube to the gate and 5.25 m diameter horse shoe shaped tunnels till the junction of the two tail race tunnels. One 5.25 m diameter horse shoe shaped tunnel of length 2500.0 m from the junction point to outfall at left bank of Kynshi river. The generated energy will be pooled to CTU (Central Transmission Utility) designated pooling point through one dedicated 400 kV DC Transmission Line.

The catchment area up to the dam site has been estimated to be 615.4 km². The catchment falls between latitude 25°21'48"N to 25°36'15"N and longitude 91°12'12"E to 91°42'26"E. Long term rainfall data since 1980 is available at one station viz. Nongstoin only. The Long term run off series for Kynshi Stage- I Hydro Electric Project was formulated and the methodology and the series was cleared by CWC vide letter No. CWC No. 2/MEG/05/CEA/08-PAC/963-65 dated 08.02.2012. Based on the water availability series cleared by CWC, the 90% dependable year is 2006-07 and based on this, Power Potential studies have been carried out for the Project.

Since, the hydraulic head in case of Kynshi Stage I HEP is more than 30.0 m, accordingly it has been design to safely pass the probable maximum flood. The value of design flood is estimated to be 6,283cumecs. In view of the above, conservative value of design flood of 6,885 cumecs has been adopted and the design flood studies have been examined by CWC and design flood of 6,885 cumecs has been approved by CWC vide letter No. 2/MEG/05/CEA/08-PAC/5813-15 dated 18.07.2011.

A total of 246.71 ha of land to be required for the project. The detailed legal status of land to be acquired is not known. There is no National Park, Wildlife Sanctuary or nature/biosphere reserve within or in close proximity to the Project area of Kynshi Stage I HEP. Trees and shrubs are present in the proposed submergence area. Human settlements containing dwellings, houses or hamlets are scanty in the submergence area and in the location of project components. However, Relief & Rehabilitation measures to be adopted shall be in line with the established policies and norms of relevant authorities.

The project cost is estimated to about Rs. 2,020.47 Crores at September 2014 price level and the completed cost is about Rs. 3154.38 Crores. Kynshi Stage-I Hydro Electric Project shall be completed in 60 months time with the first unit to be commissioned at the end of the 59th month and the subsequent unit in the 60th month. The 1st year tariff and levelised tariff have been worked out to be Rs. 7.96 kWh and Rs. 7.16 kWh, respectively.

After deliberations and considering all the facts of the project as presented by the PP, the EAC **recommended for grant of scoping clearance/ToR** for the proposed project with the following additional conditions along with standards ToR:

- i. The legal status of land is to be submitted including proof of application for diversion of forestland for non-forest purpose within three months from the date of grant of ToR, to the Ministry.
- ii. Provision of e-flow as per standard ToR should be ensured for the sustenance of aquatic life in the downstream river.
- iii. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- iv. Information on species composition in particular to fish species from any previous study/literature should be included.
- v. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- vi. Resettlement & Rehabilitation Plan – should be implemented in collaboration with the State Govt. as approved by the State Govt.
- vii. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.

Item No. 8.2 Kaith Medium Irrigation Project (CCA 5,135 ha), Water Resources Department, Govt. of Madhya Pradesh - **For consideration of Fresh TOR.** Proposal No. IA/MP/RIV/67810/2017

The Project Proponent (PP) made a presentation of the project and *inter-alia*, provided the following information:

Kaith Medium Irrigation Project was started with a view to construct storage reservoir across Kaith River, a tributary of Sonar River in Dhasan-Ken Basin in the block Rehli of Sagar District. The project is planned to irrigate 5,135 ha of land with annual irrigation potential of 5,135 ha. It is a Category "B" project, but as the SEIAA in the state is not in operation, it is being appraised at Central level for grant of ToR.

The Kaith Gravity Dam is situated near Village Hanouta Khurd in Tehsil Rehli of District Sagar in Madhya Pradesh at Latitude 23°40'35"N and Longitude 78°55'25"E. The Kaith gravity dam is of length 600 m. The central concrete spillway is of 41 m long having capacity to pass the flood discharges of 1,164 Cumecs and routed flood discharge of 850.724 Cumecs. 3 Nos. of Radial gates of size 10×6m are proposed over the crest level and one will be standby. Non-over flow dam is 15.00 m on left and 15.00 m on right flank with maximum height 13.40 m above foundation. Similarly, another dam viz., Narayan storage earthen dam on Jharo nallah shall be constructed. The dam height is 18.14 m and length is 240 m. One Narayanpura subsidiary bund of height 14.21 m and length of 660 m has been proposed. Another Hanouta Khurd subsidiary bund has been proposed of height 7.16 m and length 630 m.

It has been further submitted that the irrigation development of Sagar district is below the state's average figure. Crop cultivation is totally dependent on rainfall and on the vagaries of monsoon. Providing irrigation will improve the economic condition of the farmers and result in efficient utilization of soil and water resources of the region. State and region are experiencing erratic rainfall, which has further worsened the situation. Fertile land is available in Rehli Tehsil where reliable irrigation system can make a great difference and yield of crop may increase many fold. Thus, this will result in overall development of the region. Also, during summer season, the ground water table goes deep and the region suffers from the acute shortage of drinking water. Creation of water bodies and developing irrigation systems in the region will result in the recharge of groundwater and improvement in ecology and will have a great positive impact on the environment and wildlife of the region.

The catchment area of the Kaith Gravity Dam is 78.50 km². The Submergence area for Kaith gravity dam at FRL is 450.18 ha (Govt. land: 48 ha, Private land: 322.268 and Forest land: 79.912 ha). By considering the upstream, downstream uses, proposed irrigation demand and water for domestic and industrial use and sediment storage, etc. the gross storage of the Kaith gravity dam shall be 22.117 MCM. The live Storage capacity of the Kaith gravity dam is 21.967 MCM out of which 1 MCM is reserved for drinking water. The total utilization for the 75% dependable year (2004-05) shall be 20.967 MCM for irrigation and 1 MCM for drinking and industrial uses.

The estimated cost of the project is Rs. 162.47 crores. The project shall be completed in 24 months. The cost per hectare on CCA is Rs. 3.164 Lakhs and cost per hectare on annual irrigation is Rs. 2.38 Lakhs with a B.C. Ratio of 1.65. It will generate employment potential during construction period. 346 Nos. persons from 142 families in 3 villages are affected due to the project.

After deliberations and considering all the facts of the project as presented by the PP, the EAC **recommended for grant of scoping clearance/ToR** for the proposed project with the following additional conditions along with standards ToR:

- i. A certificate will be submitted from CWC that utilization of water by this project will not affect the viability of the Ken-Betwa Link project, within six months from the date of grant of ToR.
- ii. Provision of e-flow as per standard ToR should be ensured for the sustenance of aquatic life in the downstream river.
- iii. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- iv. Total power requirement to be provided and its firm linkage to be supported with documents.
- v. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month.
- vi. Detailed information on species composition in particular to fish species from any previous study/literature should be included.
- vii. A detailed irrigation management plan should be worked out so that at least 10% of the CCA would be covered by micro irrigation scheme.
- viii. Resettlement & Rehabilitation Plan – should be implemented in collaboration with the State Govt. as approved by the State Govt.
- ix. Energy Conservation Plan is to be implemented as envisaged in the EIA / EMP report.
- x. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.
- xi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- xii. The possibility of conjunctive irrigation may also be considered in the project right from the formulation stage. A detailed irrigation management plan should be worked out so that mixed irrigation (lift and flow) scheme be taken up to reduce power consumption with water account.

Item No. 8.3 Extension, Remodeling and Modernization of Kosi Canal System, Rampur district, Utter Pradesh by M/s Water Resources Department, Government of Utter Pradesh –**for Fresh TOR**

The Project Proponent (PP) and the Consultant, M/s Enviro Infra Solutions Pvt. Limited, Ghaziabad, made a presentation of the project and *inter-alia*, provided the following information:

The project is for extension /remodeling /modernization of Kosi canal system taking off from Lalpur weir across Kosi river in Rampur district of Uttar Pradesh and is under jurisdiction of the Irrigation Department, Uttar Pradesh. Built in 1895, by the then Nawab of Rampur, it encompasses a 272m long weir structure on well foundation for diverting water into Kosi canal by means of falling wooden shutters. The canal, authorized head discharge 400 cusec,

comprises of 197.63 km long distribution system to cater to CCA of 24,250 ha with annual proposed Kharif and Rabi being 15% and 12%, respectively. The irrigation intensities were subsequently raised to 32% and 25% during 1975 when the supplies were augmented from Tumariya dam through Bhalla-Kosi Feeder to the tune of 250 cusec. A single lane steel road bridge, connecting to Tanda, was subsequently added to the weir in 1932. During 1988 the piers of few bays of the weir developed serious cracks since then the bridge has been closed for heavy vehicular traffic. The road bridge on the weir is vital lifeline between Rampur to Tanda. The falling shutters, which invariably drop during first flood during July, also lower the pond level and consequently render the weir unable to divert the required/authorized discharge into canal and the system does not get sufficient water for Kharif irrigation, although the flow passes over the crest to the downstream without being diverted. The shutters are again enacted only after monsoon during October when river supplies are low and water becomes available in canals. Thus, Rabi irrigation is also adversely affected.

Against the irrigation intensities of 32% and 25% during Kharif and Rabi, respectively, an average Kharif and Rabi potential achieved is 6,184 ha (26%) and 5,825 ha (24%), respectively. Being more than 122 years old and after having withstood the on-slaught of fury of historical floods in 1924 (0.94 lakh cusec), in 1947 (0.69 lakh cusec) and 2010 (1.278 lakh cusec) and many flash floods, the weir had been under severe stress with its few bays, wells and downstream floor getting scoured, damaged and cracks have appeared in the downstream floor and piers and frequent boiling was encountered in the downstream bays. Damages observed from 1969 revealed that the structure of Lalpur weir has outlived its useful life because some of the damages cannot be repaired and are of permanent type. Therefore, immediate construction of a new replacement barrage on the downstream was vehemently and urgently required to obviate any unfortunate situation of the sudden failure of the structure, thereby dislodging altogether the irrigation facilities in the command area of the age old system and leaving the farmers hapless. The maintenance of the old weir had become quite costly proposition and the danger of its collapse was looming large. In the wake of aforementioned technical grounds and to ward of the most frightening exigency of the irrigation system being severely affected, it is, judicious and prudent to construct a new barrage on war footing in lieu of more than century old weir well in advance before any calamity happens.

The old weir had been in precarious condition for long and its sudden washing out would have created damage to the downstream, therefore, it has been dismantled in the year 2016 in a scientific and phased manner except for the wells which are below the riverbed level. The single lane bridge has also been razed to the ground and the work of construction of a new bridge at the same site by the PWD is in progress. The canal is being run by creating a temporary bund for diverting the water and shall be fed so till the ongoing work of diversion barrage on downstream, in such emergent situation, is completed. The project envisages construction of replacement barrage and appurtenant works in lieu of age-old Lalpur weir, which has been dismantled now. It also involves remodeling of canal and distribution system to cope of with the increase in discharge from 400 cusecs to 600 cusecs, with increase in FSL at existing head regulator from 194.127 m amsl to 194.600 m amsl, and by adopting to strengthening of banks and lining of bed and sides of canal and

distributaries. Due to remodeling/modernization of canal and distribution system the existing irrigation intensities of 32% (7,760 ha) and 25% (6,063 ha) during Kharif and Rabi, respectively shall be increased to 55% (13,337 ha) and 35% (8,487 ha), respectively. The ERM project shall comprise of the following components:

- 352.02 m long gated barrage comprising of two under sluices on left and right flank each with two bays of 18m width with crest level 191.25 m amsl and gate size 18x5.35 m; 13 barrage bays of 18 m width each with crest level at 191.25 m amsl, with gate size 18x4.35m, designed for PMF (5,313 cumec).
- A fish ladder (1.5x1.5 m) in the left side divide wall.
- Left bank head regulator with two bays of 3 m each separated by 1.5 m wide pier with overall waterways of 7.5 m designed for 600 cusecs (16.98 cumec).
- Right bank head regulator for 150 cusecs, for irrigating command on right bank in future, shall be concurrently constructed to obviate construction complexities in future.
- Guide bunds with top width 6m and side slope 2:1, with river face pitched with 0.5 m thick paneled boulder pitching over 0.15 m sand over geo-synthetic sheet with toe wall having 3rows of boulder filled G.I. wire crates (1.5x1.5x0.9 m) shall be provided.
- The existing Lalpur-Roohella bund on left flank shall function as left afflux bund. However, right afflux bund with top width of 8 m and side slope 2:1, shall be provided as double lane approach road.
- Construction of link canal (5 km) from left head regulator with canal bed level at head 193 m amsl.
- C.C. (M-15) cast in-situ lining, over PCC laid on HDPE sheet, side and bed in full length of link channel and selective reaches of Upper Kosi canal, Lower Kosi canal, Khandia dy., Bagi dy., Param dy. And Patwai dy. shall be provided in 5.0, 5.9, 5.9, 8.2, 5.7, 2.23 and 7.3 km, respectively.

For construction of the new headwork and appurtenant works, afflux bunds at Nabiganj village, about 147.36 ha land will be required of which 119.85 ha shall be acquired from private owners and balance 27.51 ha shall be the revenue land. No diversion of forestland is involved. No archaeological monument of national importance either lies in the project area or in its submergence area. No National Park, Sanctuary, Defense Establishments, Archeological Monuments, Notified Eco-sensitive areas or protected area under Wildlife (Protection) Act exist within the project area or within 15 km distance from it. The water requirement (100 kld) for construction shall be mainly met from the river water and the domestic/drinking water from underground sources from nearby private tube well. The total raw material requirement for coarse and fine aggregate and boulder comes to 0.61 lakh cum, 0.37 lakh cum and 0.32 lakh cum, respectively, which shall be met from the approved stone crushers in nearby areas. About 200 persons shall be employed during peak construction phase. The project is likely to be completed in time frame of three years.

The competent authority has accorded technical sanction of INR 23,631.77 lakh to the project, while during appraisal the EFC has accorded sanction for Rs. 21,635.90 lakh only. Therefore, in pursuance of philosophy behind the EIA Notification, dated 14.09.2006 and its subsequent amendments, it is

imperative to bring the ERM project, an infra-structure project for irrigation of command of age-old Kosi canal system, which used to take off from old Lalpur weir which has been dismantled now, in compliance with the environmental laws at the earliest.

After deliberations and considering all the facts of the project as presented by the PP, the EAC **recommended for grant of scoping clearance/ToR** for the proposed project with the following additional conditions along with standards ToR:

- i. As the proposed project is for extension, remodeling and modernization of existing Kosi Canal System, at least two seasons (including monsoon season) base line data shall be collected for various environmental parameters for preparation of the EIA/EMP report.
- ii. As the barrage is 5 m height with minor pondage, dam break analysis of the barrage is not required.
- iii. Provision of e-flow should be ensured for the sustenance of aquatic life in the downstream river.
- iv. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- v. Total power requirement to be provided and its firm linkage to be supported with documents.
- vi. Information on species composition in particular to fish species from any previous study/literature should be included.
- vii. The possibility of conjunctive irrigation may also be considered in the project right from the formulation stage. A detailed irrigation management plan should be worked out so that mixed irrigation (lift and flow) scheme be taken up to reduce power consumption with water account.
- vi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.

Item No. 8.4 Palamuru Rangreddy Lift Irrigation Scheme, CAD and Irrigation Department, Government of Telengana, Telengana – **for fresh Scoping clearance**

The Project Proponent (PP) and the Consultant, M/s Voyants Solutions Pvt. Ltd, Gurgaon, made a presentation of the project and *inter-alia*, provided the following information:

The erstwhile Mahabubnagar, Rangareddy and Nalgonda Districts of Telangana State are the worst drought prone and distressed areas in the country. There is tremendous shortage of drinking water, as these areas are infested by fluoride. As a result, a large part of the population of the districts is being forced to migrate to other part of the country. In order to redress this situation, the Government of Telengana has taken up the Palamuru-Rangareddy Lift irrigation Scheme (PRILS) for alleviation the misery of these drought prone areas.

PRLIS is one of the foremost and largest welfare scheme being under taken by the Government to supply clean, potable water to the upland areas of Mahabubnagar, Rangareddy and Nalgonda districts by utilizing excess flood

water. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the fore shore of the Srisailem project on Krishna river at Yellur (Village), Kollapur (Mandal) in Mahabubnagar (District) through five separate stages ending at K.P. Laxmidevipally (Village), Kondurg (Mandal) near Shadnagar town at the highest elevation. These five stages each comprise of a reservoir and conduit between each reservoir for taking the water forward with pump house being constructed wherever necessary. Water will then be drawn from selected reservoir through a separate canal and pipeline distribution network.

In view of the situation explained above, the scheme has been planned in two phases: Phase-I (Water supply project) and Phase-II (Irrigation project). The Phase-I project has been planned with 6 Nos. of reservoir and 5 Nos. of lifts for basic human consumption.

The immediate purpose for the project is to provide water for drinking and industrial uses to the enroute villages and Hyderabad city. Therefore, the 1st Phase of Palamuru-Rangareddy Lift irrigation Scheme envisages to provide drinking water facilities to enroute 1,428 villages in 74 mandals of Mahabubnagar, Rangareddy and Nalgonda district, Hyderabad city and water for industrial uses in Mahabubnagar, Rangareddy and Nalgonda districts by constructing approach channels, open channels, tunnels, pump houses and reservoirs by lifting 90 TMC of flood water in 60 days during flood season (i.e. 1.5 TMC of water per day) from foreshore of Srisailem reservoir located at Yellur (village), Kollapur Mandal in Mahabubnagar district which is the highest elevation in Mahabubnagar and Rangareddy districts with 5 stages of lifting and then utilizing water by gravity. Since, the water supply project does not fall under the purview of environmental clearance of EIA Notification, 2006, thus the project work has been initiated to resolve the drought situation on an immediate basis.

In 2nd phase, canal network will be developed from the reservoirs to create irrigation to up land areas of Mahabubnagar, Rangareddy and Nalgonda districts for an ayacut of 4,97,976 ha. Later on, this stored water shall be used for irrigation purposes in various districts through a network of canals. This irrigation project (Phase-II) is Category "A" of River Valley Projects under the provisions of EIA Notification, 2006. In addition to the drinking water facility, it is proposed to irrigate in 4,97,976 ha of CCA in the districts of Mahabubnagar, Rangareddy and Nalgonda. A total of 15,790 ha land (detailed legal status of the land on each category has not been provided) will be acquired for construction various canals network, reservoir, temporary labourers colonies, etc. No forestland is involved in the proposed project. During construction of the project, 2,700 KLD of water shall be consumed for both construction and drinking purposes and shall be drawn from surface body and groundwater. 2,944 MW of electricity will be required and M/s Telengana State Southern Power Distribution Company Limited (TSSPDCL) shall supply the same.

The Govt. of Telengana has accorded the administrative approval vide letter dated 10.06.2015 to both the projects i.e. Phase-I and Phase-II for Rs. 35,200 crores. The project is likely to be completed in 30 months including the pre-construction activities. Considering all the benefits and costs incurred on all components of the project, the BC Ratio works out to be 1.23.

After deliberations and considering all the facts of the project as presented by the PP, the committee had the concerns about Techno-Economic Viability of the project. However, the EAC **recommended for grant of scoping clearance/ToR** for the proposed project with the following additional conditions along with standards ToR:

- i. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of the Srisailem project on Krishna river at Yellur village through five separate stages, ending at K.P. Laxmidevipally village. Therefore, water availability analysis at Yelluru village (point of drawl) during monsoon season is to be submitted to ascertain sufficiency of water available.
- ii. As the area is on fluoride affected zone, therefore, provisions should also be made to recharge the groundwater through proposed reservoirs to dilute fluoride levels.
- iii. Groundwater be treated for removal of fluoride and then the treated water be supplied to the villagers for drinking purposes.
- iv. Provision of e-flow should be ensured for the sustenance of aquatic life in the downstream river.
- v. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- vi. Though, total power requirement has been provided, but its firm linkage is to be supported with documents.
- vii. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month, if any.
- viii. Information on species composition in particular to fish species from any previous study/literature should be included.
- ix. The clearance from Standing Committee of NBWL under the Wildlife (Protection) Act, 1972 should be obtained, as applicable.
- x. Wildlife Conservation plan be prepared for the area located within the project and implemented by the project proponent in consultation with the State Forest Department. Wildlife Conservation plan also to be prepared for the impacted area due to construction of the project falling outside the project area and implemented by the local state Forest Department.
- xi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- xii. Resettlement & Rehabilitation Plan should be implemented as per the prevail guidelines of the Govt. of India .
- xiii. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.

Item No. 8.5 Satdharu Medium lift irrigation project, Government of Madhya Pradesh – **For fresh ToR**

The Project Proponent (PP) made a detailed presentation of the project and *inter-alia*, provided the following information:

Satdharu Medium Tank projects proposed on river Satdharu, a tributary of river Byarma which finally joins river Ken. The Ken river is a tributary of

Yamuna river. The project is situated in Damoh block, Damoh district head and is 20 km away from the district headquarter at Latitude 23°42'36"N and Longitude 79°27'12"E.

The Satdharu dam envisages construction of 24.80 m high and 755 m long earthen dam including 64.5 m long side channel spillway on river Satdharu near village Badyau of Damoh district of Madhya Pradesh. It is designed to store 63.03 MCM live storage of water to provide irrigation in 7,555 ha of CCA through a well-planned network of pressurized pipe irrigation network with an irrigation intensity of 100%. The project is located about 4.5 km distance from Noradehi Wildlife Sanctuary and therefore, it attracts General Condition of EIA Notification, 2006. Thus, it is categorized as Category "A" project.

Provisions of 3.00 MCM for upstream use, 24.03 MCM for Irrigation and 26.46 MCM for domestic water supply for Damoh and adjacent villages have been planned for this project. 9.54 MCM is taken for evaporation losses. There is no intercepted catchment area at Satdharu Dam site and full catchment i.e. 145.68 km² entirely lies in the State of Madhya Pradesh.

The total land of 11290.63 ha shall be submerged at FRL, of which Forestland is 969.19 ha, Culturable land is 117.92 ha, Un-culturable land is 176.85 ha and Revenue land is 26.67 ha. The cost of the project is Rs. 315.65 crore. B.C. ratio is 1.41. During construction of the project, 25 technical personnel and about 100 contractual labourers shall be employed. Total power consumption during construction shall be about 4.350 MW. A total 76 families from 4 villages will be rehabilitated due to this project.

After deliberations and considering all the facts of the project as presented by the PP, the EAC **recommended for grant of scoping clearance/ToR** for the proposed project with the following additional conditions along with standards ToR:

- i. A certificate will be submitted from CWC that utilization of water by this project will not affect the viability of the Ken-Betwa Link project, within six months from the date of grant of ToR.
- ii. Provision of e-flow as per standard ToR should be ensured for the sustenance of aquatic life in the downstream river.
- iii. Though, total power requirement has been provided, but its firm power linkage to be supported with documents.
- iv. Detailed information on species composition in particular to fish species from any previous study/literature should be included.
- v. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- vi. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month.
- vii. Wildlife clearance is to be obtained from the Competent Authority as per the Wildlife (Protection) Act, 1972, as applicable.
- viii. Wildlife Conservation plan be prepared for the area located within the project and implemented by the project proponent in consultation with the State Forest Department. Similarly, wildlife Conservation plan is also to be prepared for the impacted area due to construction of the project falling outside the project area and implemented by the local state Forest Department.

- ix. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- x. Resettlement & Rehabilitation Plan should be implemented as per the prevail guidelines of the Govt. of India.
- xi. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.
- xii. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- xiii. The possibility of conjunctive irrigation may also be considered in the project right from the formulation stage. A detailed irrigation management plan should be worked out so that mixed irrigation (lift and flow) scheme be taken up to reduce power consumption with water account.

Item No. 8.6 Rongnichu Hydroelectric Project (96 MW), East Sikkim, district Sikkim by M/s Madhya Bharat Power Corporation Ltd - **for reconsideration of Extension of Validity of Env. Clearance**
Proposal No. IA/SK/RIV/10100/2006

The project was considered by EAC in its meeting held during 2-3rd March, 2017. The Project Proponent (PP) and the Consultant, M/s Pollution and Ecology Control Services, Nagpur, made a presentation of the project for an extension of validity of Environmental Clearance (EC) and *inter-alia*, provided the following information:

The proposed proposal envisages construction of 14 m high barrage on Rongnichu river (tributary of Teesta river) near Namli village in the district of East Sikkim, Sikkim state having Installed Capacity of 96 MW. This is a run-of-the river scheme. The EC was accorded on 04.04.2007 for a period of 10 years as per the provisions of EIA Notification, 1994 and 2006. The compliance status of the conditions stipulated in EC dated 04.04.2007 for Specific & General Conditions was presented in detailed along with present status of the project with the reasons for delay in its completion within the validity of EC.

The project proponent explained that the land acquisition; obtaining other mandatory clearances including Forest Clearance (FC), etc. and various pre-project activities like financial closure, award of contracts and building road & other infrastructures in mountainous terrain, etc. also took considerable time. Thus, there has been an initial delay of more than 3 years to start the actual construction work after obtaining the EC in April 2007. Further, during excavation of tunnel, extremely poor geology was encountered, this and other geological difficulties of lower Himalayan region resulted in slower pace of work.

The PP further assured the committee that problems have now been over-come and presently, the work is progressing smoothly in all fronts without any hindrance. About 85% underground excavation work and about 50% of concreting work is complete. Electro Mechanical (Power House) and Hydro-Mechanical (Barrage) & Steel lining will commence in April-June, 2017 and it was further mentioned that they are confident of meeting the Scheduled Commissioning date of December 2018 as approved by the Government of

Sikkim. After detailed deliberations and considering all the facts of the project as presented by the PP along the Consultant, the EAC observed that the minor deviations encountered while taking up the project and it may not be treated as violation. It was informed to the EAC that as per OM dated 14.09.2016, a provision of 3 years of extension of validity in case of River Valley & Hydroelectric Power Projects exists.

During appraisal, the Committee observed that the request made by project proponent for validity of extension of EC appears to be reasonable, since the 85% of the underground excavation work and 50% concrete work is complete and the remaining works will be initiated during April-May, 2017, the EAC recommended for extension of validity of EC initially for a period of 6 months in order to facilitate the PP to submit compliance and monitoring report from RO, MoEF& CC, Shillong. Based on the report, the extension for remaining 2 1/2 years could be granted. Accordingly, the Ministry granted 6 months extension of the validity of EC on 16.6.2017.

The PP submitted the monitoring report by RO, MoEF, Shillong (site inspection conducted on 11-12th August, 2017); modified application Form-I and six monthly compliance status report (for the period 1.1.2017 to 30.6.2017) on EC conditions granted for the project. During appraisal the Committee observed that the point-wise compliance conditions as reported by the RO, Shillong, MoEF& CC is found to be satisfactory. Further, now 85% of the underground excavation work and 50% concrete work is complete and the remaining works will be initiated during April-May, 2017. The balance work would now be completed in remaining 2 1/2 years.

After deliberations and considering all the facts of the project as presented by the PP based on the monitoring report on the status of compliance of EC conditions submitted by the Regional Office, MoEF&CC, Shillong. The EAC **recommended for grant of** extension of the validity of EC for the remaining 2 1/2 years with the following additional conditions:

- i. Till the Primary Health Centre are established, a mobile van be provided. It will be equipped with medical health care facilities so that the people of Namil and Namchiong villages would transfer their patients to the nearby District Health Care Centers.
- ii. A plan be prepared with a time-bound implementation programme (both Engineering and biological measures) for stabilization of inactive muck disposal sites and submitted to the Ministry and its Regional Office, Shillong.
- iii. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.

Item No. 8.7 Basaveshwara Lift Irrigation Scheme in Belagavi District of Karnataka by Karnataka Neeravari Ltd., Government of Karnataka - **Reconsideration of Env. Clearance**
Proposal No. IA/KA/RIV/63339/2015

In earlier meeting of EAC held on 12.04.2017, the Project Proponent (PP) and the Consultant, M/s Health and safety Consultant, Bengaluru had made a presentation of the project and *inter-alia*, provided the following information.

The project involves lifting of 4 TMC water from Krishna River in Belgaon District to provide irrigation facility to 27,462 ha benefiting 22 villages Kharif season. The 2.5 TMC of water is proposed to draw through an intake canal for a length of 1.25 m on Krishna River near old Ainapura village in Athani Taluka, which is 20 km away from Athani town. Thereafter, water is to be pumped to the delivery chamber through MS rising main of 15.9 km long. The project has two major gravity canals viz. south canal of 3.68 km long to irrigate 1313 ha & North canal of 59.92 km long to irrigate 26,149 ha. The total land requirement is about 420 ha. No submergence is envisaged in the project. Interstate boundary with Maharashtra is located at a distance of 1 km from the boundary of the command area. The estimate project cost is about Rs. 1,120 Crores.

The Scoping/ToR clearance was granted on 17.11.2015 for a period of 3 years. The Public Hearing was conducted in Ainapur village, Athani Taluk, Bagalkot District on 10.2.2017. PP informed that all the issues raised during the Public Consultation have been incorporated in the EIA/EMP report. The socio-economic impact assessment was carried out separately and report was also submitted. Thereafter, the final EIA/EMP reports were submitted to the Ministry for environment clearance.

The project was earlier considered by EAC in its meetings held on 12.04.2017 and 24-25th August, 2017. The various environmental aspects covering catchment area, submergence area and project influence area, i.e. area within 10 km radius from main project components have been considered. The baseline data has been collected covering Physico-chemical aspects, biological aspects and socio-economic aspects. Three seasons' data have been collected for air, noise, water, soil and ecological aspects. Impacts during construction and operation phases have been assessed and mitigation measures suggested minimizing the anticipated impacts. The EMP has been prepared based on predicted impact, actual requirement and incorporating suggestions of local people, stakeholders with the details as under:

Table: Cost estimates for implementation of EMP

Sl. No.	EMP heads	Cost (Rs. in lakhs)
A. Construction Phase		
1.	Air Pollution Control	26.00
2.	Noise Pollution Control	0.50
3.	Water Pollution Control	1.50
4.	Solid & Hazardous Waste Management	3.00
5.	Greenbelt Development	243.77

6.	Agro Forestry Activities	27.46
7.	Fisheries Development	10.00
8.	Socio-economic Environment	9395.00
9.	Environmental Monitoring	55.40
10.	Implementation of CAT plan	968.00
B. Operation Phase		
10.	Environmental Monitoring	11.52
11.	Greenbelt Maintenance	30.00
Total		10,772.15

After detailed deliberations and considering all the facts of the project as presented by the PP, the EAC sought additional information and PP submitted the compliance report and the same and has been presented during 7th EAC meeting held on 24-25th August, 2017. The EAC satisfied with the report, however, EAC opined that the PP constructing a project from his own funds results in avoidance of examination by the CWC for hydrology, and for interstate aspect. Vetting by CWC for these two aspects is essential. Therefore, it was decided that even if the PP is to construct the project from his own funds, EC will be given only after PP produces the clearance from CWC for hydrology and interstate aspect. PP has not obtained the clearance from CWC for hydrology and inter-state aspect. Therefore, the Committee advised the PP to obtain the same.

Based on the query raised by EAC, the PP submitted a letter enclosing CWC guidelines of 2017 wherein, it has been mentioned that –

“Environmental clearance is one the pre-requisite for examination of the DPR for issue of CWC clearance. Further, the Technical Advisory Committee (TAC) of CWC will not appraise the project for CWC clearance until submission of environmental clearance”

After deliberations and considering the facts of the project as presented by the PP, the Committee again reiterated that since the PP is constructing this project from his own funds, it is not being examined by the CWC for hydrology, and for interstate aspect. The Committee opined that such examination by CWC for these two aspects is essential and would be helpful for all concerned. Therefore, it was decided that, even if, the PP is to construct the project from his own funds, EC will be given only after PP produces the clearance from CWC for hydrology and interstate aspect.

As clearances from CWC for hydrology and inter-state aspect have not been obtained, the Committee **deferred the proposal** and advised the PP to obtain the same. Thereafter, the proposal will be reconsidered in a subsequent EAC meeting.

Item No. 8.8 Veerabhadreshwara Lift Irrigation Scheme in Bagalkot District of Karnataka by Karnataka Neeravari Ltd., Government of Karnataka - **Reconsideration of Environment Clearance.**

In the meeting of EAC held on 12.04.2017, the Project Proponent (PP) and the Consultant, M/s Health and safety Consultant, Bengaluru made a presentation of the project and *inter-alia*, provided the following information:

The project involves lifting of 2.5 TMC water from Ghataprabha River in Bagalkot District (Karnataka), to provide irrigation to 17,377 ha of land. This project is likely to benefit 34 villages during Kharif season (June-September). The 2.5 TMC of water is proposed to draw through an intake canal for a length of 100m on Ghataprabha River. Thereafter, the water is proposed to be pumped to delivery chamber through MS raising main of 7.6 km length. The project has two major gravity canals, viz. Hosakoti canal of 13 km long to irrigate 5,900 ha & Sallahalli canal of 20 km long to irrigate 11,477 ha. The project also proposes to fill 10 Minor Irrigation Tanks within the command area. The total land requirement is about 125 ha. The estimated project cost is Rs. 544 crores.

The Scoping/ToR clearance was granted on 17.11.2015 for a period of 3 years. The Public Hearing was conducted at Killa Hosakoti Village, Mudhol Taluk, Bagalkot District on 13.1.2017 and at Boodaanur Village, Belagavi District on 7.2.2017 of Karnataka state. PP informed that all the issues raised during the Public Consultation have been incorporated in the EIA/EMP report. The socio-economic impact assessment was carried out separately and report was also submitted. Thereafter, the final EIA/EMP reports were submitted to the Ministry for environment clearance.

The project was earlier considered by EAC in its meetings held on 12.04.2017 and 24-25th August, 2017. The various environmental aspects covering catchment area, submergence area and project influence area, i.e. area within 10 km radius from main project components have been considered. The baseline data has been collected covering Physico-chemical aspects, biological aspects and socio-economic aspects. Three seasons' data have been collected for air, noise, water, soil and ecological aspects. Impacts during construction and operation phases have been assessed and mitigation measures suggested minimizing the anticipated impacts. The EMP has been prepared based on predicted impact, actual requirement and incorporating suggestions of local people, stakeholders with the details as provided in the table below:

Table: Cost estimates for implementation of EMP

Sl. No.	Environmental Management Plan	Cost (Rs.in lakhs)
A. Construction Phase		
1.	Air Pollution Control	28.6
2.	Noise Pollution Control	0.25
3.	Water Pollution Control	1.75
4.	Solid & Hazardous Waste Management	2.45
5.	Greenbelt Development	1273.00
6.	Agro Forestry Activities	17.40
7.	Fisheries Development	10.00
8.	Socio-economic Environment	1977.00

9.	Environmental Monitoring	45.88
10.	Implementation of CAT plan	1885.00
B. Operation Phase		
10.	Environmental Monitoring	10.74
11.	Greenbelt Maintenance	30.00
Total		5,282.00

After detailed deliberations and considering all the facts of the project as presented by the PP, the EAC sought additional information and PP submitted the compliance report and the same and has been presented during 7th EAC meeting held on 24-25th August, 2017. The EAC was satisfied with the report. However, EAC opined that since the PP is constructing the project from his own funds, it results in avoidance of examination by the CWC for hydrology, and for interstate aspect. Vetting by CWC for these two aspects is important and essential. Therefore, it was decided that even if the PP is to construct the project from his own funds, EC will be given only after PP produces the clearance from CWC for hydrology and interstate aspect. PP has not obtained the clearance from CWC for hydrology and inter-state aspect. Therefore, the Committee advised the PP to obtain the same.

Based on the query raised by EAC, the PP submitted a letter enclosing CWC guidelines of 2017 wherein, it has been mentioned that –

“Environmental clearance is one the pre-requisite for examination of the DPR for issue of CWC clearance. Further, the Technical Advisory Committee (TAC) of CWC will not appraise the project for CWC clearance until submission of environmental clearance”

After deliberations and considering the facts of the project as presented by the PP, the Committee again reiterated that the PP constructing a project from his own funds results in avoidance of examination by the CWC for hydrology, and for interstate aspect. The Committee opined that CWC gives clearances at various stages and vetting by CWC for these two aspects is helpful and essential. Therefore, it was decided that, even if, the PP is to construct the project from his own funds, EC will be given only after PP produces the clearance from CWC for hydrology and interstate aspect.

As clearances from CWC for hydrology and inter-state aspect have not been obtained, the Committee **deferred the proposal** and advised the PP to obtain these clearances from CWC. Thereafter, the proposal will be reconsidered in a subsequent EAC meeting.

Item No. 8.9 Additional Study for Cumulative Impact Assessment & Carrying Capacity Study (CIA & CCS) of Lower Subansiri Basin in Arunachal Pradesh – **Presentation before EAC.**

The Consultant, M/s IRGS who prepared the CIA and CCS report could not be present and sought leave of absence from the meeting. Therefore, the proposal has been deferred to the next EAC meeting.

Item No. 8.10 Standardization of Environmental Clearance conditions of River Valley projects - **Presentation before EAC.**

As per the decision taken in the Ministry, standardization of Specific EC conditions for River Valley Projects has been presented before the EAC by the EAC secretariat. After deliberations and considering the presentation made by the EAC Secretariat, the Committee decided that the standardization of Specific EC conditions for River Valley Projects may be circulated again to all the Members so that they may offer their comments. The matter shall be considered again in the next EAC meeting. The proposal has accordingly been **deferred**.

Item No. 8.11 Any other item with the permission of the Chair

As, there was no Agenda Item left for discussion, the meeting ended with thanks to the Chair.

Subject: **Approved minutes - 8th meeting (RVH)**
To: "Dr S. Kerketta" <s.kerketta66@gov.in>,
"Dr S. Kerketta" <suna1466@rediffmail.com>

Date: 09/29/17 09:33 AM
From: Sharad Jain <s_k_jain@yahoo.com>
Reply-To: Sharad Jain <s_k_jain@yahoo.com>

8th_EAC_Meeting_22.09.2017_Approved minutes.docx (95kB)

Dear Dr Kerketta,

I am sending the approved minutes of the 8th meeting of EAC (RVH). I assume that all the data and information reported in the minutes has been carefully checked by you and is correct.

Regards,

Sharad Jain
NIH Roorkee

No.- J-12011/31/2017-IA-I (R)
Ministry of Environment, Forests and Climate Change
Government of India
[IA-I Division]

Indira Paryavaran Bhawan
3rd Floor, Vayu Wing
Jor Bagh Road
New Delhi-110003

Dated: 11th October 2017

To
Shri V. Lingaraju
Chief Engineer
Irrigation and CAD Department
Government of Telangana,
5th Floor, Jalasoudha Building, Erramanzil,
Hyderabad - 500082

Subject: **Palamaru Rangareddy Lift Irrigation Scheme in Mahabubnagar, Rangareddy & Nalgonda Districts of Telangana by Irrigation and CAD Department, Government of Telangana - TOR - regd.**

Sir,

This has reference to your letter No. CE/PRLIS/DCE/O.T-1/T.S1/2215 dated 28.8.2017 on the above-mentioned subject.

2. The above proposal was appraised by the Expert Appraisal Committee (EAC) for River Valley & Hydroelectric Power Projects (RV & HEP) in its 8th meeting held on 22.9.2017. The comments and observations of EAC may be seen in the Minutes of the meeting that are available on the Ministry's website.

3. It was noted that the scheme in its first phase envisages lifting of 90 TMC of flood water in 60 days during the flood season from the fore shore of the Srisaillam reservoir on Krishna river at Yellur (V), Kollapur (M) in Mahabubnagar (D) through 5 separate stages to provide drinking water facilities to enroute 1428 villages in 74 mandals of Mahabubnagar, Rangareddy and Nalgonda Districts, Hyderabad City and also envisages to provide water for industrial use in Mahabubnagar, Rangareddy and Nalgonda Districts. The Cultural Command Area (CCA) is 4,97,976 ha. The total land requirement for the project is 15,790 ha. There is no displacement as no habitation is coming under submergence.

4. In 2nd phase, canal network will be developed from the reservoirs to create irrigation to up land areas of Mahabubnagar, Rangareddy and Nalgonda districts for an ayacut of 4.97,976 ha. Later on, this stored water shall be used for irrigation purposes in various districts through a network

①



of canals. In addition to the drinking water facility, it is proposed to irrigate in 4,97,976 ha of CCA in the districts of Mahabubnagar, Rangareddy and Nalgonda. A total of 15,790 ha land will be acquired for construction various canals network, reservoir, temporary labourers colonies, etc. No forestland is involved in the proposed project.

5. The proposed project is located at a distance of 11.95 km from the core of Amrabad Tiger Reserve, 2.56 km from the buffer and 1.56 from the proposed Eco-Sensitive Zone (ESZ) of Amrabad Tiger Reserve. The total cost of the project is about Rs. 35,200 Crores and likely to be completed in 30 months.

6. Based on recommendations of the EAC, the Ministry of Environment, Forest & Climate Change, hereby accords a fresh clearance for pre-construction activities at the proposed site as per the provisions of the Environmental Impact Assessment Notification, 2006 and subsequent amendment, 2009 along with the following Terms of Reference (ToR) for the preparation of EIA/ EMP report:

- a) The EIA/EMP report should contain the information in accordance with provisions & stipulations as given in the **Annexure-I**.
- b) The consultant engaged for preparation of EIA/EMP report has to be registered with Quality Council of India (QCI/ NABET under the scheme of Accreditation & Registration of MoEF. This is a pre-requisite.
- c) Consultant shall include a "Certificate" in EIA/EMP report regarding portion of EIA/EMP prepared by them and data provided by other organisation(s)/ laboratories including status of approval of such laboratories.
- d) The draft EIAA/EMP report prepared as per **Annexure-I** should be submitted to the State Pollution Control Board Committee concerned for conducting Public Consultation as per the provisions stipulated in EIA Notification of 2006. Public Hearing, which is a component of Public Consultation, shall be held district wise at the site or in its close proximity as prescribed in Appendix (IV) of EIA Notification, 2006. The draft EIA/EMP report is to be submitted to SPCB etc. sufficiently before the expiry of the ToR validity so that necessary amendments in EIA/EMP can be undertaken based on public hearing and the same is submitted to MoEF&CC before expiry of validity.
- e) The PP has disclosed during the TOR presentation that Monsoon season data has been collected in 2017 for this project and requested the EAC to accept the same for use in the EIA/EMP report. The committee accepts that the Monsoon data collected can be included in the EIA/EMP report.
- f) All issues discussed in the Public Hearing / Consultations should be addressed and incorporated in the EIA/EMP report. Final EIA/EMP report should be submitted to the Ministry for Environmental

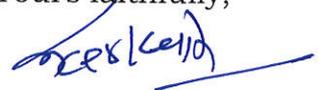
(2)

Clearance only after incorporating these issues before the expiry of validity of ToR.

- g) The ToR will remain valid for a period of 4 years from the date of issue of this letter for submission of EIA/EMP report along with public consultation. The ToR will stand lapsed on completion of 4 years in case final EIA/EMP is not submitted and the validity is not extended.
- h) In case of any change in the scope of the project such as capacity enhancement, change in submergence, etc., fresh scoping clearance has to be obtained by the project proponent.
- i) The PP should submit a copy of TEC of the DPR along with EIA/EMP report.
- j) Information pertaining to Corporate Environmental Responsibility and Environmental Policy shall be provided in the EIA/EMP Report as per this Ministry's OM No. J-11013/25/2014-IA-I dated 11.08.2014 (Reference as **Annexure-II**)
- k) The EIA/ EMP report must contain an Index showing details of compliance of all TOR conditions. the Index will comprise of page no. etc., vide which compliance of a specific ToR is available. It may be noted that without this index, EIA/ EMP report will not be accepted.
- l) In case the validity is to be extended, necessary application is to be submitted to Regulatory Authority before expiry of validity period together with an updated Form-I based on proper justification.

This has approval of the Competent Authority.

Yours faithfully,


(Dr. S. Kerketta)

Director

Copy to:

1. The Secretary, Ministry of Water Resources, Shram Shakti Bhawan, Rafi Marg, New Delhi - 1.
2. The Principal Secretary (Irrigation), Government of Telangana, Secretariat, Hyderabad - 500 001.
3. The Secretary, Department of Environment & Forest, Government of Telangana, Secretariat Hyderabad - 500 022.
4. The Chief Engineer, Project Appraisal Directorate, Central Water Commission, Sewa Bhawan, R. K. Puram, New Delhi - 110 066.
5. The Addl. PCCF (C), Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), 1st and 2nd Floor, Handloom Expert Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai - 600 034.

(3)



6. The Member Secretary, Telangana State Pollution Control Board,
Paryavaran Bhawan, Industrial Estate, Sanath Nagar, Hyderabad.
7. Guard File.


(Dr. S. Kerketta)

Director

TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR 'A' CATEGORY RIVER VALLEY PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

(1) Scope of EIA Studies

The EIA Report should identify the relevant environmental concerns and focus on potential impacts that may change due to the construction of proposed project. Based on the baseline data collected for three (3) seasons (Pre-monsoon, Monsoon and winter seasons), the status of the existing environment in the area and capacity to bear the impact on this should be analyzed. Based on this analysis, the mitigation measures for minimizing the impact shall be suggested in the EIA/EMP study.

(2) Details of the Project and Site

- General introduction about the proposed project.
- Details of project and site giving L.-sections of all U/S and D/S projects of River with all relevant maps and figures. Connect such information as to establish the total length of interference of Natural River and the committed unrestricted release from the site of diversion into the main river.
- A map of boundary of the project site giving details of protected areas in the vicinity of project location.
- Location details on a map of the project area with contours indicating main project features. The project layout shall be superimposed on a contour map of ground elevation showing main project features (viz, location of dam, Head works, main canal, branch canals, quarrying etc.) shall be depicted in a scaled map.
- Layout details and map of the project along with contours with project components clearly marked with proper scale maps of at least a 1:50,000 scale and printed at least on A3 scale for clarity.
- Existence of National Park, Sanctuary, Biosphere Reserve etc. in the study area, if any, should be detailed and presented on a map with distinct distances from the project components.
- Drainage pattern and map of the river catchment up to the proposed project site.
- Delineation of critically degraded areas in the directly draining catchment on the basis of silt Yield Index as per the methodology of All India Soil and Land Use Survey of India.
- Soil characteristics and map of the project area.
- Geological and seismo-tectonic details and maps of the area surrounding the proposed project site showing location of dam site and canal site.
- Remote Sensing studies, interpretation of satellite imagery, topographic sheets along with ground verification shall be used to develop the land use/land cover pattern of the study using overlaying mapping techniques viz. Geographic Information System (GIS), False Color composite (FCC) generated from satellite data of project area.
- Land details including forests, private and other land.

- Demarcation of snow fed and rain fed areas for a realistic estimate of the water availability.

(3) Description of Environment and Baseline Data

To know the present status of environment in the area, baseline data with respect to environmental components air, water, noise, soil, land and biology & biodiversity (flora & fauna), wildlife, socio-economic status etc. should be collected with 10 km radius of the main components of the project/site i.e. dam site and power house site. The air quality and noise are to be monitored at such locations which are environmentally & ecologically more sensitive in the study area. The baseline data should be collected for 3 seasons (Pre-Monsoon, Monsoon and Post Monsoon seasons). Flora/fauna in the catchment area and command area should be documented. The study area should comprise of the following:

- Catchment area up-to the darn site.
- Submergence Area
- Project area or the direct impact area should comprise of area falling within 10 km radius from periphery of reservoir, land coming under submergence and area downstream of dam

(4) Details of the Methodology

- The methodology followed for collection of base line data along with details of number of samples and their locations in the map should be included.
- Study area should be demarcated properly on the appropriate scale map.
- Sampling sites should be depicted on map for each parameter with proper legends.
- For forest classification, Champion and Seth (1968) classification should be followed.

(5) Methodology for collection of Biodiversity Data

- The number of sampling locations should be adequate to get a reasonable idea of the diversity and other attributes of flora and fauna. The guiding principles should be the size of the study area (larger area should have larger number of sampling locations) and inherent diversity at the location, as known from secondary sources (e.g. eastern Himalayan and low altitude sites should have a larger number of sampling locations owing to higher diversity).
- The entire area should be divided in grids of 5km X 5km preferably on a GIS domain. There after 25% of the grids should be randomly selected for sampling of which half should be in the directly affected area (grids including project components such as reservoir, clam, powerhouse, tunnel, canal etc.) and the remaining in the rest of the area (areas of influence in 10 km radius form project components). At such chosen location, the size and number of sampling units (e.g. quadrats in case of flora/transects in case of fauna) must be decided by species area curves and the details of the same (graphs and cumulative number of species in a tabulated form) should be provided in the EIA report. Some of the grids on the edges may not be completely overlapping with the study area boundaries. However these should be counted and considered for selecting 25% of the grids. The number of grids to be surveyed may come out as a

decimal number (i.e. it has an integral and a fractional part) which should be rounded to the next whole number.

- The conventional sampling is likely to miss the presence of rare, endangered and threatened (R.E.T.) species since they often occur in low densities and in case of faunal species are usually secretive in behavior. Reaching the conclusion about the absence of such species in the study area based on such methodology is misleading. It is very important to document the status of such species owing to their high conservation value. Hence likely presence of such species should be ascertained from secondary sources by a proper literature survey for the said area including referring to field guides which are now available for many taxonomic groups in India. Even literature from studies/surveys in the larger landscapes which include the study area for the concerned project must be referred to since most species from adjoining catchments is likely to be present in the catchments in question. In fact such literature from the entire state *can* be referred to. Once a listing of possible R.E.T. species from the said area is developed, species specific methodologies should be adopted to ascertain their presence in the study area which would be far more conclusive as compared to the conventional sampling. If the need be, modern methods like camera trapping can be resorted to, particularly for areas in the eastern Himalayas and for secretive/nocturnal species. A detailed listing of the literature referred to, for developing lists of R.E.T. species should be provided in the EIA reports.
- The R.E.T. species referred to in this point should include species listed in Schedule I and II of Wildlife (Protection) Act, 1972 and those listed in the red data books (BSI, ZSI and IUCN).

(6) Components of the EIA Study

Various aspects to be studied and provided in the EIA/EMP report are as follows:

A. Physical and Chemical Environment

(i) Geographical, Geological & Geophysical Aspects and Seismo-Tectonics:

- Physical geography, Topography, Regional Geological aspects and structure of the Catchment.
- Tectonics, seismicity and history of past earthquakes in the area. A site specific study of the earthquake parameters will be done. The results of the site specific earthquake design shall be sent for approval of the NCSDP (National committee of Seismic Design Parameters, Central water commission, New Delhi. for large dams.
- Landslide zone or area prone to landslide existing in the study area should be examined.
- Presence of important economic mineral deposit, if any.
- Justification for location & execution of the project in relation to structural components (dam height).
- Impact of project on geological environment.

(ii) Meteorology, Air and Noise:

- Meteorology (viz. Temperature, Relative humidity, wind speed/direction etc.) to be collected from nearest IMD station.

(7)

- Ambient Air Quality with parameters viz. suspended particulate matter (SPM), respirable suspended particulate matter (RSPM) i.e. suspended particulate matter <10 microns, sulphur dioxide (SO₂) and oxide of Nitrogen (NO_x) in the study area at 6 locations.
- Existing noise levels and traffic density in the study area at 6 locations.

(iii) Soil Characteristics

- Soil classification, physical parameters (viz., texture, porosity, bulk density and water holding capacity) and chemical parameters (viz. pH, electrical conductivity, magnesium, calcium, total alkalinity, chlorides, sodium, potassium, organic carbon, available potassium, available phosphorus, SAR, nitrogen and salinity, etc.) (6 locations).

(iv) Remote sensing and GIS Studies

- Generation of thematic maps viz., slope map, drainage map, soil map, land use and land cover map, etc. Based on these, thematic maps, an erosion intensity map should be prepared.
- New configuration map to be given in the EIA Report.

(v) Water Quality

- History of the ground water table fluctuation in the study area.
- Water quality for both surface water and ground water for (i) Physical parameters (pH, temperature, electrical conductivity, TSS); (ii) Chemical parameters (Alkalinity, Hardness, BOD, COD, NO₂, PO₄, Cl, SO₄, Na, K, -Ca, Mg, Silica, Oil & Grease, phenolic compounds, residual sodium carbonate); (iii) Bacteriological parameter (MPN, Total conform) and (iv) Heavy Metals (Pb, As, Fig, Cd, Cr-6, total Cr, Cu, Zn, Fe) (6 locations).
- Delineation of sub and micro-watersheds, their locations and extent based on the All India Soil and Land Use Survey of India (AISLUS), Department of Agriculture, Government of India. Erosion levels in each micro-watershed and prioritization of micro-watershed through silt yield index (SYI) method of AISLUS

B. Water Environment and Hydrology

- Hydro-Meteorology of the project viz. precipitation (snowfall, rainfall), temperature, relative humidity, etc. Hydro-meteorological studies in the catchment area should be established along-with real time telemetry and data acquisition system for inflows monitoring.
- Run off, discharge, water availability for the project, etc.
- Basin characteristics.
- Catastrophic events like cloud bursts and flash floods, if any, should be documented.
- For estimation of Sedimentation Rate, direct sampling of river flow is to be done during the EIA study. The study should be conducted for minimum 1 year actual silt flow rate to be expressed in ha-in km² year-1.
- Sedimentation data available with CWC may be used to find out the loss in storage over the years.
- Set-up G&D monitoring station in the catchment area for collecting data during the investigation.
- Flow series, 10 daily with 90%, 75%, and 50% dependable years discharges.

- A table of 10 daily water discharge in 75% dependable year showing the intercepted discharge at the barrage, diversion for irrigation, environmental and other flow releases downstream of the barrage shall be included in the EIA report.
- Environmental flow release would be 20% of average of four consecutive months of 90% dependable year in lean season, 25% in non-monsoon & non-lean season and 30% in monsoon to be followed corresponding to 90%dependable year. A site specific study on minimum environment flow should be carried out
- Hydrological studies/data as approved by CWC shall be utilized in the preparation of ETA/EMP report. Actual hydrological annual yield may also be given in the report.
- A minimum of 1 km distance from the tip of the reservoir to the tail race tunnel should be maintained between upstream and downstream projects.

C Biological Environment

Besides primary studies, review of secondary data/literature published for project area on flora & fauna including RET species shall be reported in EIA/EMP report

(i) Flora

- Characterization of forest types (as per Champion and Seth method) in the study area and extent of each forest type as per the Forest Working Plan.
- Documentation of all plant species i.e. Angiosperm, Gymnosperm, Pteridophytes, Bryophytes (all groups). All species list should be provided.
- General vegetation profile and floral diversity covering all groups of flora including *lichens* and orchids. A species wise list may be provided.
- Assessment of plant species with respect to dominance, density, frequency, abundance, diversity index, similarity index, importance value index (WI) , Shannon Weiner index etc. of the species to be provided. Methodology used for calculating various diversity indices along with details of locations of quadrates, size of quadrates etc. to be reported within the study area in different ecosystems.
- Existence of National park, Sanctuary, Biosphere Reserve etc in the study area, if any, should be detailed.
- Economically important species like medicinal plants, timber, fuel wood etc.
- Details of endemic species found hi the project area.
- Flora under RET categories should be documented using International Union for the Conservation of Nature and Natural Resources (IUCN) criteria and Botanical Survey of India's Red Data list along-with economic significance. Species diversity curve for RET species should be given.
- Cropping pattern and Horticultural Practices in the study area.
- Biodiversity study shall be carried out by associating a reputed organization as per the list of such institutes is available on Moef & CC website.

(ii) Fauna:

- Fauna study and inventerisation should be carried out for all groups of animals in the study area. Their present status along with Schedule of the species.
- Information (authenticated) on Avi-fauna and wildlife in the study area.
- Status of avifauna their resident/ migratory/ passage migrants etc.
- Documentation of butterflies, if any, found in the area.

- Details of endemic species found in the project area.
- RET species-voucher specimens should be collected along-with GPS readings to facilitate rehabilitation. RET faunal species to be classified as per IUCN Red Data list and as per different schedule of Indian Wildlife (Protection) Act, 1972.
- Existence of barriers and corridors, if any, for wild animals.
- Compensatory afforestation to compensate the green belt area that will be removed, if any, as part of the proposed project development and loss of biodiversity.
- Collection of primary data on agricultural activity, crop and their productivity and irrigation facilities components.

D Aquatic Ecology

- Documentation of aquatic fauna like macro-invertebrates, zooplankton, phytoplankton, benthos etc.
- Fish and fisheries, their migration and breeding grounds.
- Fish diversity composition and maximum length & weight of the measured populations to be studied for estimation of environmental flow.
- Conservation status of aquatic fauna.
- Sampling for aquatic ecology and fisheries must be conducted during the 3 seasons – Pre-monsoon (summer), monsoon and winter. Sizes (length & weight) of important fish species need to be collected and breeding and feeding grounds should be identified along the project site or in vicinity.

E Socio-Economic

- Collection of baseline data on human settlements, health status of the community and existing infrastructure facilities for social welfare including sources of livelihood, job opportunities and safety' and security of workers and surroundings population.
- Collection of information with respect to social awareness about the developmental activity in the area and social welfare measures existing and proposed by project proponent.
- Collection of information on sensitive habitat of historical, cultural and religious and ecological importance.
- The socio-economic survey/ profile within 10 km of the study area for demographic profile; Economic Structure; Developmental Profile; Agricultural Practices; Infrastructure, education facilities; health and sanitation facilities; available communication network etc.
- Documentation of demographic, Ethnographic, Economic Structure and development profile of the area.
- Information on Agricultural Practices, Cultural and aesthetic sites, Infrastructure facilities etc.
- Information on the dependence of the local people on minor forest produce and their cattle grazing rights in the forest land.
- List of all the Project Affected Families with their name, age, educational qualification, family size, sex, religion, caste, sources of income, land & house holdings, other properties, occupation, source of income., house/land to be acquired for the project and house/land left with the family, any other property, possession of cattle, type of house etc.
- In addition to socio-economic aspects of the study area, a separate chapter on socio-cultural aspects based upon study on Ethnography of the area should be provided.

(7) Impact Prediction and Mitigation Measures

The adverse impact due to the proposed project should be assessed and effective mitigation steps to abate these impacts should be described,

(i) Air Environment

- Changes in ambient and ground level concentrations due to total emissions from point, line and area sources.
- Effect on soil, material, vegetation and human health.
- Impact of emissions from DG set used for power during the construction, if any, on air environment.
- Pollution due to fuel combustion in equipment and vehicles
- Fugitive emissions from various source

(ii) Water Environment

- Changes in surface and ground water quality
- Steps to develop pisci-culture and recreational facilities
- Changes in hydraulic regime and downstream flow.
- Water pollution due to disposal of sewage
- Water pollution from labour colonies/ camps and washing equipment.

(iii) Land Environment

- Adverse impact on land stability, catchment of soil erosion, reservoir sedimentation and spring flow (if any) (a) due to considerable road construction / widening activity (b) interference of reservoir with the inflowing stream (c) blasting_ for commissioning of HRT, TRT and some other structures.
- Changes in land use / land cover and drainage pattern
- Immigration of labour population
- Quarrying operation and muck disposal
- Changes in land quality including effects of waste disposal
- River bank and their stability
- Impact clue to submergence.

(iv) Biological Environment

- Impact on forests, flora, fauna including wildlife, migratory avi-fauna, rare and endangered species, medicinal plants etc.
- Pressure on existing natural resources
- Deforestation and disturbance to wildlife, habitat fragmentation and wild animal's migratory corridors
- Compensatory afforestation-identification of suitable native tree species for compensatory afforestation and green belt.
- Impact on fish migration and habitat degradation due to decreased flow of water
- Impact on breeding and nesting grounds of animals and fish.

(v) Socio-economic aspects

- Impact on local community including demographic profile.
- Impact on socio-economic status
- Impact on economic status.
- Impact on human health due to water / vector borne disease

- Impact on increase traffic
- Impact on Holy Places and Tourism
- Impacts of blasting activity during project construction which generally destabilize the land mass and leads to landslides, damage to properties and drying up of natural springs and cause noise pollution will be studied. Proper record shall be maintained of the baseline information in the post project period.
- Positive and negative impacts likely to be accrued due to the project are listed.

(8) Environmental Management Plans

- **Catchment Area Treatment (CAT) Plan** should be prepared micro-watershed wise. Identification of free draining/ directly draining catchment based upon Remote Sensing and Geographical Information System (GIS) methodology and Sediment Yield Index (SYI) method of SLUSOI coupled with ground survey. Areas or watersheds falling under 'very severe' and 'severe' erosion categories are required to be treated. Both biological as well as engineering measures should be proposed in consultation with State Forest Department. Year-wise schedule of work and monetary allocation should be provided. Mitigation measures to check shifting cultivation in the catchment area with provision for alternative and better agricultural practices should be included.
- **Command Area Development (CAD) Plan** giving details of implementation schedule with a sample CAD plan.
- **Compensatory Afforestation** shall be prepared by the State Forest Department in lieu of the forest land proposed to be diverted for construction of the project as per the Forest (Conservation) Act, 1980. Choice of plants for afforestation should include native and RET species, if any.
- **Biodiversity and Wildlife Conservation and Management Plan** for the conservation and preservation of rare, endangered or endemic floral/ faunal species or some National Park/Sanctuary/ Biosphere Reserve or other protected area is going to get affected directly or indirectly by construction of the project, then suitable conservation measures should be prepared in consultation with the State Forest Department.
- **Resettlement and Rehabilitation (R&R) Plan** need to be prepared with consultation of the project affected families and the State Government: Detailed budgetary estimates are to be provided. Resettlement site should be identified. The plan will also incorporate community development strategies. *Land acquisition for the project whose land is to be acquired should be suitably compensated in accordance with the law of the land and prevailing guidelines. R&R Plan is to be formulated as per new Act, 2013 which came into force w.e.f. 1.1.2014.*
- **Green Belt Development Plan** along the periphery of the reservoir, approach roads around the colonies and other project components, local plant species must be suggested with physical and financial details. Local plant species suitable for greenbelt should be selected.
- **Fisheries Conservation and Management Plan** – Fish fauna inhabiting the affected stretch of river, a specific fisheries management plan should be prepared for river and reservoir. If any migratory fish species is getting affected then the migratory routes, time/season of upstream and downstream migration, spawning grounds etc will be discussed in details.

- **Reservoir Rim Treatment Plan** for stabilization of land slide/ land slip zones, if any, around the reservoir periphery is to be prepared based on detailed survey of geology of the reservoir rim area. Suitable engineering and biological measures for treatment of identified slip zones to be suggested with physical and financial schedule.
- **Muck Disposal Plan** suitable sites for dumping of excavated materials should be identified in consultation with State Pollution Control Board and State Forest Department. All muck disposal sites should be minimum 30 m away from the HFL of river. Plan for rehabilitation of muck disposal sites should also be given. The L-section/cross section of muck disposal sites and approach roads should be given. The plan shall have physical and financial details of the measures proposed.
- **Plan for Restoration of quarry sites** and landscaping of colony areas, working areas, roads etc. Details of the coarse/fine aggregate/clay etc. required for construction of the project and the rock/clay quarries/river shoal sites identified for the project should be discussed along-with the engineering and Biological measures proposed for their restoration with physical and financial details.
- **Study of Design Earthquake Parameters:** A site specific study of earthquake parameters should be done. Results of the site specific earthquake design parameters should be approved by National Committee of Seismic Design Parameters, Central Water commission (NCSDP), New Delhi.
- **Dam Break Analysis and Disaster Management Plan** The outputs of dam break model should be illustrated with appropriate graphs and maps clearly bringing out the impact of Dam Break scenario. The action plan will include Emergency Action and Management plan including measures like preventive action notification, warning procedure and action plan for co-ordination with various authorities.
- **Water, Air and Noise Management Plans** to be implemented during construction and post-construction periods.
- Mitigation measures due to blasting on the structures in the vicinity
- **Groundwater management plan**
- **Public Health Delivery Plan** including the provisions of drinking water supply for local community.
- **Sanitation and Solid waste management plan** for domestic waste from colonies and labour camps etc.
- **Local Area Development Plan** to be formulated in consultation with the Revenue Officials and Village Panchayats. Local skill development schemes should be given. Details of various activities undertaken along with its financial outlay should be provided.
- Environmental safeguards during construction activities including Road Construction.
- **Energy Conservation Measures**
- **Environmental Monitoring Programme** with physical & financial details covering all the aspects of EMP. A summary of cost estimates for all the plans, cost of implementing all the Environmental Management Plans.

- (9) In the EMP, please include a sample CAD plan for a distributary outlet command. Such plan is to show the alignment of irrigation and drainage channels. The components of the OFD works to be undertaken may be clearly mentioned along with a time schedule for their completion vis-&-vis the progress of irrigation development.

Additional TOR

- i. The scheme in its first phase envisages lifting of 90 TMC of floodwater in 60 days during the flood season from the foreshore of the Srisaïlam project on Krishna river at Yellur village through five separate stages, ending at K.P. Laxmidevipally village. Therefore, water availability analysis at Yelluru village (point of drawl) during monsoon season is to be submitted to ascertain sufficiency of water available.
- ii. As the area is on fluoride affected zone, therefore, provisions should also be made to recharge the groundwater through proposed reservoirs to dilute fluoride levels.
- iii. Groundwater be treated for removal of fluoride and then the treated water be supplied to the villagers for drinking purposes.
- iv. Provision of e-flow should be ensured for the sustenance of aquatic life in the downstream river.
- v. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- vi. Though, total power requirement has been provided, but its firm linkage is to be supported with documents.
- vii. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month, if any.
- viii. Information on species composition in particular to fish species from any previous study/literature should be included.
- ix. The clearance from Standing Committee of NBWL under the Wildlife (Protection) Act, 1972 should be obtained, as applicable.
- x. Wildlife Conservation plan be prepared for the area located within the project and implemented by the project proponent in consultation with the State Forest Department. Wildlife Conservation plan also to be prepared for the impacted area due to construction of the project falling outside the project area and implemented by the local state Forest Department.
- xi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- xii. Resettlement & Rehabilitation Plan should be implemented as per the prevail guidelines of the Govt. of India .
- xiii. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project

No.J-11013/25/2014-IA.I
Government of India
Ministry of Environment & Forests

Indira Paryavaran Bhawan,
Jor Bagh 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
(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

Ministry, Govt of India
19/8/14