

**IN THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE BENCH, CHENNAI**

**IN**

**Original Application No. 21 of 2021 (SZ)**

**IN THE MATTER OF:-**

Dr. Anupkrishnan. V

.... Applicants

-Vs-

Ministry of Environment, Forest and Climate Change,  
Rep., by its Director, MoEF & CC (SEZ) Chennai  
and Others

.... Respondents

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.1, MINISTRY OF  
ENVIRONMENT, FOREST & CLIMATE CHANGE**

CHENNAI

DATED: 08-10-2021

Shri G.M. Syed Nurullah Sheriff  
Senior Standing Counsel for (MoEF&CC), RI  
Mobile No. 9444015330

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**AFFIDAVIT ON BEHALF OF RESPONDENT NO.1, MINISTRY OF  
ENVIRONMENT, FOREST & CLIMATE CHANGE**

**MOST RESPECTFULLY SHOWETH: -**

I, Dr. C. Kaliyaperumal S/o Chinnakkannu aged about 59 years, presently working as Director (S) in the integrated Regional Office of Ministry of Environment, Forest & Climate Change (MoEF&CC), at Chennai, do hereby solemnly affirm and declare as under

1. That I am competent to swear the present affidavit on behalf of Ministry of Environment, Forest & Climate Change hereinafter referred to as (MoEF&CC) and I am aware of the facts and circumstances of the case based on record.
2. At the outset, I say and submit that I have gone through the record pertaining to the present case and I have read the contents of the present Application, and therefore, I am competent to depose what is stated herein below.
3. I humbly submit that at the outset, I deny all the averments stated in the application except those that are specifically admitted hereunder and the Applicant is put to strict proof of the same.



**Dr. C. KALIYAPERUMAL, M.E., Ph.D.,**  
Director (S)  
Government of India,  
Ministry of Environment, Forests & Climate Change  
Integrated Regional Office,  
1st Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road,  
Nungambakkam, Chennai - 600 006.

4. I say and submit that I am not replying to the present Application in para-wise manner, however, I crave leave to file a detailed affidavit as and when necessary and required by this Hon'ble Tribunal.
5. That under the Environment (Protection) Act, 1986 read with Environment (Protection) Rules, 1986, the Respondent No. 1 herein has issued a notification number S.O. 1533(E) dated 14.09.2006, (hereinafter referred to as the EIA Notification, 2006) with its subsequent amendments.
6. It is submitted that under the provision of the EIA Notification, 2006, construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the schedule annexed to the said notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India, as applicable, only after receipt of the prior environment clearance from the Central Government or from the State Level Environment Impact Assessment Authority (SEIAA) as the case may be. It is submitted that, the Central Government under sub Section (3) of section 3 of the Environment (Protection) Act, 1986 in accordance with the procedures specified in the EIA Notification, 2006 have constituted SEIAAs in different States/UT.
7. The EIA Notification, 2006 categorizes all the projects in two categories namely; Category 'A' and Category 'B' based on the spatial extent of potential impacts on human health and natural and manmade resources. The Category 'A' projects are appraised at the Central Level in the Ministry of Environment, Forest & Climate Change in consultation with the Expert Appraisal Committee (EAC), while the Category 'B' projects are appraised at the State level i.e., State Level Environment Impact Assessment Authorities and Committees (SEIAAs and SEACs).
8. It is submitted that the EIA Notification, 2006 in Paragraph 7, stipulates four stages in the process of obtaining Environmental Clearance. Stage (1) is screening wherein the Expert Appraisal Committee or the State Expert Appraisal Committee takes the decision whether or not Environmental Impact Assessment Report has to be prepared for the proposed projects. Stage (2) is Scoping wherein the Expert Appraisal Committee for category 'A' projects and

  
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the State Expert Appraisal Committee for category 'B' projects determines detailed and comprehensive Terms of Reference addressing all relevant environmental concern for the preparation of an EIA Report in respect of the proposed project or activity for which the prior environmental clearance is sought. Stage (3) relates to Public Consultation and has two components- i) a public hearing, which is conducted by the concerned State Pollution Control Board at the project site or in its close proximity, explaining all possible environment impacts and measures proposed in EMP and ii) obtaining written responses from other concerned persons who have a plausible stake in the environment aspects of the project or activity. Lastly, Stage (4) relates to Appraisal of the Project wherein the detailed scrutiny by the EAC or the SEAC of the application and other documents like the Final EIA Report and outcome of public consultations relating including public hearing proceedings, submitted by the Project Proponent to regulatory authority concerned for grant of environment clearance is conducted.

9. It is submitted that the Environment Impact Assessment Notification, 2006 covers different kinds of projects/activities in its Schedule which are grouped in 8 sectors; namely, sector no. (1) Mining, extraction of natural resources and power generation; sector no. (2) Primary processing; sector no. (3) Material Production; sector no. (4) Materials processing; sector no. (5) Manufacturing / Fabrication; sector no. (6) Service sectors; sector no. (7) Physical infrastructure including environmental services; sector no. (8) Building Construction projects or Area development projects and Townships. True copy of the above mentioned Schedule of the Notification has been annexed as **ANNEXURE A/1**.
10. That the Answering Respondent has constituted Expert Appraisal Committees for these sectors. The Committees consist of sectoral experts drawn from different fields. The tenure of these Committees is 3 years. These Committees are engaged in the work of both scoping as well as appraisal of the project proposals. At the initial stage, the Committees scrutinize the proposals for prescribing terms of reference for undertaking detailed Environmental Impact Assessment studies. Once the EIA Reports are received, the Committee scrutinizes the reports, and the Environment Management Plan prepared and

  
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submitted by the Accredited Consultants and deliberates on the feasibility of the project proposal. The Committee also undertakes site visits if required at any stage. Based on all of these inputs, the Expert Committee gives its recommendation either for grant of Environmental Clearance or for rejection thereof. The Committee also suggests specific environmental safeguards and conditions to mitigate the adverse environmental impact in respect of the projects recommended for approval. These safeguards and conditions are part of the clearance finally issued to the Project Proponent.

11. That based on the recommendations of the Committee the Ministry grants the Environmental Clearances.
12. That the above Expert Appraisal Committees also ensure compliance of the conditions of Environmental Clearance granted earlier to the project, while considering their proposals for future expansion. All projects which have been granted Environmental Clearance are required to submit a six-monthly compliance report to the Ministry which is monitored by the Regional Offices concerned.
13. That a similar structure is available at the State level also for appraising and according the Environmental clearances to Category 'B' projects as specified in Schedule of EIA Notification, 2006; wherein SIEAA is the regulatory authority for granting the EC on the basis of recommendation of SEAC, which undertake detailed appraisal of such development projects before conveying their views to SEIAA wrt any such recommendations for EC.
14. That a notification S.O. 637(E) dated 28.02.2014 wherein the Central Government has delegated the powers vested in it under Section 5 of the Environment (Protection) Act, 1986 to all the State and Union Territory Environment Impact Assessment Authority (hereinafter referred to as SEIAA) to issue show cause notice to project proponents in case of violation of the conditions of the Environmental Clearance issued by the said Authorities to projects and activities within their jurisdiction. True copy of the above mentioned Notification has been annexed as ANNEXURE A/2.



**Dr. C. KALIYAPERUMAL, M.E., Ph.D.**  
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15. That the notification S.O. 638 (E) dated 28.02.2014 specified the jurisdiction of SEIAA as whole of state or Union Territory. True copy of the above mentioned Notification has been annexed as **ANNEXURE A/3**.
16. That Office Memorandum dated 02.09.2019 issued by the MoEF&CC, further re-emphasized the provisions of above sited notifications issued vide S.O. 637(E) dated 28.02.2014 and S.O. 638 (E) dated 28.02.2014 while categorically asking the Regional Offices of the Ministry to ensure that monitoring reports of the projects on which Environmental Clearance has been granted by the State Government (i.e. category B Project) shall be communicated to the respective State for further action. True copy of the above mentioned Notification has been annexed as **ANNEXURE A/4**.
17. That the instant matter pertains to the non-compliance of Environment Clearance conditions wherein EC has been granted by SEIAA. Therefore, according to the Notification S.O. 637 (E) and S.O. 638 (E) dated 28.02.2014 and Office Memorandum dated 02.09.2019 issued by the MoEF&CC, necessary action on any non-compliance, if observed in the matter falls in the ambit of SEIAA.
18. That in view of the Order of Hon'ble Court dated 15.03.2021 in the extant matter, concerned SEIAA has already been transferred the with respect to the allegations for submitting appropriate response in the matter to the Hon'ble Court.
19. Therefore, as the impugned Environment Clearance has been granted by SEIAA, Tamil Nadu, the Ministry in the present matter has a limited ambit with respect to the reliefs sought.
20. It is respectfully submitted that in view of the above mentioned facts, the respondent humbly prays that the Hon'ble Court may be pleased to pass such order as deemed fit in the interest of the justice.



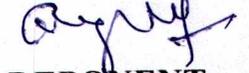
**DEPONENT**

**Dr. C. KALIYAPERUMAL, M.E., Ph.D.,**  
Director (S)  
Government of India,  
Ministry of Environment, Forests & Climate Change  
Integrated Regional Office,  
1st Floor, Additional Office Block for GPOA,  
Shastri Bhawan, Haddows Road,  
Nungambakkam, Chennai - 600 006.

**VERIFICATION**

I, the above named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the answering respondents. No part of it is false and nothing material has been concealed there from.

Verified at Chennai on this 08<sup>th</sup> Day of October, 2021



**DEPONENT**

**Dr. C. KALIYAPERUMAL, M.E., Ph.D.,**  
Director (S)  
Government of India,  
Ministry of Environment, Forests & Climate Change  
Integrated Regional Office,  
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Nungambakkam, Chennai - 600 006.

## SCHEDULE

(See paragraph 2 and 7)

## LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

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

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

3 Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	a) Primary metallurgical industry All projects  b) Sponge iron manufacturing $\geq 200$ TPD  c) Secondary metallurgical processing industry  All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum	Sponge iron manufacturing $< 200$ TPD  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	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	$\geq 1.0$ 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	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located out side the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply  No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

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

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

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

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

(1)	(2)	(3)	(4)	(5)
8		<b>Building /Construction projects/Area Development projects and Townships</b>		
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 B I

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

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

**Specific Condition (SC):**

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

[No. J-11013/56/2004-IA-II(I)]  
R. CHANDRAMOHAN, J. Secy.

**APPENDIX I**

(See paragraph - 6)

**FORM 1****(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: \*

Expected cost of the project:

419557/2021/IFS

जन्दा सं० डी० एल०-33004/99

REGD NO. D.L. 33004/99

  
 सत्यमेव जयते  
**भारत का राजपत्र**  
**The Gazette of India**

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 637(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 का उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसका पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलापों को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निर्देश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy

419557/2021/IFS

## अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.अ. 638(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनमें से प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

## सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाप्तात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता [सं. जे-11013/2/2013-आई ए (आई)] अजय त्यागी, संयुक्त सचिव

## NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 638(E).—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

## TABLE

S. No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAYTYAGI, Jt. Secy.

419557/2021/IFS

J-11013/46/2019-IA-I (M)  
Government of India  
Ministry of Environment, Forest and Climate Change  
(I.A. Division)

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Dated: 2<sup>nd</sup> September, 2019

OFFICE MEMORANDUM

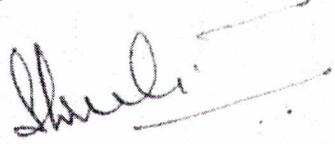
**Sub: Submission of Monitoring Reports - reg.**

In order to ensure the compliance to the terms and conditions stipulated in the Environmental Clearances issued to the projects, monitoring of projects is conducted by respective Regional Offices as per the Environment Impact Assessment (EIA) Notification, 2006.

2. As per the prevalent practice, monitoring reports of both Category A and Category B projects are sent to the Ministry for further necessary action.
3. However, as per Notification **S.O.637(E)** dated **28.02.2014**, in exercise of powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), has already delegated its powers vested under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities constituted by Central Government under sub-section 3 of E(P) Act, 1986. *(copy enclosed)*
4. Accordingly, the Powers to issue show-cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the State and Union Territory Environment Impact Assessment Authorities to projects or activities within their jurisdiction and to issue their directions to the said project proponents for keeping such environmental clearances in abeyance or withdrawing them, if required, for violation has been delegated to the respective State and Union Territory Environment Impact Assessment Authorities.
5. In view of foregoing, from now onwards it is to be ensured that the **Monitoring reports of Category B projects shall be communicated to the respective State and Union Territory Environment Impact Assessment Authorities** for further action. The OM shall also be shared by all ROs with the respective SEIAAs and UTEIAAs for necessary compliance.

This issues with the approval of competent authority.

Encl.: As above

  
(Dr. Shruti Rai Bhardwaj)  
Addl. Director/Scientist 'E'

To,

**The Additional Director General (Central) of all the Regional Offices**

Copy to,

**JS(GM)**

**IN THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE BENCH, CHENNAI  
IN  
Original Application No. 21 of 2021 (SZ)**

**IN THE MATTER OF:-**

Dr. Anupkrishnan.V

.... Applicants

-Vs-

Ministry of Environment, Forest  
and Climate Change,

Rep., by its Director,  
MoEF & CC (SEZ) Chennai  
and Others

.... Respondents

**AFFIDAVIT ON BEHALF OF  
RESPONDENT NO.1,  
MINISTRY OF ENVIRONMENT,  
FOREST & CLIMATE CHANGE**

Shri G.M. Syed Nurullah Sheriff  
Senior Standing Counsel for (MoEF&CC), RI  
Mobile No. 9444015330