

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN BENCH, PUNE  
APPEAL NO. 107/2017(WZ)

**IN THE MATTER OF:**

Samast Bharuch Jilla Machimar Samaj and Ors ....Appellants  
Versus

Gujarat State Level Environment Impact Assessment Authority and Ors  
....Respondents

**INDEX**

SR NO	PARTICULARS	PAGE NOS
1.	Additional Document on behalf of appellants: Letter dated 08.03.2016 from Gujarat SEIAA to R-6 along with its annexes	2-16

Place: Pune  
Date: 31.03.2022

Filed By



(Shilpa Chohan) (Shawahiq Siddiqui)  
Advocates for appellant

For  
Indian Environment Law Organization  
Advocate for the Applicant  
B-59 (Ground Floor),  
South Extension Part-II,  
New Delhi 110049

Email: [shilpa.ielo@gmail.com](mailto:shilpa.ielo@gmail.com)  
(M) 09811391760, 09718647753

M. M. JOSHI  
MEMBER SECRETARY  
SEIAA (GUJARAT)



STATE LEVEL ENVIRONMENT  
IMPACT ASSESSMENT  
AUTHORITY  
GUJARAT

Government of Gujarat

No. SEIAA/GUJ/EC/1(c)/194/2016

Date: 08-03-2016

By R P A D

Time Limit

Sub: Return of application for obtaining Environmental Clearance for proposed Barrage Project across River Narmada near Village Bhadbhut, Dist: Bharuch.

Dear Sir,

This has reference to your application along with Form-I, seeking Environmental Clearance under Environment Impact Assessment Notification, 2006 and additional information / documents submitted vide letter dated 29/01/2016 & 04/09/2015 to the SEAC

The proposal is for Environmental Clearance for proposed Barrage Project across River Narmada near Village Bhadbhut, Dist: Bharuch. The proposed activity does not fall under the purview of EIA Notification 2006 and does not require Environmental Clearance.

The SEAC, Gujarat vide their letter dated 02/03/2016 had recommended to the SEIAA, Gujarat, to return the application for the above-mentioned project based on its meeting held on 12/01/2016. The proposal was considered by SEIAA, Gujarat in its meeting held on 04/03/2016 at Gandhinagar. After careful consideration, the SEIAA hereby return the application

In addition to above with respect to CRZ Clearance application, it is to note that you are required to submit the following documents for further processing of your application:

1. Status of necessary permission obtained under the provisions of Forests (Conservation) Act 1980 from the competent authority

With regards  
Yours sincerely

  
(M. M. JOSHI)  
Member Secretary

Issued to:  
The Secretary,  
Narmada, Water Resources, Water  
Supply and Kalpsar Department,  
Block No. 9, 7<sup>th</sup> Floor, Sardar Bhavan,  
Satyavata Gandhinagar - 382010

The Secretary, SEAC, C/O G.P.C.B. Gandhinagar - 382010

  
(M. M. JOSHI)  
Member Secretary

sec  
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02  
02-03-2016

ANNEXURE TO

3



**HARDIK SHAH, IAS**  
**SECRETARY**  
State Level Expert Appraisal Committee

**STATE LEVEL EXPERT APPRAISAL COMMITTEE, GUJARAT.**  
Office : Gujarat Pollution Control Board, "Parvavaran Bhavan", Sector 10-A, Gandhinagar-382010, GUJARAT  
Phone : 079 -23232152.  
Fax : 079 -23222784.  
email : sec.seacgujarat@gmail.com

Ref. No. : EIA-10-2011-1135-E-408

02 MAR 2016

To,  
The Member Secretary,  
State Level Environmental Impact Assessment Authority,  
Gujarat Pollution Control Board,  
Sector-10-A, Gandhinagar.

Sub: Recommendation to return an application to project proponent for obtaining Environmental Clearance for their proposed Barrage Project across River Narmada near Village Bhadbhut, Dist: Bharuch.

- Ref: [1] An application for Environmental Clearance for the proposed Barrage project across River Narmada near village Bhadbhut from the Narmada, Water Resources, Water Supply & Kalpsar Department, Government of Gujarat dated 15/11/2011.
- [2] Amendment of the EIA Notification 2006 by MoEF&CC vide S.O. no. 1599 (E) dated 25/06/2014.

Dear Sir:

- I. The Narmada, Water Resources, Water Supply & Kalpsar Department (NWR&WS&KD), Government of Gujarat has proposed to construct a barrage across Narmada River near Bhadbhut village, Dist: Bharuch.
- II. This office received an application for Environmental Clearance for the proposed Barrage project on 15/11/2011. Referring to the EIA Notification 2006, Barrage Project has not been included in the project specific list however, the proposed Barrage will provide irrigation to 1136 hectare of land. Accordingly, the project falls under category B of the project / activity no. 1(c) [i.e. the project having irrigation command area less than 10,000 ha] in the schedule of the EIA Notification, 2006
- III. Further, the project was considered for clearance (scope) in the meeting held on 15/07/2013 in DEWU, D-12 and additional TORs were prescribed for the EIA study.
- IV. Public hearing for the project was conducted by the GPCB on 19/07/2013 at Bhadbhut village Dist Bharuch.
- V. Final EIA and Risk Assessment report of the project prepared by CSIR-NEERI, Nagpur was submitted by PP during February, 2014. The project proponent was called for appraisal in the SEAC meeting held on 31/07/2014
- VI. During the SEAC meeting on 31/07/2014 & 10/03/2015, the project was appraised based on the information furnished in the EIA Report.

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4

VII Consequently, the project proponent submitted the details/information sought during SEAC meetings dated 31/07/2014 & 10/03/2015 vide their letters dated 29/01/2015 & 04/09/2015 respectively.

VIII The project proponent was called for further discussion and consideration of the project at the meeting of SEAC held on 12/01/2016.

IX Project proponent remained present in the meeting held on 12/01/2016. During meeting Committee took notice of MoEF&CC Notification vide S.O. 1599 (E) dated 25/06/2014 regarding amendment to EIA Notification 2006, which states about amendment in the applicability of Irrigation Projects for culturable command area i.e. "<10000 ha, >2000 ha of Culturable Command area" falls under category B of the project / activity no. 1(c) (ii) of the EIA Notification 2006. Further, applicability of the said amendment was deliberated in detail as the proposed Barrage project will provide irrigation to about 1136 ha of land which is less than 2000 Ha. Committee was of the view that proposed project does not fall under the ambit of EIA Notification 2006 as culturable command area does not qualify under the amended EIA Notification 2006 dated 25/06/2014. In view of this project proponent informed that their proposal does not fall under the purview of EIA Notification 2006 and does not require to obtain Environmental Clearance.

X Considering an amendment of EIA Notification 2006 dated 25/06/2014 and the fact that culturable command area of the proposed project is less than 2000 Ha, Committee unanimously decided to return an application for obtaining Environmental Clearance for proposed Barrage project since it does not require environmental clearance anymore.

With regards

Yours sincerely

(PARDIP SHAH, IAS)

Secretary, State Level Expert Appraisal Committee

- ground water from their own premises.
3. Site plan and Layout plan showing nearby Nallah and surrounding areas. How will you ensure that there will not be any waste water discharge from the proposed project.
  4. The CETP management manual for proposed CETP.
  5. Action plan in case of Breakage in effluent conveyance system (Worst case scenario) including response time, impact on soil and surrounding environment & mitigation measures.

Following projects were also considered and discussed during meeting.

1. Bhadbhut Barrage Project (Proposed by Kalpasar Department of Government of Gujarat), Near Bhadbhut Village, Tal. Vagra, Dist. Bharuch.

The Narmada, Water Resources, Water Supply & Kalpasar Department (NWR&WS&KD), Government of Gujarat has proposed to construct a barrage across Narmada River near Bhadbhut village, Dist: Bharuch.

- This office received an application for Environmental Clearance for the proposed Barrage project on 15/11/2011. Referring to the EIA Notification 2006, Barrage Project has not been included in the project specific list however, the proposed Barrage will provide irrigation to 1136 hectare of land. Accordingly, the project falls under category B of the project / activity no. 1(c) [i.e. the project having irrigation command area less than 10,000 ha] in the schedule of the EIA Notification, 2006.
- Further the project was considered for screening /scoping in the meeting of the SEAC held on 05/01/2012 and additional TORs were prescribed for the EIA study.
- Public hearing for the project was conducted by the GPCB on 19/07/2013 at Bhadbhut village, Dist: Bharuch.
- Final EIA and Risk Assessment report of the project prepared by CSIR-NEERI, Nagpur was submitted by PP during February, 2014. The project proponent was called for appraisal in the SEAC meeting held on 31/07/2014.
- During the SEAC meeting on 31/07/2014 & 10/03/2015, the project was appraised based on the information furnished in the EIA Report.
- Consequently, the project proponent submitted the details/information sought during the SEAC meetings dated 31/07/2014 & 10/03/2015 vide their letters dated 29/01/2015 & 04/09/2015 respectively.

#### Observations & Discussions:

During meeting, Committee took notice of MoEF&CC Notification vide S.O. 1599 (E) dated 25.06.2014 regarding amendment to EIA Notification 2006, which states about amendment in the applicability of Irrigation Projects for culturable command area i.e. "<10000 ha, >2000 ha of Culturable Command area" falls under category B of the project / activity no. 1(c) (ii) of the EIA Notification 2006. Further, applicability of the said amendment was deliberated in detail. As the proposed Barrage project will provide irrigation to about 1136 ha of land which is less than 2000 Ha, Committee was of the view that proposed project does not fall under the ambit of EIA Notification 2006 as culturable command area does not qualify under the amended EIA Notification 2006 dated 25/06/2014. In view of this, project proponent informed that their proposal does not fall under the purview of EIA Notification 2006 and does not require to obtain Environmental Clearance. Considering an amendment of EIA Notification 2006 dated 25/06/2014 and the fact that culturable command area of the proposed project is less than 2000 Ha, Committee unanimously decided to return an application for obtaining Environmental Clearance for proposed Barrage project since it does not require environmental clearance anymore. In view of the above, it was decided to delist the proposal from the list of the applications for getting

6

Environmental Clearance pending with SEAC, Gujarat and to close the file.

(2)The additional information received from the project proponent M/s Sun Light Pigment., Plot no:48/1&48/2, GIDC-Kalol, Dist.: Gandhinagar which was sought during SEAC meeting dated 19/08/2015 for further consideration of the proposal. The said submission by the project proponent was considered by the committee during the meeting. Unit has submitted as below: (1) Proposal for Zero Liquid Discharge (ZLD) system. (2) Name and quantity of each type of solvents to be used and its management. (3) Management of by products. Committee noted that the waste water will be treated in un-house ETP followed by RO system and RO reject stream will be sent to Common spray dryer at Vatva GIDC. After detailed deliberations, the Committee decided to consider the project on satisfactory submission of the following:

1. Feasibility report for actual use of By-products as a raw material at end consumers.
2. Details about transportation of waste water to the Common facility at Vatva GIDC through dedicated tankers.
3. Details about Manifests system for tanker movement and GPS System to be installed for online tracking of tanker movements.

(3)The additional information received from the project proponent namely M/s. M.G. Polymer, Block no: 272, Sub Plot no.2, Village: Zak, Ta.: Dehgam, Dist.: Gandhinagar which was sought during earlier SEAC meeting dated 19/08/2015 for granting Environmental Clearance to the project. The said submission by the project proponent was considered by the committee during the meeting and as it was found satisfactory, the committee decided to recommend the proposed project for grant of environmental clearance.

*Meeting ended with thanks to the Chair and the Members.*

**Minutes approved by:**

1.	Shri T. P. Singh, Chairman, SEAC.	
2.	Shri V. C. Soni, Vice Chairman, SEAC.	
3.	Shri R. J. Shah, Member, SEAC.	
4.	Dr. V. K. Jain, Member, SEAC.	
5.	Shri V. N. Patel, Member, SEAC.	
6.	Shri Hardik Shah, Secretary, SEAC.	

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99

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

असाधारण

EXTRAORDINARY

भाग II—खण्ड 2—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्रकाशित के अनुसार

PUBLISHED BY AUTHORITY

सं. 1331]

नई दिल्ली, बुधवार, जून 25, 2014/आषाढ़ 4, 1936

No. 1331]

NEW DELHI, WEDNESDAY, JUNE 25, 2014/ASADHA 4, 1936

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 25 जून, 2014

का.आ. 1598(अ).—भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ) तारीख 14 सितंबर, 2006 का और सशोधन करने के लिए निम्नलिखित प्रारूप, जिसका केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2) के खंड (v) के साथ पठित उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जारी करने का प्रस्ताव करती है, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार जनसाधारण की जानकारी के लिए, जिनके उसके द्वारा प्रभावित होने की संभावना है, प्रकाशित किया जाता है; और सूचना दी जाती है कि उक्त प्रारूप अधिसूचना पर, उस तारीख से, जिसको भारत के राजपत्र की प्रतियाँ, जिसमें यह अधिसूचना अंतर्विष्ट है, जनसाधारण को उपलब्ध करा दी जाती हैं, साठ दिन की अवधि की सशक्ति पर या उसके पश्चात् विचार किया जाएगा:-

ऐसा कोई व्यक्ति, जो प्रारूप अधिसूचना में अंतर्विष्ट प्रस्तावों पर कोई आक्षेप या सुझाव देने में हितबद्ध है, इस प्रकार विनिर्दिष्ट अवधि के भीतर, केंद्रीय सरकार द्वारा विचार किए जाने के लिए, आक्षेप या सुझाव सचिव, पर्यावरण और वन मंत्रालय, पर्यावरण भवन, सीजीओ काम्प्लेक्स, लोदी रोड, नई दिल्ली-110003 या ई-मेल पते: [satish.garkoti@nic.in](mailto:satish.garkoti@nic.in) पर लिखित रूप में भेज सकेगा।

## प्रारूप अधिसूचना

उक्त अधिसूचना की अनुसूची में-

- (i) मद 1(ग) में स्तंभ (2), स्तंभ (3), स्तंभ (4) और स्तंभ (5) में की प्रविष्टियों के पश्चात् निम्नलिखित अंतःस्थापित किया जाएगा. अर्थात् :-

1(ग)	(iii) बृहत् पेयजल आपूर्ति परियोजना जैसी गैर सिंचाई परियोजनाएं ;	(iii) $\geq$ 5,000 हे. जलमग्न क्षेत्र	(iii) $<$ 5,000 हे. जलमग्न क्षेत्र	साधारण शर्त लागू होगी
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- (ii) इंधन के रूप में गैर परिसंकटमय नगर पालिक ठोस अपशिष्ट पर आधारित तापीय विद्युत संयंत्रों से संबंधित मद 1(घ) में स्तंभ (3) और स्तंभ (4) में की प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां रखी जाएंगी अर्थात् :-

(i) स्तंभ (3).-

" $\geq$  15 मे.वा."

(ii) स्तंभ (4).-

" $<$  15 मे.वा."

[फा. सं. जे- 11013/12/2013-आईए.11(1)(भाग)]

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग 11, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007, का.आ. 3067(अ), तारीख 1 दिसंबर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559(अ), तारीख 22 अगस्त 2013, का.आ. 2731(अ), तारीख 9 सितंबर, 2013, का.आ. 562(अ), तारीख 26 फरवरी, 2014 और का.आ. 5371(अ) तारीख 28 फरवरी, 2014 द्वारा संशोधित किए गए ।

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE  
NOTIFICATION

New Delhi, the 25th June, 2014

S.O. 1598(E).—The following draft of the notification, further to amend the notification of the Government of India in the Ministry of Environment and Forests number S.O.1533(E) dated the 14th September, 2006 which the Central Government proposes to issue in exercise of the powers conferred by Sub-section (1), read with clause (v) of Sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby, and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette of India containing this notification are made available to the Public.

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment and Forest, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi-110 003, or at e-mail address - satish.garkoti@nic.in.

**Draft Notification**

**In the said notification, in the Schedule.-**

(i) in item 1(c), after the entries in columns (2), (3), (4) and (5), the following inserted, namely:-

I(c)	“(iii) Non-Irrigation projects such as large drinking water supply projects.	(iii) $\geq$ 5,000 ha submergence area	(iii) $<$ 5,000 ha submergence of area	General Condition shall apply.”;
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(ii) in, item 1(d), for the entries in column (3) and column (4), relating to thermal power plants based on non-hazardous municipal solid waste as fuel, the following entries shall be substituted, namely:-

(i) In column(3)-  
“ $\geq$  15MW”

(ii) In column(4)-  
“ $<$  15MW”

[F. No. J-11013/12/2013-IA-II (1) (part)]

AJAY TYAGI, Jt. Secy

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O.695(E) dated the 4th April, 2011, S.O 2896(F) dated the 13th December, 2012, S.O.674(E) dated the 13th March, 2013, S.O.2559(F) dated the 22nd August, 2013, S.O 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 and S.O.637(E) dated the 28th February, 2014

**अधिसूचना**

नई दिल्ली, 25 जून, 2014

का.आ. 1599(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्या का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्:-

1. उक्त अधिसूचना की अनुसूची में,-

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

1(ग)	(i) नदी घाटी परियोजनाएं (ii) सिंचाई परियोजनाएं	(i) $\geq 50$ मे.वा. जल विद्युत उत्पादन (ii) $\geq 10,000$ हे० खेती योग्य प्रभावित क्षेत्र	(i) $< 50 \geq 25$ मे.वा. जल विद्युत उत्पादन (ii) $< 10,000$ हे० $> 2000$ हे० खेती योग्य प्रभावित क्षेत्र	साधारण शर्त लागू होगी टिप्पण :- एक से अधिक राज्य में आने वाली प्रवर्ग 'ख' नदी घाटी परियोजनाओं का मूल्यांकन केन्द्रीय सरकार स्तर पर किया जाएगा।
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(ii) मद 1(घ) और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:-

1(घ)	तापीय विद्युत संयंत्र	$\geq 500$ मे.वा. (कोयला/लिग्नाइट/नेप्या और गैस आधारित) ;  $\geq 50$ मे.वा. (जैव द्रव्यमान के सिवाय सभी अन्य ईंधन)।  $\geq 20$ मे.वा. (जिसमें गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट का ईंधन के रूप में उपयोग होता है)।	$\geq 50$ मे.वा. से $< 500$ मे.वा. (कोयला/लिग्नाइट/नेप्या और गैस आधारित)  $< 50$ मे.वा. और $\geq 5$ मे.वा. (जैव द्रव्यमान और गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट के सिवाय सभी अन्य ईंधन)।  $< 20$ मे.वा. $> 15$ मे.वा. (जिसमें गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट का ईंधन के रूप में उपयोग होता है)।  $\geq 15$ मे.वा. जैव द्रव्यमान पर आधारित संयंत्र	साधारण शर्त लागू होगी टिप्पण :- (i) जैव द्रव्यमान या गैरपरिसंकटमय नगरपालिक ठोस अपशिष्ट जिसमें कोयला, लिग्नाइट/पेट्रोलियम उत्पाद पेट्रोलियम उत्पाद जैसे सहायक ईंधन का उपयोग होता है, पर आधारित 15 मे.वा. तक के तापीय विद्युत संयंत्रों को छूट प्राप्त है। (ii) किसी सहायक ईंधन के बगैर अपशिष्ट ताप बायलरों का उपयोग करने वाले तापीय विद्युत संयंत्र छूट प्राप्त है।
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(iii) मद 2(ख) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात्:-

2(ख)	खनिज सज्जीकरण	$\geq 0.5$ मिलियन टी पी ए का उत्पादन	$> 0.5$ मिलियन टी पी ए का उत्पादन	साधारण शर्त लागू होगी (अनापत्ति प्रदान करने के लिए खनन प्रस्ताव का खनिज राज्जीकरण के साथ मूल्यांकन किया जाएगा)।
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(iv) मद 4(ख) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"4(ख)	(i) कोक भट्टी संयंत्र	$\geq 2,50,000$ टन/प्रतिवर्ष	$< 2,50,000$ और $\geq 2,50,000$ टन/प्रतिवर्ष	साधारण शर्त लागू होगी।";
	(ii) कोलतार प्रसंस्करण इकाईयां	-	सभी परियोजनाएं	

(v) मद 4(घ) के स्तंभ (3) में की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

"उत्पादन क्षमता  $\geq 300$  यदि कोई इकाई अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित है।";

(vi) मद 4(च) के स्तंभ (2) में, की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

"त्वचा/खाल प्रसंस्करण जिसके अंतर्गत चर्म शोधन उद्योग भी है।";

(vii) मद 5(क) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :-

"5(क)	रासायनिक उर्वरक	रासायनिक उर्वरकों के दानों के सिवाय सभी परियोजनाएं जिसके अंतर्गत $H_2SO_4$ उत्पादन के साथ सभी एकल सुपर फोस्फेट परियोजनाएं भी हैं।	$H_2SO_4$ उत्पादन और रासायनिक दानों के बगैर सभी एकल सुपर फोस्फेट परियोजनाएं	साधारण शर्त लागू होगी सुपर फोस्फेट पाउडर के दाने बनाने को छूट दी गई है।";
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(viii) मद 5(ड) में :-

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

"पेट्रोलियम उत्पाद और पेट्रो रसायन आधारित कार्बन ब्लैक तथा इलेक्ट्रोड ग्रेड ग्रेफाइट के उत्पादन का प्रसंस्करण (भंजन से भिन्न अन्य प्रसंस्करण तथा सुधार और जो परिसरों के भीतर समाविष्ट नहीं है)।";

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

"साधारण और विनिर्दिष्ट शर्त लागू होगी।

टिप्पण—बहुलक दानों से उत्पादों के विनिर्माण को छूट प्राप्त होगी।";

258965/14-2

(ix) मद 5(च) और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित मद और प्रविष्टियां रखी जाएगी, अर्थात् :-

5(च)	सरिलिष्ट कार्बनिक रसायन उद्योग (रंजक और रंजक मध्यक ; थोक ओषधि और ओषधि विनिमित्तियों को छोड़कर मध्यक ; सरिलिष्ट रबर मूल कार्बनिक रसायन और अन्य सरिलिष्ट कार्बनिक रसायन मध्यक)	स्तंभ (5) में यथापरिभाषित इकाईयों के सिवाय अधिसूचित औद्योगिक क्षेत्र/संपदा के गृह अवस्थित ।	(i) अधिसूचित औद्योगिक क्षेत्र/संपदा के गृह अवस्थित । (ii) स्तंभ (5) में यथापरिभाषित लघु इकाइयां ।	साधारण और विनिर्दिष्ट शर्त लागू होगी लघु इकाइयां : < 25m <sup>3</sup> /दिन जल खपत, < 25टीपीडी इंधन खपत के साथ और जो परिसंकटमय रसायन का प्रबंधन, भंडारण और आयात नियम, 1989 के अनुसार एमएच इकाइयों के प्रवर्ग में नहीं आती हैं ।
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(x) मद 5(छ) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएगी, अर्थात् :-

5(छ)	आसवनी	(i) सभी शीरा आधारित आसवनी । (ii) गैर शीरा आधारित आसवनी $\geq$ 60 कि.ली.दैनिक	गैर शीरा आधारित आसवनी- < 60 कि.ली.दैनिक	साधारण शर्त लागू होगी ।
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(xi) मद 5(झ) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएगी, अर्थात् :-

5(झ)	लुग्दी और कागज उद्योग	लुग्दी विनिर्माण तथा अपशिष्ट कागज से विनिर्माण के सिवाय लुग्दी तथा कागज विनिर्माण उद्योग ।	अपशिष्ट कागज से लुग्दी विनिर्माण तथा अपशिष्ट कागज लुग्दी और अन्य तैयार लुग्दी से कागज विनिर्माण ।	साधारण शर्त लागू होगी टिप्पण रजत, विरजत और रंगाई के बगैर अपशिष्ट कागज लुग्दी और तैयार लुग्दी से कागज विनिर्माण को छूट प्राप्त है ।
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II. अनुसूची के पश्चात्, साधारण शर्त से संबंधित टिप्पण में निम्नलिखित साधारण शर्त रखी जाएगी, अर्थात् :-

"साधारण शर्त (सा.श.)

प्रवर्ग 'ख' विनिर्दिष्ट किसी परियोजना या क्रियाकलाप का केन्द्रीय स्तर पर प्रवर्ग 'क' के रूप में मूल्यांकन किया जाएगा, यदि वह पूर्ण रूप से या आंशिक रूप से (i) वन्य जीव संरक्षण

अधिनियम, 1972 (1972 का 53) के अधीन संरक्षित क्षेत्रों की ; (ii) जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 (1974 का 6) के अधीन गठित केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर पहचान किए गए गंभीर रूप से प्रदूषित क्षेत्रों की ; (iii) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (2) के अधीन यथाअधिसूचित पारिस्थितिकी संवेदनशील क्षेत्रों की और (iv) अंतर राज्यिक सीमाओं और अंतराष्ट्रीय सीमाओं से पांच किलोमीटर की सीमाओं के भीतर अवस्थित हैं ;

परंतु 1(ग) में विनिर्दिष्ट नदी घाटी परियोजनाएं, मद 1(घ) में विनिर्दिष्ट तापीय विद्युत संयंत्र, मद 7(ग) विनिर्दिष्ट औद्योगिक संपदा/पार्क/क्षेत्र/निर्यात प्रसस्करण जोन, विशेष आर्थिक जोन, जैव प्रौद्योगिकी पार्क, चमड़ा परिसर और मद 7(घ) में विनिर्दिष्ट समान्य परिसंकटमय अपशिष्ट उपचार, भंडारण और निपटान सुविधाओं का मूल्यांकन केन्द्रीय स्तर पर किया जाएगा यदि वह 10 किलोमीटर के भीतर अवस्थित है ।

परंतु यह और कि उपरोक्त मद (i), मद (ii) और मद (iii) में वर्णित क्षेत्रों की, यथास्थिति, पांच किलोमीटर या दस किलोमीटर के भीतर कोई क्रियाकलाप न होने की दशा में अंतर राज्यिक सीमाओं की, यथास्थिति, पांच किलोमीटर या दस किलोमीटर की दूरी से संबंधित अपेक्षा को क्रमशः सामान्य सीमाओं वाले राज्यों या संघ राज्यक्षेत्रों की बीच करार द्वारा कम या पूर्ण रूप से समाप्त किया जा सकता है ।"

[फा. सं. जे- 11013/12/2013-आईए. II(1)(भाग)]

अजय त्यागी, संयुक्त सचिव

टिप्पण :- मूल नियम भारत के राजपत्र असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007, का.आ. 3067(अ), तारीख 1 दिसंबर, 2009, का.आ. 695(अ), तारीख 4 अप्रैल, 2011, का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012, का.आ. 674(अ), तारीख 13 मार्च, 2013, का.आ. 2559(अ), तारीख 22 अगस्त, 2013, का.आ. 2731(अ), तारीख 9 सितंबर, 2013, का.आ. 562(अ), तारीख 26 फरवरी, 2014 और का.आ. 637(अ), तारीख 28 फरवरी, 2014 द्वारा संशोधित किए गए ।

#### NOTIFICATION

New Delhi, the 25th June, 2014

S.O. 1599(E).—In exercise of the powers conferred by Sub-section (1) and clause (v) of Sub-section (2) of Section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O.1533(E), dated the 14<sup>th</sup> September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rule, in public interest, namely:-

I. In the said notification, in the Schedule,-

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

2589 GE/14-3

14

8

THE GAZETTE OF INDIA EXTRAORDINARY

[PART II—SEC. 3(ii)]

"1(c)	(i) River Valley projects	(i) $\geq 50$ MW hydroelectric power generation.	(i) $\leq 50$ MW $\geq 25$ hydroelectric power generation.	General condition shall apply Note:- Category 'B' river valley projects falling in more than one state shall be appraised at the central Government Level.;
	(ii) Irrigation projects	(ii) $\geq 10,000$ ha. of culturable command area.	(ii) $< 10,000$ ha. $> 2000$ ha of culturable command area.	

(ii) for item 1(d) and the entries relating thereto, the following item and entries shall be substituted, namely:-

"1(d)	Thermal Power Plants	$\geq 500$ MW (coal/lignite/naptha and gas based)	$\geq 50$ MW to $< 500$ MW (coal/lignite/naptha and gas based)	General condition shall apply Note - (i) Thermal Power plants up to 15 MW based on biomass or non hazardous municipal solid waste using auxiliary fuel such as coal, lignite/ petroleum products upto 15% are exempt. (ii) Thermal power plants using waste heat boilers without any auxiliary fuel are exempt."
		$\geq 50$ MW (all other fuels except biomass)	$< 50$ MW and $\geq 5$ MW (all other fuels except biomass and municipal solid non hazardous waste)	
		$\geq 20$ MW (using municipal solid non hazardous waste as fuel)	$< 20$ MW $> 15$ MW (using municipal solid non hazardous waste, as fuel)	
			$\geq 15$ MW plants based on biomass fuel.	

(iii) for item 2(b) and the entries relating thereto, the following item and entries shall be substituted, namely:-

"2 (b)	Mineral beneficiation	$\geq 0.5$ million TPA throughput	$< 0.5$ million TPA throughput	General condition shall apply (Mining proposal with mineral beneficiation shall be appraised together for grant of clearance).;
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(iv) for Item 4(b) and the entries relating thereto, the following item and entries shall be substituted, namely:-

"4(b)	(i) Coke oven plants	$\geq 2,50,000$ tonnes/annum	$< 2,50,000$ and $\geq 50,000$ tonnes/annum	General condition shall apply."
	(ii) Coaltar processing units		All projects	

(v) in item 4(d), in column (3), for the entry, the following entry shall be substituted, namely:-

" $\geq 300$  TPD production capacity if a unit located outside the notified industrial area/ estate.";

(vi) in item 4(f), in column (2), for the entry, the following entry shall be substituted, namely:-

"Skin/hide processing including tanning industry"

(vii) for item 5(a) and the entries relating thereto, the following item and entries shall be substituted, namely:-

[भाग II-सूचक 3(a)]

भारत का राजपत्र : असाधारण

9

5(a)	Chemical fertilizers	All projects including all single super phosphate with $H_2SO_4$ production except granulation of chemical fertilizers.	All Single Super Phosphate without $H_2SO_4$ production and granulation of chemical fertilizers.	General condition shall apply Granulation of single super phosphate powder is exempt."
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(viii) in item 5(e):-

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

"Petroleum products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking and reformation and not covered under the complexes).";

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

"General as well as specific condition shall apply.

Note- Manufacturing of product from polymer granules is exempt."

(ix) for item 5(f) and the entries relating thereto, the following item and entries shall be substituted, namely:-

5(f)	Synthetic organic chemicals industry (dyes and dye intermediates, bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/estate except small units as defined in column (5)	(i) Located in a notified industrial area/estate (ii) Small units as defined in column (5)	General as well as specific condition shall apply. Small units: with water consumption $<25m^3/day$ , fuel consumption $<25TPD$ and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989."
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(x) for item 5(g) and the entries relating thereto, the following item and entries shall be substituted, namely:-

5(g)	Distilleries	(i) All Molasses based distilleries (ii) Non-molasses based distilleries $\geq 60KLD$	Non-molasses based distilleries - $<60 KLD$	General condition shall apply"
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(xi) for item 5(i) and the entries relating thereto, the following item and entries shall be substituted, namely:-

5(i)	Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing from waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General condition shall apply Note. Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and colouring is exempt."
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II. After the Schedule, in the Note relating to General Condition(GC), the following General Condition shall be substituted, namely:-

General Condition(GC):

16

Any project or activity specified in category 'B' will be appraised at the Central level as Category 'A', if located in whole or in part within 5 km. from the boundary of: (i) Protected areas notified under the Wildlife (Protection) Act, 1972 (53 of 1972); (ii) Critically polluted areas as identified by the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) from time to time; (iii) Eco-sensitive areas as notified under sub-section (2) of section 3 of the Environment (Protection) Act, 1986, and (iv) inter-State boundaries and international boundaries; provided that for River Valley Projects specified in item 1(c), Thermal Power Plants specified in item 1(d), Industrial estates/parks/complexes/areas, export processing zones (EPZs), Special Economic Zones (SEZs), bio-tech parks, leather complexes specified in item 7(c) and common hazardous waste treatment, storage and disposal facilities (TSDFs) specified in item 7(d) the appraisal shall be made at Central level even if located within 10km

Provided further that the requirement regarding distance of 5 km or 10 km, as the case may be, of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or the Union Territories sharing the common boundary, in case the activity does not fall within 5km or 10 km, as the case may be of the areas mentioned in item (i), (ii) and (iii) above.

[F. No. J-11013 122013 JA-B (1) part]

RAJY CHHAI

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O. 2896(E) dated the 13th December, 2012, S.O. 54(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2131(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 and S.O. 637(L) dated the 28th February, 2014.