

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE BENCH AT PUNE (MAHARASHTRA)**

**ORIGINAL APPLICATION NO. 2 /2026**

**IN THE MATTER OF: -**

Nishikant Jadhav

.....Petitioner

Versus

State of Maharashtra and ors.

.....Respondents

**Additional Affidavit on the behalf of Petitioner**

**PAPER BOOK**

**[For Index Kindly see Inside]**

**Filed By – Adv. Ramteke Bodhi Sham and Adv.Mrinall Shashi S Chakravorty**

**(Advocates for Petitioner)**

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**INDEX**

Sr. No.	Particulars	Page No.
1.	Additional Affidavit on the behalf of Petitioner	1-6
2.	<b>Annexure – I</b> Copy of the tender notice issued by MSIDC for “Construction of Dr. Panjabrao Deshmukh International Exhibition and Convention Centre at Dhaba, Nagpur”	7-8
3.	<b>Annexure – II</b> Photograph dated <b>15.05.2025</b> of the project site showing the information banner or board installed by MSIDC	9
4.	<b>Annexure – III</b> Screenshots of the official MSIDC website regarding the International convention centre at Mouza – Dabha Project	10
5.	<b>Annexure – IV</b> Enlarged Area Statement along with drawing Sheet 02/02 of International convention centre at Mouza – Dabha Project	11-13
6.	<b>Annexure – V</b> Copy of architectural drawings of Parking Plaza with communication letters - Khasra No. 13/3 Mouza Futala	14-24

7.	<b>Annexure – VI</b> Copy of EIA Notification 2006 along with S.O. 695 (E), dated the 4th of April 2011	25-74
8.	<b>Annexure – VII</b> Copy of the relevant documents related to Parivesh portal for the Forest Clearance and Environmental Clearance, as available on the government public domain	75-78

Filed By-



Nishikant Jadhav

Petitioner

Date – 19 January 2026

Place – Nagpur

Through



Advocate Ramteke Bodhi Sham



Advocate Mrinall Shashi S Chakravorty

**(Advocates for Petitioner)**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN  
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**ORIGINAL APPLICATION NO. 2 /2026**

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Nishikant Jadhav

.....Petitioner

Versus

State of Maharashtra and ors.

.....Respondents

**Additional Affidavit on behalf of Petitioner**

**Most Respectfully Showeth:**

I, Nishikant Jadhav, s/o of Late Shri Narayanrao aged 81 years, Plot No.2, Raj Nagar, Chhaoni Katol Road, Nagpur – 440013, being the Petitioner in the above-mentioned case, do hereby solemnly affirm and state on oath as under:

1. That I am the Respondent in the present case before this Hon'ble National Green Tribunal and as such, I am well conversant with the facts and circumstances of the case. I am duly competent to swear this present affidavit.
2. That this Additional Affidavit is filed in compliance with the Hon'ble Tribunal's order dated 16.01.2026 directing the Applicant to clarify the executing agencies for the project activities at Khasra No. 175, Mouza Dabha and Khasra No. 13/3, Mouza Futala, and the area of construction Khasra No. 13/3, Mouza Futala.

**Land parcel Khasra No. 175 Mouza Dabha**

3. That it is respectfully submitted that, in respect of Khasra No. 175, Mouza Dabha, Nagpur, where the "Dr. Panjabrao Deshmukh International Agricultural Convention Centre" along with the commercial facilities such as food court, hotel and allied amenities is presently under construction, the on-ground construction and development of the said project is being carried out by the **Respondent No. 10 – Maharashtra State Infrastructure**

**Development Corporation, Nagpur** (hereafter referred as MSIDC) as the executing agency.

In support of this, the Applicant has annexed hereto a copy of the tender notice issued by MSIDC for “Construction of Dr. Panjabrao Deshmukh International Exhibition and Convention Centre at Dhaba, Nagpur” as *Annexure– I* to this Application, together with a photograph dated **15.05.2025** of the project site showing the information banner or board installed by MSIDC as *Annexure– II*, and screenshots of the official MSIDC website describing the said project as being implemented by MSIDC on PDKV or Respondent No. 2 land as *Annexure– III*.

It is further submitted that, as already pleaded in **paragraph 19** of the Original Application, the Applicant has specifically averred that **Respondent No. 10 or MSIDC is the implementing agency which is presently carrying out all construction activities at Khasra No. 175, Mouza Dabha**, and that such construction and commercial development is being undertaken **without any prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and without any prior Environmental Clearance under the EIA Notification, 2006**, thereby constituting a continuing illegality and necessitating urgent restraining orders from this Hon’ble Tribunal.

4. The project drawings contain an “AREA STATEMENT” on Sheet 02/02, Scale: NTS giving the phase-wise areas proposed/constructed.

**(Enlarged Area Statement along with drawing Sheet 02/02 is annexed herewith as Annexure - IV)**

As per the said Area Statement, the phase-wise areas are:

- (i) Exhibition Hall – 54,601.57 sq m;
- (ii) Convention Centre – 11,804.52 sq m;
- (iii) Display Area – 17,560.99 sq m;
- (iv) Food Court – 10,312.46 sq m;
- (v) Hostel + Hotel – 15,949.49 sq m; and

(vi) Parking with Solar Fabrication – 113,233.48 sq m;

Totaling 223,462.51 sq m.

Even on a conservative computation if we **exclude the parking component**, the remaining built-up or covered area is still **110,229.03 sq m**, which independently exceeds the statutory threshold. The copy of Khasra No. 175 Mouza Dabha project drawings has been annexed with the original application as Annexure – VI at page 80-81 of the Original Application

Hence, the Project therefore attracts the mandatory requirement of **prior Environmental Clearance** under the EIA regime, prior to commencement and continuation of any construction activity.

5. That the subject land bearing Khasra No. 175 and its parts are recorded in revenue records i.e. 7-12 extracts as “Zudpi Jungle”, and in the statutory Development Plan of Nagpur as green-belt, no-construction, agriculture zone.

Despite this, the Respondents have initiated and are continuing large-scale construction and hard paving for an “International Agro Farmers’ Convention, Exhibition Centre with commercial establishments” at Dabha.

#### **Land parcel Khasra No. 13/3 Mouza Futala**

6. That, in so far as Khasra No. 13/3, Mouza Futala, Nagpur is concerned, it is submitted that the said land belongs to **Respondent No. 2 – Dr. Panjabrao Deshmukh Krishi Vidyapeeth (PDKV)** and is recorded in the revenue and planning records as Zudpi Jungle or forest, and on this very parcel **Respondent No. 11 – Maharashtra Metro Rail Corporation Ltd., Nagpur** is executing a commercially operated multi-level parking plaza. In support of this, the applicant has annexed hereto a letter dated 01/09/2022 from the Town Planning Department , Nagpur Municipal Corporation to The General Manager (Planning-2) , Maharashtra Metro Corporation Ltd. Nagpur as ***Annexure-V***

Furthermore, since Khasra No. 13/3 is Zudpi Jungle land which, in law, and in the catena of Supreme court order *In Re: Zudpi Jungle Land* in W.P. (C) No. 202 of 1995, order dated 22.05.2025, constitutes “forest land” for the purposes of the Forest (Conservation) Act, 1980, any diversion of this land

for non-forest use such as a permanent multi-level parking and commercial complex also mandatorily requires prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980; no such approval has been sought or granted.

That as per the architectural drawings of the parking plaza, the total land area of Khasra No. 13/3 is shown as 23.06 hectares, and out of which land area of **6000 sq. m.** within this Zudpi Jungle land parcel has been utilised for the construction of the parking complex.

**(Copy of architectural drawings annexed herewith as Annexure -V)**

The drawings further show that the structure comprises **two basement levels (upper and lower basements), a ground floor and three upper parking floors – i.e. six covered levels in all – so that even on a conservative basis, the built-up area (total covered floor area of all levels taken together, including basements and service areas) is more than 20,000 Sq.m i.e. 6000 sq. m. footprint × 6 levels = 36,000 Sq. M. as per the area statement.**

Under 8(a) of the Schedule to the EIA Notification dated 14.09.2006, “Building and Construction projects” having built-up area  $\geq 20,000$  sq. m and  $< 1,50,000$  sq. m require prior Environmental Clearance, and as per the Environmental Impact Assessment Notification, 2006, as amended from time to time, including by Gazette Notification S.O. 695(E) dated 4th April, 2011, issued by the Ministry of Environment, Forest and Climate Change, the term “**built-up area**” for Building and Construction projects is understood to mean the **built-up or covered area on all the floors put together, including basement(s) and other service areas, which are proposed in the building / construction projects**, and the threshold for requirement of prior Environmental Clearance is computed on this basis.

**(Copy of EIA Notification 2006 along with S.O. 695 (E), dated the 4th of April 2011 annexed herewith as Annexure -VI)**

Thus, the Futala parking plaza is squarely a Category 8(a) Building / Construction project under the EIA Notification, 2006 and cannot be legally executed without prior Environmental Clearance from the competent SEIAA, which is not obtained by the respondents.

Hence, the ongoing construction at Khasra No. 13/3, Mouza Futala is therefore a continuing **twin violation of the Forest (Conservation) Act, 1980 and the Environment (Protection) Act, 1986 read with the EIA Notification, 2006**, necessitating immediate intervention and restraining orders from this Hon'ble Tribunal.

That, no prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and no prior Environmental Clearance under the EIA Notification, 2006 has been obtained for the diversion and non-forest use of the said Zudpi Jungle or forest land.

The impugned activities are thus *prima facie* in direct contravention of the Forest (Conservation) Act, 1980, the Environment (Protection) Act, 1986 read with the EIA Notification, 2006, the Nagpur Master Plan provisions, the statutory mandate of PDKV, and the binding directions of the Hon'ble Supreme Court in *In Re: Zudpi Jungle Lands, W.P.(C) No. 202 of 1995*.

7. That the Applicant further submits that, in terms of the procedure prescribed by the Union Ministry of Environment, Forest and Climate Change (MoEF&CC), any project proponent seeking diversion of forest or Zudpi Jungle land or undertaking a building/construction project requiring prior Environmental Clearance is mandatorily required to submit its proposal online on the integrated "**PARIVESH**" portal, which functions as a single-window, web-based system for online submission and monitoring of proposals for Forest Clearance, Environmental Clearance, Wildlife Clearance, Coastal Regulation Zone (CRZ) clearance and other environment-related approvals, as notified and implemented by the MoEF&CC and the National Informatics Centre (NIC).

As per the official process the Parivesh portal is responsible for handling all proposals related to the **Forest Clearance under the Forest (Conservation) Act, 1980** and for **prior Environmental Clearance under the EIA Notification, 2006**. All the projects requiring applicable Environment related clearances has to be registered, scrutinised and decided only through this online system.

(Copy of the relevant documents related to Parivesh portal for the Forest Clearance and Environmental Clearance, as available on the government public domain, is annexed herewith as *Annexure-VII*).

It is respectfully submitted that the Applicant and Council for the petitioner has personally searched the Parivesh portal for any proposal or application in respect of both projects which are currently under execution on the land parcels belonging to the Zudpi Jungle or forest these land parcels are belongs to the Respondent No. 2 or PDKV, however, no Forest Clearance proposal and no Environmental Clearance proposal corresponding to either of these projects is traceable on the Parivesh portal as on the date of this Application.

Hence the absence of any such entries on the dedicated statutory portal corroborates the Applicant's case that the Respondents have neither sought nor obtained the mandatory prior approval under Section 2 of the Forest (Conservation) Act, 1980 nor any prior Environmental Clearance under the EIA Notification, 2006 for these two ongoing projects.

In light of the above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to Take on record the additional facts and documents annexed with the present Additional Affidavit and read the same as part and parcel of the pleadings in the Original Application and the pending Stay Application pass such other orders as this Hon'ble Tribunal may deem fit in the interests of justice.

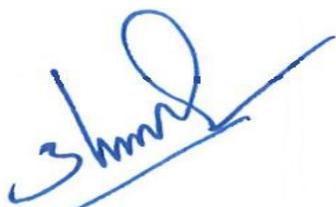
#### VERIFICATION

Verified at Ajmer on this 19<sup>th</sup> of January 2026 that the Content of para 1 to last above are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

Date: 19 January 2026

Place: Nagpur





Advocate Ramteke Bodhi Sham

Through



Advocate Mrinall Shashi S Chakravorty

  
Nishikant Jadhav

Petitioner



NOTARY  
NAGPUR (M.S.) INDIA

**(Advocates for Petitioner)**



## महाराष्ट्र-राज्य पायाभूत सुविधा विकास महामंडळ मर्यादित

महाराष्ट्र शासनाचा उपक्रम

सीआयएन :- यू ४३९०० एमएच २०२३ एसजीसी ४१२९९२

पंजिकृत कार्यालय : बी-१३,१३ वा मजला, बक्तावर बिल्डिंग, नरिमन पॉइंट मुंबई ४०००२१.

ई-मेल- cemsidemumbai@gmail.com

### निविदा सूचना क्रमांक ३ सन २०२३-२४ ई-निविदा (ऑनलाईन)

मुख्य अभियंता, महाराष्ट्र-राज्य पायाभूत सुविधा विकास महामंडळ मर्यादित, फोर्ट, मुंबई-०१ यांचेकडून महाराष्ट्र राज्य ई - निविदा प्रणालीद्वारे (ऑनलाईन) नोंदणीकृत आणि अनुभवी कंत्राटदारांकडून निविदा मागविण्यात येत आहे निविदा संदर्भातील कागदपत्र शासनाच्या संकेतस्थळावर <http://mahatenders.gov.in> येथून डाऊनलोड करण्यात यावी. निविदा स्विकारण्याचा अथवा नाकारण्याचा अधिकार मुख्य अभियंता, महाराष्ट्र-राज्य पायाभूत सुविधा विकास महामंडळ मर्यादित, फोर्ट, मुंबई यांनी राखून ठेवला आहे. तसेच अट असलेली निविदा स्विकारली जाणार नाही.

अ.क्र.	कामाचे नाव
१.	नागपूर येथे विभागीय आयुक्त व जिल्हाधिकारी कार्यालय तसेच इतर शासकीय इमारतींचे बांधकाम करणे ता.जि नागपूर
२.	डॉक्टर पंजाबराव देशमुख कृषी विद्यापीठ अंतर्गत कृषी महाविद्यालय नागपूर येथे डॉक्टर पंजाबराव देशमुख आंतरराष्ट्रीय अधिवेशन आणि प्रदर्शन केंद्राचे बांधकाम करणे,

(एकूण ०२ कामे)

ई-निविदा उपलब्ध कालावधी : दिनांक ०७/०३/२०२४ सकाळी १०.०० पासून ते दिनांक २७/०३/२०२४ रोजी ६.०० पर्यंत

ई-निविदा उघडणे (शक्य झाल्यास) : दिनांक ०२/०४/२०२४ रोजी १५.०५ वाजता

खालील संकेतस्थळावरून ई-निविदाची सर्व माहिती उपलब्ध आहे.

१. <http://mahatenders.gov.in>

(सदर निविदा सूचनेमध्ये काही बदल होत असल्यास वरील वेब साईटवर कळविण्यात येईल.)

२. मुख्य अभियंता, महाराष्ट्र-राज्य पायाभूत सुविधा विकास महामंडळ मर्यादित, फोर्ट, मुंबई कार्यालयातील सूचना फलकावर लावण्यात येईल.

जा.क्र.मरापासुविम/मुअमु/निविदा/ 38 / 2024

मुख्य अभियंता यांचे कार्यालय,

महाराष्ट्र-राज्य पायाभूत सुविधा विकास महामंडळ मर्यादित,

फोर्ट, मुंबई

दिनांक- ०३/०३/२०२४

(र. रा. हांडे)

मुख्य अभियंता,

म.रा.पायाभूत सुविधा महामंडळ, मर्या. मुंबई

# English Transcribe of Annexure - I

8



335  
Office of the Chief Engineer,

Maharashtra-State Infrastructure Development Corporation Ltd.

(A Government of Maharashtra Undertaking)

CIN-U43900MH2023SGC412992

Office- B/13, 13th floor, Baktawar building, Nariman Point, Mumbai 400 021

## E-Notice (Online) notice No.02 Year 2023-2024

Office of the Chief Engineer, Maharashtra – State Infrastructure Development Corporation Limited (MSIDC Ltd.), Mumbai invites tenders from Registered and Experience contractors For Construction of Divisional commissioner office, District collector office and other Government building.

Sr. No	Name of work
01	Construction of Divisional commissioner office, District collector office and other Government building at Nagpur
02	Construction of Doctor Panjabrao Deshmukh International conventional center and Exhibition center under college of agricultural Nagpur, Krushi Vidyapeeth Akola

Total no. work -01.

1. Date of Issue of E-Tender Notice: (Online) 07/03/2024 Time -10.30 (Morning)
2. Last date of submitting the E-Tender Notice: (Online) 27/03/2024 Time- 2.00 PM (Afternoon)
3. Tender opening (If possible) :- 01/04/2024 Time- 3.05pm (Afternoon)

### Note:

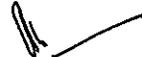
1. All eligible/interested contractors who want to participate in tendering process should compulsory get enrolled one- tendering portal "<http://mahatenders.gov.in>" the appropriate category applicable to them.
2. It is compulsory for all participates to submit all documents online
3. Other term and conditioned displayed in online e-tender forms.
4. Right to reject any or all online bid of work without assigning any reasons thereof is reserved.
5. Above Tender Notice is displayed website [www.mahatenders.gov.in](http://www.mahatenders.gov.in). and office board of CE MSIDC

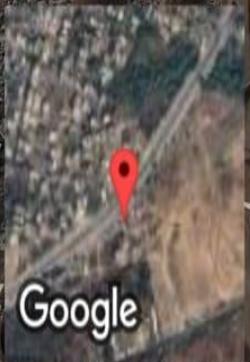
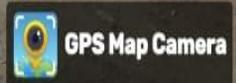
No. MSIDC/Mumbai/Tender/ 34 /2024

Office of the Chief Engineer,

MSIDC, 4<sup>th</sup> floor, Fort, Mumbai

Date: 05/03/2024 .

  
Engr. R.R.Hande  
Chief Engineer,  
MSIDC Mumbai



**Nagpur, Maharashtra, India**  
Plot No.52 Pkv Society Dabha Ring Road Near Toll Plaza,  
Wadi, Nagpur, Maharashtra 440023, India  
Lat 21.159704° Long 79.01305°  
15/05/2025 05:03 PM GMT +05:30



DR. PANJABRAO DESHMUKH

# International Agricultural Convention Centre, Nagpur

The Dr. Panjabrao Deshmukh International Agricultural Convention Centre is being developed in Nagpur under the user department Dr. Panjabrao Deshmukh Krishi Vidyapeeth (PKV), Akola, with MSIDC as the Executing Agency. The project has received administrative approval from the Department of Agriculture, Animal Husbandry, Dairy Development and Fisheries, Government of Maharashtra (GR No. ADD-1323/C.R.268/7-A dated 18 January 2024).



**Agreement Cost**  
Rs. 216,68,03,000/-



**Administrative Approval Cost**  
Rs. 235.62 Crores



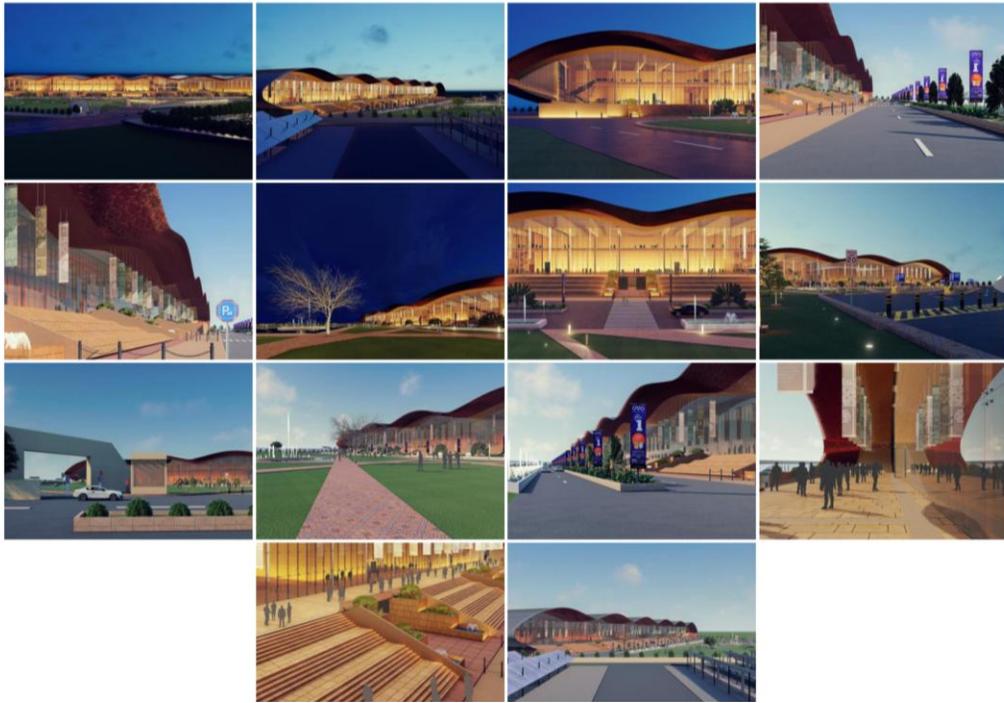
**Contractor**  
NCC Limited



**Duration of Work**  
24 months

AGRICULTURAL CONVENTION CENTRE, NAGPUR

## Construction Glimpses



**02** AREA STATEMENT  
**02** SCALE - NTS

TOTAL DEVELOPMENT : PHASE-WISE		
S. NO.	DESCRIPTION	AREA (Sq.M)
1	PHASE 1	
	A EXHIBITION HALL	54601.57
2	PHASE 2	
	A CONVENTION CENTRE	11804.52
	B DISPLAY AREA	17560.99
	C FOOD COURT	10312.46
3	PHASE 3	
	A HOSTEL + HOTEL	15949.49
4	PHASE 4	
	A PARKING WITH SOLAR FABRICATION	113233.48
	TOTAL AREA	223462.51





# नागपूर महानगर पालिका, नागपूर

## (नगर रचना विभाग)

विचारा गाळा, छत्रपती शिवाजी महाराज प्रशासकीय भवन, महानगरपालिका मार्ग, सिव्हिल लाईन्स, नागपूर-440 001,  
दुरध्वनी क्र. 0712-2667016 वेबसाईट - www.nmcnagpur.gov.in



जा.क्र. - म.न.पा./नरवि/इमारत विभाग/

दि. - 01/09/2022

प्रति, 211/BP/FU/101-TP/NMC/146

जनरल मॅनेजर प्लॉनिंग-2,

महाराष्ट्र मेट्रो कॉर्पोरेशन लिमिटेड,

नागपूर.

विषय :- मौजा-फुटाळा, खसरा क्र. 13/3, नगर भुमापन क्र. 234, पार्किंग प्लाझा इमारतीच्या बांधकाम प्रस्तावाचे मंजूरीबाबत.

संदर्भ :-1) आपण सादर केलेला नकाशा क्र. LFMS/WL/21/146, दि. 28.12.2020 पुर्नसादर दि. 28.03.2022

2) हेरीटेज संवर्धन समितीची दि. 15.06.2021 व दि. 30.06.2022

विषयांकीत प्रकरणी मौजा-फुटाळा, खसरा क्र. 13/3, नगर भुमापन क्र. 234, पार्किंग प्लाझा इमारतीच्या बांधकाम प्रस्ताव संदर्भिय पत्रान्वये या कार्यालयास प्राप्त झालेला आहे. सादर प्रस्तावास हेरीटेज संवर्धन समितीच्या मंजूरीच्या अनुषंगाने मा. आयुक्त यांचे विशेषाधिकारात खालील अटी व शर्तीचे अधिन राहून मंजूरी प्रदान करण्यात आली आहे. मेट्रोने सादर केलेल्या प्रस्तावाच्या अनुषंगाने संबंधित विभागाने सूचविलेल्या उपाययोजना करणे बंधनकारक राहिल.

1. उद्यान अधिक्षक, महानगरपालिका नागपूर, मत्सव्यवसाय विभाग, महाराष्ट्र शासन, जिल्हा पशुवर्धन उपायुक्त कार्यालय (शासन), सहाय्यक पोलिस आयुक्त, नागपूर शहर, कुलसचिव, डॉ. पंजाबराव देशमुख कृषी विद्यापीठ व हेरीटेज संवर्धन समितीचे नाहरकत प्रमाणपत्रामध्ये नमूद अटी व शर्ती बंधनकारक राहिल.
2. संबंधित जमिनीच्या मालकी अथवा ताबा संबंधाने वाद निर्माण झाल्यास तो आपल्या स्तरावर सोडणे बंधनकारक राहिल.
3. इमारतीमध्ये अग्निसुरक्षे विषयी अग्निशामक विभागाचे नाहरकत प्रमाणपत्रामध्ये नमूद अटी व शर्ती आपणास बंधनकारक राहिल. पाण्याची व्यवस्था, कचऱ्याची विल्हेवाट, मलनिस्सारणाबाबत, महानगरपालिकेच्या जलप्रदाय विभागाचा तसेच रवास्थ विभाग तसेच विभागीय कार्यालयाचा सल्ला/संमती घेण्यात यावी व त्यानुसार उपाययोजना करावी.
4. विद्युत पूरवठ्याबाबत विद्युत विभागाचे संमतीपत्र प्राप्त करावे.
5. इमारतीचे संरचनेचे डिझाईन स्ट्रक्चरल इंजिनिअर मार्फत तयार करण्यात यावे.
6. सदरहु प्रकल्प राबवितांना वाहतूक व्यवस्थापनाची सर्वस्वी जबाबदारी आपली विभागाची राहिल.

-295-

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7. विभागाचा आदेश क्र. मनपाना/नरवि/वि.यो.नागपूर/2091, दि. 06.03.2019 अन्वये 18.00 मी. रुंद रस्त्याच्या आरेखनात करण्यात आलेल्या मंजूर बदलानुसार जागेवर उक्त 18.00 मी. रुंद विकास योजना रस्त्याकरून पोचमार्गाचे बांधकाम करणे बंधनकारक राहिल.
8. सिवर लाईन, पावसाळी लाईन, पाण्याची लाईन, आरक्षित क्षेत्रातील रस्त्याचा विकासाचे बांधकाम, इत्यादी विषयक मंजूरी महानगरपालिकेच्या संबंधित विभागाकडून प्राप्त करून घ्यावी.
9. प्रत्यक्ष बांधकाम करतांना कोणताही बदल करावयाचा झाल्यास नगर रचना विभागाकडून नकाशांना पुर्व मंजूरी प्राप्त करणे आवश्यक राहिल.
10. विकास नियंत्रण नियमावलीतील नियम क्र. 36, अपेंडिक्स 'I' प्रमाणे अपंग व्यक्तीकरीता सुविधा उपलब्ध करून देण्यात याव्यात.
11. इमारतीमध्ये रेन वॉटर हार्वेस्टिंगची व्यवस्था करावी. सोलर वॉटर हिटर उपलब्ध करण्यात यावे. सदरहु पत्रासोबत मंजूर नकाशाची प्रत आपणांस पाठविण्यात येत आहे.

१५/०३/१९

उप संचालक,  
नगर रचना विभाग,  
महानगरपालिका, नागपूर.

प्रतिलिपी :-

1. सहाय्यक आयुक्त, धरमपेठ, झोन क्र. 2, महानगरपालिका, नागपूर
2. सहाय्यक आयुक्त, कर निर्धारक विभाग, महानगरपालिका, नागपूर

**NAGPUR MUNICIPAL CORPORATION, NAGPUR**  
**(TOWN PLANNING DEPARTMENT)**

3<sup>rd</sup> Floor, Chatrapati Shivaji Maharaj Prashasakiya Bhawan,  
Mahanagar Palika Marg, Civil Lines, Nagpur 440001

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**DATE:- 01/09/2022**

Ref. No.: N.M.C./Town Planning/Building/Department

To,  
The General Manager (Planning-2),  
Maharashtra Metro Corporation Limited,  
Nagpur.

**Subject:-** Regarding approval of the building construction proposal of the Parking Plaza, situated at Mouza-Futala, Khasra No. 13/3, City Survey No. 234.

**Reference:-**

1. The plan submitted by you, bearing No. LFMS/WL/21/146, dated 28/12/2020 and resubmitted on 28/03/2022.
2. Minutes/decisions of the Heritage Conservation Committee dated 15/06/2021 and 30/06/2022.

In the subject matter, the building construction proposal of the Parking Plaza situated at Mouza-Futala, Khasra No. 13/3, City Survey No. 234, has been received

in this office through the correspondence referred to above. In accordance with the approval granted by the Heritage Conservation Committee, the Hon'ble Municipal Commissioner, in exercise of his special powers, has accorded approval to the said proposal subject to the terms and conditions mentioned below. It shall be mandatory for the concerned departments to implement the measures suggested in relation to the proposal submitted by Metro.

1. The conditions stipulated in the No Objection Certificates issued by the Garden Superintendent, Nagpur Municipal Corporation, the Fisheries Department (Government of Maharashtra), the Office of the Deputy Commissioner of Animal Husbandry (Government), the Assistant Commissioner of Police, Nagpur City, the Registrar of Dr. Panjabrao Deshmukh Krishi Vidyapeeth,

and the Heritage Conservation Committee shall be binding.

2. In the event of any dispute arising regarding the ownership or possession of the said land, it shall be mandatory for you to resolve the same at your own level.
3. The conditions stipulated in the No Objection Certificate issued by the Fire Department in respect of fire safety in the building shall be binding upon you. With regard to water supply arrangements, disposal of solid waste, and sewage management, consultation/consent shall be obtained from the Water Supply Department, the Health Department, and the Zonal Office of the Municipal Corporation, and appropriate measures shall be taken accordingly.
4. Approval/consent from the Electricity Department shall be obtained regarding electrical supply.

5. The structural design of the building shall be prepared through a qualified Structural Engineer.
6. While implementing the said project, the entire responsibility for traffic management shall rest solely with your department.
7. As per Departmental Order No. NMCN/Town Planning/Planning/Nagpur/2091 Date 06.03.2019, it shall be mandatory to construct the approach road at the site in accordance with the approved modification made in the alignment of the 18.00 meter wide Development Plan road.
8. Approval regarding matters such as the sewer line, storm-water line, water supply line, and the development of roads within the reserved area shall be obtained from the concerned departments of the Municipal Corporation.
9. If any changes are required at the time of actual construction, prior approval of the Town Planning

Department for the revised plans shall be mandatory.

10. Facilities for persons with disabilities shall be provided in accordance with Rule No. 36 and Appendix "T" of the Development Control Regulations.
11. Provision for rainwater harvesting shall be made in the building. A solar water heater shall be installed. A copy of the approved plan is enclosed herewith for your reference.

**Sd/- Illegible  
Deputy Director  
Town Planning Department  
Municipal Corporation, Nagpur**

Copy to:

1. Assistant Commissioner, Dharampeth Zone No. 2, Municipal Corporation, Nagpur.
2. Assistant Commissioner, Tax Assessment Department, Municipal Corporation, Nagpur.

**// TRUE TRANSLATION //**

**ADVOCATE**









(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)  
MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi 14<sup>th</sup> September, 2006

**Notification**

S.O. 1533      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 India<sup>1</sup>, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18<sup>th</sup> 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 15<sup>th</sup> 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 15<sup>th</sup> 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 27<sup>th</sup> 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 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.

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<sup>1</sup>Includes 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.
- (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).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

**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. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' 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 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 concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/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).
- (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.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (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 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) 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 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

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 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:**

(i) 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 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.

(ii) 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 27<sup>th</sup> 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.

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)  
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

## 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	
<b>1</b>		<b>Mining, extraction of natural resources and power generation (for a specified production capacity)</b>		
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>1(a)</b>	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>
<b>1(b)</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>
<b>1(c)</b>	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
<b>1(d)</b>	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	<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)

3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a)Primary metallurgical industry All projects</p> <p>b) Sponge iron manufacturing <math>\geq 200</math>TPD</p> <p>c)Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units <math>\geq 20,000</math> tonnes /annum</p> <p>-</p>	<p>Sponge iron manufacturing &lt;200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.)All toxic and heavy metal producing units &lt;20,000 tonnes /annum</p> <p>ii.)All other non –toxic secondary metallurgical processing industries &gt;5000 tonnes/annum</p>	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

<b>4</b>	<b>Materials Processing</b>			
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>4(a)</b>	Petroleum refining industry	All projects	-	-
<b>4(b)</b>	Coke oven plants	≥2,50,000 tonnes/annum -	<2,50,000 & ≥25,000 tonnes/annum	-
<b>4(c)</b>	Asbestos milling and asbestos based products	All projects	-	-
<b>4(d)</b>	Chlor-alkali industry	≥300 TPD production capacity or a unit located outside 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
<b>4(e)</b>	Soda ash Industry	All projects	-	-
<b>4(f)</b>	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units outside the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
<b>5</b>	<b>Manufacturing/Fabrication</b>			
<b>5(a)</b>	Chemical fertilizers	All projects	-	-
<b>5(b)</b>	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
<b>5(c)</b>	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
<b>5(d)</b>	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
<b>5(e)</b>	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
<b>5(f)</b>	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
<b>5(g)</b>	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
<b>5(h)</b>	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)
<b>6(b)</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
<b>7</b>		<b>Physical Infrastructure including Environmental Services</b>		
<b>7(a)</b>	Air ports	All projects	-	-
<b>7(b)</b>	All ship breaking yards including ship breaking units	All projects	-	-
<b>7(c)</b>	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.
<b>7(d)</b>	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)
<b>8</b>		<b>Building /Construction projects/Area Development projects and Townships</b>		
<b>8(a)</b>	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 )
<b>8(b)</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

**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).

## 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:

Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)*

**(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		
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?		
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):**

<b>S.No.</b>	<b>Information/checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities /rates, wherever possible) with source of information data</b>
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, and / 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		

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)**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
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		

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:**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data</b>
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:**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
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?		

**8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment**

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
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**

<b>S. No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
9.1	<p>Lead to development of supporting, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> <li>• Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)</li> <li>• housing development</li> <li>• extractive industries</li> <li>• supply industries</li> <li>• other</li> </ul>		
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		

**(III) Environmental Sensitivity**

<b>S.No.</b>	<b>Areas</b>	<b>Name/ Identity</b>	<b>Aerial distance (within 15 km.) Proposed project location boundary</b>
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, nesting, 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> )		

**(IV). Proposed Terms of Reference for EIA studies**

## 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.

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 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"> <li>• Purpose of the report</li> <li>• Identification of project &amp; project proponent</li> <li>• Brief description of nature, size, location of the project and its importance to the country, region</li> <li>• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)</li> </ul>
2.	Project Description	<ul style="list-style-type: none"> <li>• 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"> <li>• Type of project</li> <li>• Need for the project</li> <li>• Location (maps showing general location, specific location, project boundary &amp; project site layout)</li> <li>• Size or magnitude of operation (incl. Associated activities required by or for the project)</li> <li>• Proposed schedule for approval and implementation</li> <li>• Technology and process description</li> </ul> </li> <li>• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose</li> <li>• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)</li> <li>• Assessment of New &amp; untested technology for the risk of technological failure</li> </ul>

3.	Description of the Environment	<ul style="list-style-type: none"> <li>• Study area, period, components &amp; methodology</li> <li>• Establishment of baseline for valued environmental components, as identified in the scope</li> <li>• Base maps of all environmental components</li> </ul>
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> <li>• 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</li> <li>• Measures for minimizing and / or offsetting adverse impacts identified</li> <li>• Irreversible and Irretrievable commitments of environmental components</li> <li>• Assessment of significance of impacts (Criteria for determining significance, Assigning significance)</li> <li>• Mitigation measures</li> </ul>
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> <li>• In case, the scoping exercise results in need for alternatives:</li> <li>• Description of each alternative</li> <li>• Summary of adverse impacts of each alternative</li> <li>• Mitigation measures proposed for each alternative and</li> <li>• Selection of alternative</li> </ul>
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> <li>• Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget &amp; procurement schedules)</li> </ul>
7.	Additional Studies	<ul style="list-style-type: none"> <li>• Public Consultation</li> <li>• Risk assessment</li> <li>• Social Impact Assessment. R&amp;R Action Plans</li> </ul>
8.	Project Benefits	<ul style="list-style-type: none"> <li>• Improvements in the physical infrastructure</li> <li>• Improvements in the social infrastructure</li> <li>• Employment potential –skilled; semi-skilled and unskilled</li> <li>• Other tangible benefits</li> </ul>

9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> <li>• Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA</li> </ul>
11	Summary & Conclusion (This will constitute the summary of the EIA Report )	<ul style="list-style-type: none"> <li>• Overall justification for implementation of the project</li> <li>• Explanation of how, adverse effects have been mitigated</li> </ul>
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> <li>• The names of the Consultants engaged with their brief resume and nature of Consultancy rendered</li> </ul>

**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

**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 extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited 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 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 Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the 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. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

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 inspection in select offices or public libraries or panchayats etc. They shall also additionally

make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

### **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. 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.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate 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 and notified afresh as per procedure under 3.1 above.

### **4.0 The Panel**

~~4.1~~ The District Magistrate 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.

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 Every person 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 vernacular language and the agreed minutes shall be signed by the District Magistrate 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 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, 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. Therefore the SPCB or UTPCC concerned shall send the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. 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.

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**  
**(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 and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility 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 stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

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.

## APPENDIX VI

(See paragraph 5)

**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**

- **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.





# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 4 अप्रैल, 2011

का.आ. 695(अ).—केन्द्रीय सरकार ने, 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 जारी की गई भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का0आ0 1533(अ), तारीख 14 सितंबर, 2006, द्वारा निदेश दिया था कि उसके प्रकाशन की तारीख से ही, नई परियोजनाओं या क्रियाकलापों का अपेक्षित संनिर्माण या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, प्रक्रिया और या प्रौद्योगिकी में परिवर्तन सहित क्षमता में परिवर्धन करते हुए भारत के किसी भाग में, यथास्थिति, केन्द्रीय सरकार से या केन्द्रीय सरकार द्वारा इसमें विनिर्दिष्ट प्रक्रिया के अनुसार उक्त अधिनियम की धारा 3 की उपधारा (3) के अधीन गठित राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण द्वारा केवल पूर्व पर्यावरण अनापत्ति के पश्चात् ही किया जाएगा;

और, उक्त अधिसूचना में प्रयुक्त “निर्मित क्षेत्र” पद के संबंध में स्पष्टीकरण का उपबंध करने और अधिसूचना के भिन्न-भिन्न पैराओं को पारस्परिक रूप से संगत बनाने के लिए भी तथा ऐसे अनाशयित परिवर्तनों को प्रत्यावर्तित करने के लिए जो राजमार्ग परियोजना से संबंधित पर्यावरणीय समाघात निर्धारण अधिसूचना, 2006 की अनुसूची में विशेषकर मद संख्या 7(च) के सामने प्रविष्टि में का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 द्वारा संशोधन करते समय अधिसूचना में किए गए थे और उक्त अधिसूचना में उपयुक्त संशोधन करने के इस प्रयोजन के लिए विनिश्चय किया गया है।

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (3) का खंड (क) यह उपबंधित करता है कि जब कभी केन्द्रीय सरकार यह विचार करती है कि किसी उद्योग पर या

किसी क्षेत्र में किन्हीं प्रक्रियाओं या प्रचालन को चलाने पर, प्रतिषेध या निर्बंधन अधिरोपित करना चाहिए तो वह ऐसा करने के लिए अपने आशय की सूचना देगी;

और उक्त पर्यावरण (संरक्षण) नियमों का नियम 5 का उपनियम (4) यह उपबंधित करता है कि उपनियम (3) में किसी बात के होते हुए भी, केन्द्रीय सरकार को जब कभी यह प्रतीत होता है कि ऐसा करना लोकहित में है, वह उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति दे सकेगी;

अतः, अब, केन्द्रीय सरकार, उक्त पर्यावरण (संरक्षण) नियमों, के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित उक्त पर्यावरण (संरक्षण) अधिनियम की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में,-

(I) पैरा 6 में “सभी मामलों में पर्यावरणीय अनापत्ति मांगने के लिए कोई आवेदन,” शब्दों के पश्चात् “परियोजना प्रस्तावक द्वारा” किया जाएगा ।

(II) पैरा 7, के खंड (i) के उप पैरा II क्रम (2) विस्तारण के उप पैरा (i) के अंतिम वाक्य में “अनुसूची की मद 8 में प्रवर्ग ख के रूप में सूचीबद्ध सभी परियोजनाओं और क्रियाकलापों (संनिर्माण, नगरी/ वाणिज्यिक, काम्पलैक्स/आवासन)” के स्थान निम्नलिखित शब्द रखे जाएंगे, अर्थात्:-

“अनुसूची की मद 8(क) में प्रवर्ग ख के रूप में सूचीबद्ध सभी परियोजनाओं और क्रियाकलापों (निर्माण और संनिर्माण परियोजना)” ।

(III) अनुसूची में,-

(i) मद 1(क) के सामने, -

स्तंभ (5) में की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् -  
“ साधारण शर्तें लागू होंगी ।

टिप्पणः

(i) ऐसे खान पट्टे के नवीकरण के प्रक्रम पर पूर्व पर्यावरणीय अनापत्ति भी अपेक्षित है जिसके लिए आवेदन, नवीकरण की तारीख से एक वर्ष पूर्व किया जाना चाहिए ।

(ii) खनिज पूर्वक्षण छूट प्राप्त है ।”

(ii) मद 7(च) के सामने, -

स्तंभ (4) में की प्रविष्टि के स्थान पर “ (i) सभी राज्य राजमार्ग परियोजनाएं; और” के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

“ (i) सभी नई राज्य राजमार्ग परियोजनाएं ” ।

(iii) मद 8(क) के सामने,-

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

“इस अधिसूचना के प्रयोजन के लिए निर्मित क्षेत्र को “बेसमेंट (बेसमेंटों) सहित, समस्त मंजिलें एक साथ रखे जाने पर निर्मित या आच्छादित क्षेत्र और अन्य सेवा क्षेत्र जो निर्माण/संनिर्माण परियोजनाओं में प्रस्तावित किए गए हैं” के रूप में परिभाषित है ।”

(IV) परिशिष्ट 5 के पैरा 3 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात्:-

“ 3 जहां कोई लोक परामर्श आज्ञापक नहीं है वहां आकलन, विहित आवेदन प्ररूप-1 और पर्यावरणीय समाघात निर्धारण रिपोर्ट के आधार पर अनुसूची की मद 8 से भिन्न सभी परियोजनाओं और क्रियाकलापों की दशा में किया जाएगा । अनुसूची की मद 8 की दशा में इसके विलक्षण परियोजना चक्र को ध्यान में रखते हुए संबंधित पर्यावरणीय निर्धारण समिति या राज्य पर्यावरणीय निर्धारण समिति प्ररूप-1, प्ररूप-1क, धारणा योजना और पर्यावरणीय समाघात निर्धारण रिपोर्ट [केवल 8(ख) के अधीन सूचीबद्ध परियोजनाओं के लिए अपेक्षित] के आधार पर परियोजनाओं या क्रियाकलापों का आकलन करेंगी और पर्यावरणीय अनापत्ति को प्रदान करने के संबंध में परियोजना पर या अन्यथा सिफारिशें करेंगी तथा पर्यावरणीय अनापत्ति के लिए शर्तें भी नियत करेंगी” ।

[फा. सं. 3-101/2010-आई. III]

डा. नलिनी भट्ट, वैज्ञानिक 'जी'

**टिप्पण:** मूल नियम, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना सं. का0आ0 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और का0आ0 1737(अ), तारीख 11 अक्टूबर, 2007 और का0आ0 सं. 3067(अ), तारीख 1 दिसंबर, 2009 द्वारा संशोधित किए गए थे ।

**MINISTRY OF ENVIRONMENT AND FORESTS****NOTIFICATION**

New Delhi, the 4th April, 2011

**S.O. 695(E).**— Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 1533(E), dated the 14<sup>th</sup> 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 or from the dates 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 the said notification entailing the capacity addition with change in process and or technology 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, it has been decided to provide clarification with regard to the term "built up area" used in the said Notification and also to make various paras of the Notification mutually consistent and to restore the unintentional changes, which got into the Notification while making amendment vide S.O. 3067 (E) dated 1<sup>st</sup> December, 2009, in particular the entry against item no. 7(f) in the schedule to the EIA Notification, 2006 relating to highway projects and for this purpose to issue suitable amendments in the said Notification.

And whereas, clause (a) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules 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, sub-rule (4) of rule 5 of the said Environment (Protection) Rules provides that, notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Environment (Protection) Act, read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, the Central Government hereby makes the following amendments in the said Notification, namely:-

In the said notification, -

(I) In para 6, for the existing words "An application seeking prior environmental clearance in all cases shall be made", the following words shall be substituted, namely:-

"An application seeking prior environmental clearance in all cases shall be made by the project proponent".

(II) In para 7, in sub-para 7 in clause (i), sub para II, stage (2) – scoping, sub para (i), in the last sentence, for the words "activities listed as Category 'B' in item 8 of the schedule (Construction / Township / Commercial Complexes / Housing)", the following words shall be substituted, namely:-

"Activities listed as Category 'B' in item 8(a) of the schedule (building and construction projects)".

(III) In the Schedule, -

(i) against item 1(a), -

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

"General conditions shall apply.

Note:

- (i) Prior environmental clearance is as well required at the stage of renewal of mine lease for which application should be made up to one year prior to date of renewal.
- (ii) Mineral prospecting is exempted."

(ii) against item 7(f), -

in column (4), for the entry "(i) All State Highway Projects; and" the following entry shall be substituted, namely:-

"(i) All New State Highway Projects".

(iii) against item 8(a), -

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

"The built up area for the purpose of this Notification is defined as "the built up or covered area on all the floors put together including basement(s) and other service areas, which are proposed in the building / construction projects"."

(IV) In Appendix V, for para 3, the following para shall be substituted, namely:-

“3. where a public consultation is not mandatory, the appraisal shall be made on the basis of 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 projects or activities on the basis of Form-1, Form-1A, conceptual plan and the EIA report [required only for projects listed under 8(b)] and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance”.

[F. No. 3-101/2010-IA. III]

Dr. NALINI BHAT, Scientist 'G'

**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 14<sup>th</sup> September, 2006 and amended vide S.O. 1737(E), dated the 11<sup>th</sup> October, 2007 and S.O. No. 3067(E) dated 1<sup>st</sup> December, 2009.



## Clearance through Parivesh Portal

प्रविष्टि तिथि: 05 AUG 2024 12:19PM by PIB Delhi

In pursuance of the spirit of 'Digital India' and capturing the essence of Minimum Government and Maximum Governance, the government had launched a single window portal "PARIVESH (Pro Active and Responsive Facilitation by Interactive and Virtuous Environmental Single-window Hub)" on 10.08.2018 for Environment clearance (EC), Forest clearance (FC), Wildlife (WL) and Coastal Regulation Zone (CRZ) clearances. As per the details available on PARIVESH Portal, more than 50, 000 clearances (EC, FC, WL and CRZ) have been granted so far.

Ministry of Environment, forest and Climate Change has taken several measures through policy and technological interventions in order to remove redundancy and to streamline the clearance process without compromising on the rigor of environmental safeguards. Due to the above measures, the average time taken for grant of EC at the central level, from the date of submission of complete proposal, has reduced significantly to double digit in 2023-2024 as against the stipulated timeline of 105 days. Similarly, average time taken for grant of 'in-principle' FC approval has also been reduced to 150 days in 2023-24.

The PARIVESH portal launched in August 2018 has met its objectives and facilitated uninterrupted services to the industries even during difficult period of CoVID. However, in order to enhance the Users experience, scope of existing PARIVESH has been expanded to ensure due diligence and adherence to environmental safeguards while examining project proposals by including new functionalities based on emerging technologies, such as GIS based Decision Support System (DSS), advance Data Analytics etc. Some of the transformational modules included in the expanded scope are: Know Your Approval (KYA) module which provides the tentative list of clearances required and to support the project proponent in accurately assessing the environmental sensitivity and planning of the project before its execution; Decision Support System (DSS) a spatial-based visualization and analytical module to provide tools for exploration of the project proximity and to help the expert committees and regulatory authority in taking a considered decision in expeditious manner taking all related environmental concerns into account; Common Application Form (CAF) and Application Form Management module to minimize the repetitive efforts of the Users and at the same time to ensure the single version of the truth across all applicable clearances and Compliance Management module to ensure reduction in compliance burden and improving ease of doing business. However, consideration of proposals for grant of EC is on the basis of EIA/EMP, examined by the duly constituted Expert Appraisal Committees (EACs) and final approval is given only after incorporating general and specific conditions so as to ensure compliances of environmental standards and safeguards.

This information was given by the Minister of State for Environment, Forest and Climate Change, Shri Kirti Vardhan Singh in a written reply in the Lok Sabha today.

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**MJPS/GS**

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## PARIVESH

Pro-Active and Responsive facilitation by Interactive Virtuuous & Environmental Single-window Hub

In order to bring more transparency and accountability in the forests, environment and wildlife clearance process, Ministry of Environment, Forests and Climate change, Government of India has rolled out a portal named as Pro-Active Responsive facilitation by Interactive and Virtuuous Environmental Single Window Hub (PARIVESH).

PARIVESH is a web based, role based, G2C and G2G workflow application that are developed for online submission and monitoring of the proposals submitted by the user agencies for seeking forests, environment and wildlife clearances. It automates the entire tracking of proposals which includes online submissions of a new proposal, editing/updating the details of proposals and displays status of the proposals at each stage of the workflow. The system is based on the Web Architecture. It uses IIS as an Application Server, .Net as a framework and SQL Server as a database server.

### A Single Window Integrated System for Environment, Forest, Wildlife and CRZ Clearances

- Email Alerts
- Work Flow
- Compliance Monitoring
- Analytical Reports
- Work Flow
- Compliance Monitoring
- Analytical Reports
- MIS Reports
- Citizen Services
- Dashboard



### The Main Objectives are

- To enhance efficiency, transparency and accountability in the Forest, Environment and Wildlife Clearance Process.



404

- To reduce turnaround time for activity.
- To enhance responsiveness through workflows automation and availability of real time information.
- To enhance ease and convenience of citizens and businesses in accessing information and services.
- To achieve standardization in processes across regional and state level.



## Enhance Efficiency, Transparency and Accountability in EC, FC, Wildlife and CRZ Clearance Processes

- Proponent Registration
- Application Submission
- Appraisal
- Recommendation
- Approval/ Rejection

## Core Features of PARIVESH are

- A role-based workflow application that helps User Agencies in online submission of the proposals seeking forest, environment and wildlife clearances and tracking the proposals.
- A single window interface provided to the User Agencies for the submission of proposals for Environmental, Forests and Wildlife Clearances
- Facilitate management in effective monitoring.
- Delays in the clearance process can be ascertained
- Accessible from any PC having internet facility
- 24x7 Online

For more information, please visit: <https://parivesh.nic.in/>



## Useful Links

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# 405

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