

**BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,  
KOLKATA**

**IN THE MATTER OF:**

**APPEAL No. 03/2022/EZ**

DAYANIDHI VENTURES PVT. LTD.

.....Appellant

-Versus -

MEGHALAYA STATE POLLUTION CONTROL BOARD AND ORS.

.....Respondents

**I N D E X**

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Through



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**An Affidavit filed on behalf of the Appellant.**

I, Sri Sandeep Goel, S/o Balkishan Goel, aged about 42 years, resident of 3A, Block-A, Subham Park View, RGB College, Guwahati, Dist. Kamrup (Metro), Assam do hereby solemnly affirm and state on oath as under:-

1. That I am the Director of the Appellant Company and I am aware of the facts and circumstances of the above case hence I am authorized and competent to swear to the contents of this affidavit.
2. That it may be stated that the Environmental Impact Assessment Notification 2006 provided for imposition of certain restrictions and prohibitions over new projects or activities or on expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in

the Schedule to the Notification. The said EIA Notification 2006 also provides for prior Environmental Clearance (EC) in respect of projects or activities indicated in the Schedule to the Notification. Clause 2 of the EIA Notification 2006 (as amended) provides for Requirements of prior Environmental Clearance (EC) in respect of the projects or activities listed in the Schedule to the Notification categorized as Category 'A', Category 'B' and Category 'B2'.

It may be stated that the Schedule to the EIA Notification, 2006 contains projects or activities of 'Mining of minerals' at Sl. No. 1(a) besides other projects or activities enumerated under Sl. Nos. 1(b) to 8(b). However, the Schedule does not include projects or activities of 'Stone Crushing' as it is not a mining activity. As such, it may be stated that to the best of knowledge, of the project of stone crusher of the appellant does not require Environmental Clearance (EC) under the provision of EIA Notification 2006 as amended.

A copy of the EIA Notification 2006 (as amended) is annexed herewith and marked as **ANNEXURE - 1.**

**3.** That it may further be stated that subsequent to the filing of the present Appeal, the deponent came to know that the Deputy Commissioner, Ri-Bhoi District (Respondent No.3) has issued an Auction Sale Notice No. DCRB(LR)37/2019/Rev/Pt-III/531 dated 14.02.2022 calling for bids for auction of movable properties seized from the alleged illegal stone crusher units and

stone quarries, under the provisions of Section 69 of the Assam Land and Revenue Regulation Act, 1886. It may be stated that the appellant's stone crusher properties have also been seized vide Seizure Notice No.DCRB(LR)37/2019/Pt-III/Rev/484 dated 20.01.2022 (Annexure-9 page 44 of the Appeal).The said seized property of the appellant has also been put up for auction sale at Sl. No. 23 of Annexure-I (Item Description for Auction Sale) to the said Auction Sale Notice dated 14.02.2022.

A copy of the Auction Sale Notice dated 14.02.2022 is annexed herewith and marked as **ANNEXURE – 2.**

4. That it may be stated that the Hon'ble Tribunal by its order dated 26.08.2019 passed in O.A. No. 48/2019/EZ (Jitul Deka vs. Union of India &Ors.) had constituted a Committee to inspect and verify the factual aspects of illegal mining of gravel and stone in the Ri-Bhoi District of Meghalaya. The said Committee comprised of (i) the Deputy Commissioner, Ri-Bhoi District, (ii) Divisional Mining Officer, Department of Mining and Geology, Government of Meghalaya, (iii) Divisional Forest Officer, Ri-Bhoi District and (iv) State Pollution Control Board.

The Hon'ble Tribunal had vide its recent Order dated 10.01.2022 (Annexure-11 Page 56 of the Appeal) directed the Deputy Commissioner, Ri-Bhoi District to ensure that the illegal mining/stone crushing is stopped immediately and shall not be permitted in future.

It may be stated that the District Level Committee constituted by the Hon'ble Tribunal by issuing the seizure notice and subsequently seizing immediately and also by notifying Auction Sale Notice dated 14.02.2022 with regard to the Appellant's legally established stone crusher unit, had proceeded with wrong interpretation of the directions given by the Hon'ble Tribunal and it goes contrary to such directions.

5. That this affidavit is made bonafide for the ends of justice.

6. That the statements made in this affidavit are true to my knowledge and belief supported by relevant records which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

7. That the deponent seeks liberty to file an additional affidavit in addition to the present, if so required by this Hon'ble Tribunal.

Identified By

*Ankurani Moha*

Advocate

M/s Dayanidhi Ventures Pvt. Ltd.

*Dayanidhi*

Director

**DEPONENT**

NOTARY PUBLIC : OATH COMMISSIONER  
Solemnly affirmed before me this day, I  
certify that I read over and explained  
the contents to the deponent and that  
the deponent seemed perfectly to  
understand them.



*Sarma*  
19/2/22  
GITANJALEE SARMAH  
NOTARY  
Guwahati, Kamrup (M)  
Regd. No.: KAM-13517  
Guwahati, Kamrup (M)  
Regd. No.: KAM-13517  
Expiry Date-6-11-23

Sl. No. 02  
Date 19/2/22

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## VERIFICATION

I, Sri Sandeep Goel, do hereby verify at Guwahati on this 19<sup>th</sup> day of February, 2022 that the contents of my affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed there from.

Identified By

*Amenmani Mishra*

Advocate

M/s Dayanidhi Ventures Pvt. Ltd.

*Dayanidhi*  
Director

**DEPONENT**

**NOTARY PUBLIC : OATH COMMISSIONER**  
Solemnly affirmed before me this day, I certify that I read over and explained the contents to the deponent and that the deponent seemed perfectly to understand them.



*Gitanjali Sarma*  
19/2/22  
GITANJALEE SARMAH  
NOTARY  
Guwahati, Kamrup (M)  
Regd. No. KAM-13517  
Expiry Date-6-11-23

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**ENVIRONMENT IMPACT ASSESSMENT NOTIFICATION 2006 AND SUBSEQUENT**  
**AMENDMENTS**

(Incorporating subsequent amendments issued up to 18th March, 2021 and status before  
Courts/Tribunal)

New Delhi, 14th September, 2006

**S.O.1533(E).**-Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of 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 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be 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.

**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, \*<sup>2</sup>[and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the 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;

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<sup>1</sup> Includes territorial waters

<sup>2</sup> Words inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad Vs. Uoi vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

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- <sup>1</sup>[(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7];

**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) <sup>2</sup>[The Chairman shall be an expert in terms of the eligibility criteria given in APPENDIX VI in one of the specified fields, with sufficient experience in environmental policy or management.
- (4) The other member shall be an expert fulfilling the eligibility criteria given in APPENDIX VI in one of the specified fields.]
- (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).

<sup>3</sup>[Provided that wherever considered necessary and expedient, the Central Government may extend the term for a further period not exceeding <sup>4</sup>{twelve} months.]

- (7) <sup>5</sup>[All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and a copy thereof sent to MoEF].

<sup>6</sup>[**3A. District Level Environment Impact Assessment Authority:** - (1) A District Level Environment Impact Assessment Authority hereinafter referred to as the DEIAA shall be constituted by the Central Government under sub- section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of four members including a Chairperson and a Member-Secretary.

- (2) The District Magistrate or District Collector shall be the Chairperson of the DEIAA.
- (3) The Sub-Divisional Magistrate or Sub-Divisional Officer of the district head quarter of the concerned district of the State shall be the Member-Secretary of the DEIAA.
- (4) The other two members of the DEIAA shall be the senior most Divisional Forest Officer

<sup>1</sup> Subs. by S.O. 980(E), dated 2nd March, 2021

<sup>2</sup> Substituted para by S.O.1737 (E), dated 11th October, 2007.

<sup>3</sup> Inserted by S.O. 1562(E), dated 21st May, 2020

<sup>4</sup> Substituted the words "twelve months" for the words "six months" by S.O. 3752(E), dated 20th October, 2020

<sup>5</sup> Substituted by S.O.3067 (E), dated 1st December, 2009

<sup>6</sup> Inserted. by S.O. 141, dated 15th January, 2016

and one expert. The expert shall be nominated by the Divisional Commissioner of the Division or Chief Conservator of Forest, as the case may be. The term and qualifications of the expert fulfilling the eligibility criteria are given in Appendix VII to this notification.

- (5) The members of the DEIAA who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert member.
- (6) The District Level Expert Appraisal Committee hereinafter referred to as the DEAC shall comprise of eleven members, including a Chairman and a Member - Secretary.
- (7) The senior most Executive Engineer, Irrigation Department in the district of respective State Governments or Union territory Administration shall be the Chairperson of the DEAC.
- (8) The Assistant Director or Deputy Director of the Department of Mines and Geology or District Mines Officer or Geologist of the district shall be the Member-Secretary of the DEAC in that order.
- (9) A representative of the State Pollution Control Board or Committee, senior most Sub-Divisional Officer (Forest) in the district, representative of Remote Sensing Department or Geology Department or State Ground Water Department, one occupational health expert or Medical Officer to be nominated by the District Magistrate or District Collector, Engineer from Zila Parishad, and three expert members to be nominated by the Divisional Commissioner or Chief Conservator of Forest, as the case may be, shall be the other members of the DEAC. The term and qualifications of the experts fulfilling the eligibility criteria are given in Appendix VII to this notification.
- (10) The members of the DEAC who are serving officers of the concerned State Government or the Union territory Administration shall be *ex-officio* members except the expert members.
- (11) The District Magistrate or District Collector shall notify an agency to act as Secretariat for the DEIAA and the DEAC and shall provide all financial and logistic support for their statutory functions.
- (12) The DEIAA and DEAC shall exercise the powers and follow the procedure as specified in the said notification, as amended from time to time.
- (13) The DEAC shall function on the principle of collective responsibility and the Chairman shall endeavor to reach a consensus in each case and if consensus cannot be reached, the view of the majority shall prevail.];

**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 manmade 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

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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. <sup>1</sup>[In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project.]

<sup>2</sup>[(iv) The 'B2' Category projects pertaining to mining of minor mineral of lease area less than or equal to five hectare shall require prior environmental clearance from DEIAA. The DEIAA shall base its decision on the recommendations of DEAC, as constituted for this notification.];

### <sup>3</sup>5. Screening, Scoping and Appraisal Committees: -

The same Expert Appraisal Committees (EACs) at the Central Government, SEACs at the State or Union territory level and DEAC at the district level shall screen, scope and appraise projects or activity in category 'A', 'B1 and B2' and 'B2' projects for mining of minor minerals of lease area less than and equal to five hectare respectively. EAC, SEACs and DEACs 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. DEAC at the district level shall be constituted by the Central Government as per the composition given in paragraph 3A.

(b) The Central Government may with the prior concurrence of the concerned State Governments or the Union territory Administration constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost.

<sup>4</sup>[(c) The Expert Appraisal Committee and State Level Expert Appraisal Committee shall be reconstituted after every three years:

Provided that wherever considered necessary and expedient, the Central Government may extend the term for a further period not exceeding <sup>5</sup>{twelve} months.]

(d) The authorized members of the EAC, SEACs and DEACs concerned, may inspect any site connected with the project or activity in respect of which the prior environmental clearance is sought for the purpose of screening or scoping or appraisal with prior notice of at least seven days to the project proponent who shall provide necessary facilities for the inspection.

(e) The EAC, SEACs and DEACs shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case and if consensus cannot be reached the view of the majority shall prevail.]

### <sup>3</sup>6. Application for Prior Environmental Clearance (EC): -

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

<sup>1</sup> Substituted words by S.O.3067(E), dated 1st December, 2009

<sup>2</sup> Ins. by S.O. 141(E), dated 15th January, 2016

<sup>3</sup> Para substituted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. UoI vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice) and Para 5(c) substituted vide S.O. No. 1562(E), dated the 21st May, 2020 and subsequently amended vide S. O. 3752 (E), dated the 20th October, 2020

<sup>4</sup> Substituted the words "twelve months" for the words "six months" by S.O. 1562 (E), dated 21st May, 2020.

<sup>5</sup> Substituted by S.O. 3752 (E), dated 20th October, 2020.

which the application relates; and in Form 1M for mining of minor minerals up to five hectare under Category 'B2' projects, as given in Appendix VIII, before commencing any construction activity, or preparation of land, or mining at the site by the project proponent. The project proponent shall furnish along with the application, a copy of the pre-feasibility project report, in addition to Form 1, Form 1A, and Form 1M; and in case of construction projects or activities (item 8 of the Schedule), a copy of the conceptual plan shall be provided instead of pre-feasibility report.]

#### 7. Stages in the Prior Environmental Clearance (EC) Process <sup>1</sup>[\*\*\*]: -

- (i) <sup>2</sup>[For new projects or activities listed in the Schedule to this notification]: 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:

<sup>3</sup>[(A)] 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.

<sup>4</sup>[(B)] The cases as specified in Appendix IX shall be exempted from prior environmental clearance.];

##### <sup>5</sup>[II Stage (2) -Scoping:

(i) <sup>6</sup>["Scoping" refers to the process to determine detailed and comprehensive Terms of Reference (ToR) addressing all relevant environmental concerns for the preparation of an Environmental Impact Assessment and Environment Management Report in respect of the project or activity for which Prior Environmental Clearance is sought.

(ii) All projects or activities listed under Category "B2" of the schedule shall not require Scoping.

(iii) Sector specific Standard Terms of References developed by the Ministry of Environment,

<sup>1</sup> Omitted vide S.O. 980(E), dated 2nd March, 2021

<sup>2</sup> Ins. vide S.O. 980(E), dated 2nd March, 2021

<sup>3</sup> Re-numbered as (A) by S.O. 141 (E), dated 15th January, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*

<sup>4</sup> Inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. Uoi vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

<sup>5</sup> Substituted by S.O. 751 (E), dated 17th February, 2020.

<sup>6</sup> Amended vide S.O.695(E), dated the 4th April, 2011, S.O. 2259 dated 22nd August, 2013, S.O. 562(E) dated 26th February, 2014; S.O. 382(E) dated 3rd February, 2015, S.O. 996(E) dated 10th April, 2015.

Forest and Climate Change, from time to time shall be displayed on its website.

- (iv) The Standard Terms of References shall be issued to the following projects or activities through online mode, on acceptance of application within 7 working days, without referring to EAC or SEAC by the Ministry or SEIAA, as the case may be:
  - (a) All Highway projects in Border States covered under entry (i) and (ii) of column (3) and (4) against item 7(f) of the Schedule;
  - (b) All projects or activities proposed to be located in industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals; and
  - (c) All expansion proposals of existing projects having earlier Prior Environmental Clearance:

Provided that EAC or SEAC may recommend additional specific Terms of Reference in addition to the Standard ToR, if found necessary, for a project or activity, within 30 days from the date of acceptance of application.

- (v) All new projects or activities other than specified in sub-paragraph (iv) above, shall be referred to the EAC or SEAC by the Regulatory Authority, as the case may be, within 30 days from the date of application, for recommending the specific ToR in addition to the Standard ToR, deemed necessary. In case, the regulatory authority does not refer the matter to the EAC or SEAC, as the case may be, within 30 days of date of application in Form-I, sector specific Standard ToR shall be issued, online, on 30th day, by the Regulatory Authority.
- (vi) Applications for Terms of Reference may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned. In case of such rejection, the decision together with reasons for the same after due personal hearing shall be communicated to the applicant in writing within sixty days of the receipt of the application.
- (vii) The project proponent shall prepare the EIA report based on the sector specific Standard ToR as well as additional specific ToR, if any, stipulated by the EAC or SEAC.
- (viii) The Terms of Reference for the projects or activities except for River valley and Hydroelectric projects, issued by the regulatory authority concerned, shall have the validity of four years from the date of issue. In case of the River valley and Hydro-electric projects, the validity will be for five years.]

<sup>1</sup>[(ix) Notwithstanding anything contained above, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Terms of Reference granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the said Terms of Reference shall be treated as valid.];

<sup>2</sup>[(x) Notwithstanding anything contained above, the projects where construction and commissioning of proposed activities have not been completed within the validity period of the Environmental Clearance (EC) and a fresh application for EC has been submitted due to expiry of the said period of the EC, the concerned Expert Appraisal Committee or State Level Expert Committee, as the case may be, may exempt the requirement of public hearing subject to the condition that the project has been implemented not less than fifty percentage in its physical form or construction.].

<sup>1</sup> Inserted by S.O. 221(E) dated 18<sup>th</sup> January, 2021

<sup>2</sup> Inserted by S.O. 1247(E) dated 18<sup>th</sup> March, 2021

**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.
  - <sup>1</sup>[(cc) maintenance dredging provided the dredged material shall be disposed within port limits.]
  - <sup>2</sup>[(d) All Building or construction projects or Area Development projects (which do not contain any category ‘A’ projects and activities) and Townships (item 8(a) and 8(b) in the schedule to the notification).]
  - (d) all Category “B2” projects and activities.
  - (e) all projects or activities concerning national defense and security or involving other strategic considerations as determined by the Central Government.
  - <sup>3</sup>[(g) all linear projects such as Highways, pipelines, etc., in border States.]
  - <sup>4</sup>[(h) all standalone pillarization plants, which were in existence and in operation on or before the 27<sup>th</sup> day of May, 2014 and have valid consent to establish and consent to operate from the concerned State Pollution Control Board or the Union Territory Pollution Control Committee.]
- (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 <sup>5</sup>[45 (forty five) days] of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control

<sup>1</sup> Inserted by Para III(i) of the Amendment Notification issued by S.O.3067(E) dated 1st December, 2009.

<sup>2</sup> Substituted by Para III (ii) of the Amendment Notification issued by S.O,3067(E), dated 1.12.2009

<sup>3</sup> Ins. By S.O. 382 (E) dated 3rd February, 2015

<sup>4</sup> Ins. by S.O. 2572 (E), dated 14th September, 2015

<sup>5</sup> Amended by Corrigendum by S.O.1939(E), dated 13th November, 2006.

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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 <sup>1</sup>[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;

<sup>2</sup>7(ii). **Prior Environmental Clearance (EC) Process for Expansion or Modernization or Change of product mix in Existing Projects:**

(a) 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 Environment Impact Assessment and public consultations and the application shall be appraised accordingly for grant of environmental clearance, <sup>3</sup>[in respect of projects or activities other than falling in clause (b) and (c)];

<sup>4</sup>(b) **Existing projects (having Prior Environmental Clearance) with no increase in pollution load:**

Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance):

Provided that such exemption shall be applicable only consequent to —

A. the project proponent furnishing information regarding such changes along with no increase in pollution load certificate, from the environmental auditor or reputed institutions empanelled by the State Pollution Control Board or Union Territory Pollution Control Committee or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change, as per the procedure laid down in Appendix-XIII, on PARIVESH portal as well as to the concerned State Pollution Control Board or Union Territory Pollution Control Committee.

**Note:** If on verification, the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, after giving the project proponent the opportunity of being heard, holds that such change or expansion or modernisation results in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was always liable to obtain prior environmental clearance, in respect of such change or expansion or modernisation, as per the clause (a) and the provisions of Environment (Protection)

<sup>1</sup> Amended as per para (iv) of the corrigendum issued by Notification S.O.1939 (E), dated 13th November, 2006

<sup>2</sup> Substituted by S.O. 3518 (E), dated 23rd November, 2016.

<sup>3</sup> Inserted by S.O. 980(E), dated 2nd March, 2021

<sup>4</sup> Subs. by S.O. 980(E), dated 2nd March, 2021

Act, 1986 shall apply accordingly;

- B. installation and implementation of Online Continuous Monitoring System (OCMS) with at least 95% uptime, connected to the servers of the Central Pollution Control Board and State Pollution Control Board or Union Territory Pollution Control Committee concerned to report the quantity and quality, of emission and discharges:

Provided further that the provisions of this clause shall not be applicable if such change or increase results in change in category of project or activity from Category- 'B2' to either Category- 'A' or Category 'B1'.

(c) Any change in configuration of the plant or activity from the environmental clearance conditions during execution of the project after detailed engineering, in respect of projects or activities, falling in any item of the Schedule to this notification, shall not require prior environmental clearance, if there is no change in production capacity and there is no increase in pollution load subject to furnishing particulars of such changes on PARIVESH portal in the format as may be provided by the Government from time to time, before implementing such changes whereupon a system generated acknowledgement will be issued by the concerned Regulatory Authority.

**Explanation:-** For the purpose of this sub-paragraph, "Pollution load" shall be determined on the basis of multiplication of quantity and concentration of different components and parameters (as provided or referred in the Prior Environment Clearance or the Environment Impact Assessment Report (EIA) and Environment Management Plan based on which such Prior Environment Clearance has been granted), in respect of emissions, effluents or discharge, solid, industrial hazardous waste and such other parameters notified under the Environment (Protection) Rules, 1986 as amended from time to time.]

**<sup>1</sup>[7 (iii) Preparation of District Survey Report for Sand Mining or River Bed Mining and Mining of Other Minor Minerals:**

- (a) The prescribed procedure for preparation of District Survey Report for sand mining or river bed mining and mining of other minor minerals is given in Appendix X.
- (b) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI."]

**8. Grant or Rejection of Prior Environmental Clearance (EC):**

- (i) The regulatory authority shall consider the recommendations of the <sup>2</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the <sup>2</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 <sup>2</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned. In cases where it disagrees with the recommendations of the <sup>2</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned, the regulatory authority shall request reconsideration by the

<sup>1</sup> Inserted by S.O. 141 (E), dated 15th January, 2016 (Notification is under Sub-Judice before the Hon'ble Courts/Tribunal) \*.

<sup>2</sup> Substitute by S.O. 141 (E), dated 15th January, 2016

<sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned within forty five days of the receipt of the recommendations of the <sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 <sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 <sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 <sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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 <sup>1</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District 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.

<sup>2</sup>**9. Validity of Environmental Clearance (EC):**

(i) 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 (iii) of paragraph 8, 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 or District Level Expert Appraisal Committee] subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.

(ii) In case of Area Development projects and Townships [item 8 (b), the validity period of Seven years shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that this period of validity with respect to sub-paragraphs (i) and (ii) above may be

<sup>1</sup> Substituted by S.O. 141 (E) dated 15th January, 2016.

<sup>2</sup> Re-numbered and then text in bold was amended vide S.O.1141 (E), dated the 29th April, 2015 further substituted vide S.O. 2944 (E), the 14th September, 2016

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extended by the regulatory authority concerned by a maximum period of three years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee, as the case may be, for grant of such extension.

- (iii) Where the application for extension under sub-paragraphs (i) and (ii) above has been filed –
- (a) within thirty days after the validity period of Environmental Clearance, such cases shall be referred to concerned Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, State Level Expert Appraisal Committee or Member Secretary, District Level Expert Appraisal Committee, as the case may be;
- (b) more than thirty days after the validity period of Environmental Clearance but less than ninety days after such validity period, then, based on the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee, the delay shall be condoned with the approval of the Minister in charge of Environment, Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for delay shall be granted for any application for extension filed beyond 90 days after the validity period of Environment Clearance.].

<sup>1</sup>[9A. Notwithstanding anything contained in this notification, the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of Prior Environmental Clearances granted under the provisions of this notification in view of outbreak of Corona Virus (COVID-19) and subsequent lockdowns (total or partial) declared for its control, however, all activities undertaken during this period in respect of the Environmental Clearance granted shall be treated as valid.].

#### 10. Post Environmental Clearance monitoring:

<sup>2</sup>[(i) (a) In respect of Category 'A' projects, it shall be mandatory for the project proponent to make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.

(b) In respect of category 'B' projects, irrespective of its clearance by MoEF/SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of MoEF website where it is displayed.

(c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Government portal.

(d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.]

<sup>3</sup>[(ii) It shall be mandatory for the project management to submit half-yearly compliance reports

<sup>1</sup> Inserted vide S.O.4254(E), dated the 27th November, 2020 and substituted vide S.O. 221(E), dated the 18th January, 2021.

<sup>2</sup> Inserted/re-numbered vide S.O.3067(E), dated the 1st December, 2009

<sup>3</sup> Renumbered sub-para (i) and sub-para (ii) as sub-para (ii) and sub-para (iii) respectively by Para IV(a) & (b) of the Amendment Notification notified by S.O.3067(E), dated 1st December, 2009.

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in respect of the stipulated prior environmental clearance terms and conditions in <sup>1</sup>[soft copy] to the regulatory authority concerned, on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.

(iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.]

<sup>2</sup>[(iv) The prescribed procedure for sand mining or river bed mining and monitoring is given in Appendix XII.];

## 11. Transferability of Environmental Clearance (EC):

<sup>3</sup>[(1)] 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 <sup>4</sup>[Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee] concerned is necessary in such cases.

<sup>5</sup>[(2) Where an allocation of coal block is cancelled in any legal proceedings, or by the Government in accordance with law, the environmental clearance granted in respect of such coal block may be transferred, subject to the same validity period as was initially granted, to any legal person to whom such block is subsequently allocated, and in such case, obtaining of "no objection" from either the holder of environment clearance or from the regulatory authority concerned shall not be necessary and no reference shall be made to the Expert Appraisal Committee or the State Level Expert Appraisal Committee concerned.]

<sup>6</sup>[(3) The successful bidder of the mining leases, expiring under the provisions of sub-sections (5) and (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) and selected through auction as per the procedure provided under that Act and the rules made thereunder, shall be deemed to have acquired valid prior environmental clearance vested with the previous lessee for a period of two years, from the date of commencement of new lease and it shall be lawful for the new lessee to continue mining operations as per the same terms and conditions of environmental clearance granted to the previous lessee on the said lease area for a period of two years from the date of commencement of new lease or till the new lessee obtains a fresh environmental clearance with the terms and conditions mentioned therein, whichever is earlier:

Provided that the successful bidder shall apply and obtain prior environmental clearance from the regulatory authority within a period of two years from the date of grant of new lease.];

<sup>7</sup>[(4) Where an allocation of iron ore block pertaining to the State of Karnataka is cancelled in any legal proceeding, or by the Government in accordance with law, the environmental clearance granted in respect of such iron block may be transferred subject to the same validity period it was initially granted, to any legal person to whom such block is subsequently allocated, and in

<sup>1</sup> Subs. vide S.O.No.5845 (E), dated 26th November, 2018

<sup>2</sup> Inserted vide S.O. 141(E), dated the 15th January, 2016 (This notification has been suspended by NGT in EA No. 55/2018 in OA No. 520/2016 in the matter of Vikrant Tongad vs. Uoi vide order dated 11th December, 2018 and same has been appealed before Hon'ble Supreme Court and matter is sub-judice)

<sup>3</sup> Renumbered sub-para (1) by S.O. 811 (E) dated 23rd March, 2015

<sup>4</sup> Subs. by S.O. 141 (E) dated 15th January, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*.

<sup>5</sup> Ins. by S.O. 811 (E) dated 23rd March, 2015.

<sup>6</sup> Ins. by S.O. 1224 (E) dated 28th March, 2020

<sup>7</sup> Ins. by S.O. 4241 (E) dated 30th December, 2016 [re-numbered as (4)].

such case, obtaining of "no objection" from either the holder of environmental clearance or from the regulatory authority concerned shall not be necessary and no reference shall be made to the Expert Appraisal Committee or the State Level Expert Appraisal Committee concerned.];

## 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, <sup>1</sup>[except in supersession of the things done or omitted to be done before such supersession] 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 <sup>2</sup>[Schedule], or continue operation of some or all provisions of the said notification, for a period not exceeding <sup>3</sup>[twenty four months] from the date of issue of this notification.

## <sup>4</sup>[13. Preparation and Presentation of Environment Impact Assessment (EIA) Report and Environment Management Plan (EMP). -

The Environmental consultant organizations which are accredited for a particular sector and the category of project for that sector with the Quality Council of India (QCI) or National Accreditation Board for Education and Training (NABET) or any other agency as may be notified by the Ministry of Environment, Forest and Climate Change from time to time shall be allowed to prepare the Environment Impact Assessment report and Environmental Management Plan of a project in that sector and category and to appear before the concerned Expert Appraisal Committee (EAC) or the State Expert Appraisal Committee (SEAC). The Ministry will also prepare a panel of national level reputed educational and research institutions to work as Environmental Consultant Organizations.]

## 14. Integration of Environmental Condition in Building Bye-Laws. -

<sup>5</sup>[(14) Local bodies such as Municipalities, Development Authorities and District Panchayats, shall stipulate environmental conditions while granting building permission, for the Building or Construction projects with built-up area  $\geq 20,000$  sq. mtrs and  $< 50,000$  sq. mtrs and industrial sheds, educational institutions, hospitals and hostels for educational institutions from built-up area  $\geq 20,000$  sqm to  $< 1,50,000$  sq.m as specified in Notification S.O. 5733(E) dated 14th November, 2018].

<sup>1</sup> Corrected spelling of "suppression" as "supersession" as per para (ii)(a) of the corrigendum issued by Notification S.O. 939 (E), dated 13th November, 2006.

<sup>2</sup> Corrected "Schedule I" as "Schedule" as per para (ii)(b) of the corrigendum issued by Notification S.O. 1939 (E), dated 02.11.2006

<sup>3</sup> Substituted by Para II of the Amendment Notification Issued by S.O. 1737 (E), dated 11th October, 2007

<sup>4</sup> Ins. By S.O. 648 (E) dated 3rd March, 2016

<sup>5</sup> Substituted by S.O. 5736(E) dated 15th November, 2018 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*.

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**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>
<sup>1</sup> [1(a)]	Mining of minerals	> 100 ha of mining lease area of non-coal mine lease.  > 150 ha of mining lease area in respect of coal mine lease.  Asbestos mining irrespective of mining area	≤ 100 ha of mining lease area in respect of non-coal mine lease.  ≤ 150 ha of mining lease area in respect of coal mine lease.	General Condition shall Apply except:  (i) For project or activity of mining of minor minerals of Category 'B2' (up to 25 ha of mining lease area);  (ii) For project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area, and  (iii) River bed mining projects on account of inter-state boundary.
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks/sanctuaries/coral reefs, ecologically sensitive areas.	All projects		<b>Note:</b>  (1) Mineral prospecting is exempted;  (2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI;  <sup>2</sup> [(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.];

<sup>1</sup> Substituted by S.O. 3977 (E), dated 14th August, 2018.

<sup>2</sup> Inserted by S.O. 1224 (E), dated 28th March, 2020

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<sup>1</sup> [1(b)]	Offshore and onshore oil and gas exploration, development and production	All projects in respect of off-shore and onshore oil and gas development and production except exploration		<p><b>Note 1:</b> Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey</p> <p><b>Note 2:</b> All project in respect of off-shore and onshore oil and gas exploration are categorized as 'B2' projects]</p>
<sup>2</sup> [1(c)]	(i) River Valley Projects  (ii) Irrigation projects	(i) $\geq 50$ MW hydroelectric power generation.  (ii) $\geq 10,000$ ha, of culturable command area.	(i) $\geq 25$ MW and $< 50$ MW hydroelectric power generation; (ii) $> 2000$ ha and $< 10,000$ ha, of culturable command area	<p>General condition shall apply,</p> <p><b>Note: -</b> (i) Category 'B' river valley projects falling in more than one state shall be appraised at the central Government Level. (ii) Change in irrigation technology having environmental benefits (eg. From flood irrigation to Drip irrigation etc.) by an existing project, leading to increase in Culturable Command Area but without increase in dam height and submergence, will not require amendment/ revision of EC.]</p>
		<b>Irrigation system</b>	<b>Requirement of EC</b>	
		(a) Minor Irrigation system ( $\leq 2000$ Ha)	Exempted	
		(b) Medium irrigation system ( $> 2000$ and $< 10,000$ ha.)	Required to prepare EMP and to be dealt at State Level (B2 category).	
		(c) Major irrigation system ( $\geq 10,000$ to $< 50,000$ ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B1 category).	
<sup>1</sup> (d)	<sup>3</sup> [Thermal Power Plants	<p><math>&gt; 500</math> MW (coal/lignite/naphtha and gas bases);</p> <p><math>&gt; 50</math> MW (all other fuels except biomass).</p> <p><math>&gt; 20</math> MW (using municipal solid non-hazardous waste, as fuel).</p>	<p><sup>4</sup>[<math>&gt; 5</math> MW] to <math>&lt; 500</math> MW (coal/lignite/naphtha and gas based);</p> <p><math>&lt; 50</math> MW and <math>\geq 5</math> MW (all other fuels except biomass and municipal solid non-hazardous waste).</p> <p><math>&lt; 20</math> MW <math>&gt; 15</math> MW (using municipal solid non-</p>	<p>General condition shall apply</p> <p><b>Note: -</b> a. Thermal Power plants up to 15 MW based on biomass or non-hazardous municipal solid waste using auxiliary fuel such as coal, lignite/ petroleum products up to 15 % are exempt. b. Thermal power plants using waste heat boilers without any auxiliary fuel are exempt.]</p>

<sup>1</sup> Substituted by S.O. 236 (E), dated 16th February, 2020.

<sup>2</sup> Substituted by S.O. 3977 (E), dated 14th August, 2018.

<sup>3</sup> Substituted by S.O. 1599 (E), dated 25th June, 2014.

<sup>4</sup> Substituted by S.O. 1834 (E), dated 6th July, 2015.

			hazardous waste, as fuel), > 15 MW plants based on biomass fuel.	
1(e)	Nuclear power projects and processing of nuclear fuel	All projects	-	
<b>2 Primary Processing</b>				
2(a)	Coal washeries	<1million 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)	<sup>1</sup> [Mineral Beneficiation	> 0.5 million TPA through put	<0.5 Million TPA through put	General condition shall apply (Mining proposal with mineral beneficiation shall be appraised together for grant of clearance).]
<b>3. Material Production</b>				
3(a)	Metallurgical industries(ferrous & ferrous)	a) Primary metallurgical industry All projects	Sponge iron manufacturing <200TPD	<sup>2</sup> [General Condition shall apply Note: (i) The recycling industrial units registered under the HSM Rules are exempted. (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces, only such as induction and electric arc furnace, submerged arc furnace and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry No. 1(d) of the schedule), based on municipal solid waste(non-hazardous) are exempted]
		b) Sponge iron manufacturing ≥ 200TPD	Secondary metallurgical processing industry	
		c) Secondary metallurgical processing industry  All toxic and heavy metal producing units ≥ 20,000 tonnes/annum	i) All toxic and heavy metal producing units <20,000 tonnes/annum  ii) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum	
<sup>3</sup> [3(b)	Cement plants	≥1.0 million tonnes/annum production	<1.0 million tonnes/annum production capacity. All	General Condition shall apply  <b>Note. -</b>

<sup>1</sup> Subs. by S.O.1599(E), dated 25th June, 2014

<sup>2</sup> Subs. by S.O.3067(E), dated 1st December, 2009

<sup>3</sup> Subs. by S.O. 3518 (E) dated 23rd November, 2016

		capacity	Standalone grinding units	<p>1. Fuel for cement industry may be coal, pet coke, mixture of coal and pet coke and co-processing of waste provided it meets the emission standards.</p> <p>2. The manufacturing of composite cement by plants having environmental clearance for manufacturing Ordinary Portland Cement (OPC), Portland Pozzolana Cement (PPC) and Portland Slag Cement (PSC) shall be exempt provided the production is within sanctioned capacity.]</p>
<b>4</b>	<b>Materials Processing</b>			
<b>4(a)</b>	Petroleum refining industry	All projects	-	-
<sup>1</sup> <b>4(b)</b>	(i) Coke oven plants (ii) Coal tar processing units	≥2,50,000 tonnes/annum	<2,50,000 and ≥25,000 tonnes/annum  All projects	General condition shall apply.]
<b>4(c)</b>	Asbestos milling and asbestos based products	All projects	-	-
<b>4(d)</b>	Chlor-alkali industry	<sup>2</sup> [≥300TPD Production capacity if a unit located outside the notified industrial area/estate.]	<sup>3</sup> [(i) All projects irrespective of the size, if it is located in a notified Industrial area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a notified industrial area/ estate.]	<sup>4</sup> [General as well as specific condition shall apply  No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the Notification]

<sup>1</sup> Subs. by S.O. 1599 (E) dated 25th June, 2014  
<sup>2</sup> Subs. by S.O. 1599 (E) dated 25th June, 2014  
<sup>3</sup> Substituted by S.O. 3067(E), dated 1st December, 2009  
<sup>4</sup> Substituted by S.O. 3067(E), dated 1st December, 2009

4(e)	Soda ash Industry	All projects	-	-
4(f)	<sup>1</sup> [Skin/hide processing including tanning 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	<sup>2</sup> [General as well as specific condition shall apply]
<b>5 Manufacturing/Fabrication</b>				
<sup>3</sup> 5(a)	Chemical fertilizers	All projects including all Single Super Phosphate With H <sub>2</sub> SO <sub>4</sub> production except granulation of chemical fertilizers.	All single Super Phosphate without H <sub>2</sub> SO <sub>4</sub> production and granulation of chemical fertilizers.	General condition shall apply. <b>Note:</b> • Granulation of single super phosphate powder is exempt. • Neem coating of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the coating material used. • Fortification of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the fortification material used.]

5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro- chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	<sup>4</sup> [Petroleum products and petro chemical based processing such as production of carbon black and electrode grade graphite]	Located outside the notified industrial area/ estate	Located in a notified industrial area/ estate	<sup>1</sup> [General as well as specific condition shall apply. <b>Note:</b> Manufacturing of products from polymer granules is exempt.;

<sup>1</sup> Subs. by S.O. 1599 (E), dated 25th June, 2014

<sup>2</sup> Substituted by S.O.3067(E), dated 1st December, 2009

<sup>3</sup> Subs. by S.O. 3518 (E), 23rd November, 2016

<sup>4</sup> Subs. 1599 (E) dated 25th June, 2014.

	(processes other than cracking & reformation and not covered under the complexes]			
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5(f)	<sup>1</sup> [Synthetic organic chemicals industry (dyes and dye intermediates; bulk drugs and intermediates excluding drug and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/estate except small units as defined in column (5).	(i) Located in a notified industrial area/estate.  (ii) Small units as defined in column (5).	General as well as specific condition shall apply.  Small units: with water consumption, <25m <sup>3</sup> /day, fuel consumption <25TPD and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989).  <sup>2</sup> [All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the <sup>3</sup> [30th March, 2021], shall be appraised, as Category 'B2' projects, provided that any subsequent amendment or expansion or change in product mix, after the <sup>3</sup> [30th March, 2021], shall be considered as per the provisions in force at that time.].
<sup>4</sup> 5(g)	Distilleries	Molasses based distilleries > 100 KLD  Non-molasses based distilleries >200 KLD	Molasses based distilleries ≤ 100 KLD  Non-molasses based distilleries ≤ 200 KLD	General condition shall apply.]  <sup>5</sup> [Note: Expansion of sugar manufacturing units or distilleries, having Prior Environment Clearance and for production of ethanol, to be used as fuel for blending only as certified by the competent authority,

<sup>1</sup> Subs. by S.O. 1599 (E), dated 25th June, 2014.

<sup>2</sup> Ins. by S.O.1223(E), dated 27th March, 2020

<sup>3</sup> Subs. the figures, letters and word "30th March, 2021" for the figures, letters and word "30th September, 2020", by S.O. 3636(E), dated 15th October, 2020

<sup>4</sup> Subs. by S.O.1960(E), dated 13th June, 2019

<sup>5</sup> Ins. by S.O. 980(E), dated 2nd March, 2021

				shall be appraised as Category 'B2' projects.];
5(h)	Integrated industry	-	All projects	General condition shall apply
5(i)	<sup>1</sup> [Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing form waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General condition shall apply <b>Note:</b> Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and coloring is exempt.];
5(j)	Sugar Industry	-	≥5000 tcd cane crushing capacity	General condition shall apply
<sup>2</sup> [5(k)	*.....]			
<b>6</b>	<b>Service Sectors</b>			
6(a)	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/ coral reefs/ecologically sensitive areas including LNG Terminal	6(a)	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/coral reefs/ecologically sensitive areas including LNG Terminal	6(a)
<sup>3</sup> [6(b)	*.....]			
<b>7</b>	<b>Physical Infrastructure including Environmental Services</b>			
7(a)	Air ports	<sup>4</sup> [All projects including air strip, which are for commercial use	-	<b>Note:</b> Air strips which do not involve bunkering/refueling facility and or Air Traffic Control are exempted]
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/complexes/areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A,	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.	<sup>5</sup> [General as well as Special conditions shall apply  <b>Note:</b> 1. Industrial Estate of area below 500 ha. and not housing any industry of category 'A' or 'Beddoes not require clearance.

<sup>1</sup> Subs. by S.O. 1599 (E), dated 25th June, 2014.

<sup>2</sup> Omitted by S.O. 3067(E), dated 1st December, 2009

<sup>3</sup> Omitted by S.O.1960(E), dated 13th June, 2019

<sup>4</sup> Substituted by S.O. 3067(E), dated 1.12.2009

<sup>5</sup> Subs. by S.O.3067(E), dated 1st December, 2009

		irrespective of the area.  Industrial estates with area greater than 500 ha and housing at least one Category B industry.		2. If the area is less than 500 ha but contains building and construction projects less than 2000 sq. mtr. and or development area more than 50 ha it will be treated as activity listed at Serial No.8(a) or 8(a) in the Schedule, as the case may be]
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply
<sup>1</sup> 7(da)	Bio-medical Waste Treatment Facilities	-	All Projects	-]
7(e)	<sup>2</sup> [Ports, Harbours, break waters, dredging]	< 5 million TPA of cargo handling capacity (excluding fishing harbours)	<5million TPA of cargo handling capacity and/or ports/ harbors <10,000TPA of fish handling capacity	<sup>3</sup> [General Condition shall apply.  <b>Note:</b>  1. Capital dredging inside and outside the ports or harbors and channels are included;  3. Maintenance dredging is exempt provided it formed part of the original proposal; for which Environmental Management Plan (EMP) was prepared and environmental Clearance obtained];
7(f)	Highways	<sup>3</sup> (i) New National High ways; and  <sup>4</sup> (ii) Expansion of National	(i) <sup>5</sup> {All New State Highway Projects;} (ii) State Highway expansion projects in hilly	<sup>7</sup> [General Condition shall apply.  <b>Note:</b> Highways included expressways]

<sup>1</sup> Inserted by S.O. No.1142(E), dated 17th April, 2015

<sup>2</sup> Subs. by S.O.3067(E), dated 1st December, 2009

<sup>3</sup> Subs. by S.O.1737 (E), dated 11th October, 2007

<sup>4</sup> Subs. by S.O. 2559 (E) dated 22nd August, 2013.

<sup>5</sup> Substituted by S.O.3067(E), dated 1st December, 2009

<sup>6</sup> Substituted by S.O. 695 (E) dated 4th April, 2011

<sup>7</sup> Substituted by S.O.3067(E), dated 1st December, 2009

		Highways greater than 100 km, involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes.]	terrain (above 1,000 m AMSL) and/or ecologically sensitive areas]	
7(g)	Aerial ropeways	<sup>1</sup> [(i) All projects located at altitude of 1,000 mtr. and above.  (ii) All projects located in notified ecologically sensitive areas.]	<sup>2</sup> [All projects except those covered in Column(3)]	General Condition shall apply
<sup>3</sup> 7 (h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply  <b>Note:</b> Environmental clearance for CETPs setup for or within projects or activities which do not require environmental clearance are exempted, and if any of the existing or proposed member units of the said CETP produces or proposes to produce any product requiring environmental clearance, then the CETP shall need environmental clearance].
7(i)	Common Municipal Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
<sup>4</sup> 8	<b>Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions</b>			
8(a)	Building or Construction		>20000 sq.mtrs and < 1,50,000	The term "built up area" for the purpose of this

<sup>1</sup> Subs. by S.O.3067(E), dated 1st December, 2009  
<sup>2</sup> Subs. by S.O.3067(E), dated 1st December, 2009  
<sup>3</sup> Subs. by S.O. 6250 (E) dated 19th December, 2018  
<sup>4</sup> Subs. by S.O. (E) 3252 (E) dated 22nd December, 2014

	projects		sq. mtrs. of built up area	<p>notification the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building or construction projects.</p> <p><b>Note 1.-</b> The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks.</p> <p><b>Note 2.-</b> "General Conditions" shall not apply.</p>
8(b)	Townships and Area Development Projects		Covering an area of > 50 ha and or built up area > 1,50,000 sq. mtrs	<p>A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category 'B1' Project.</p> <p><b>Note.-</b> General Conditions shall not apply.]</p>

<sup>1</sup> [8	Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions			
8(a)	Building or Construction projects		≥50,000 sq. mtrs and <1,50,000 sq. mtrs. of built-up area	<p><b>Note 1.-</b> The term "built up area" for the purpose of this notification is the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building and construction projects.</p> <p><b>Note 2.-</b> The projects or activities shall not include industrial shed, educational institutions, hospitals and hostels for educational institutions.</p> <p><b>Note 3.-</b> General conditions shall not apply.</p>

<sup>1</sup> Subs. by S.O. 5736 (E) dated 15th November, 2018 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*.

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8(b)	Townships and Area Development projects as well as industrial sheds, educational institutions, hospitals and hostels for educational institutions		≥ 1,50,000 sq. mtrs and <3,00,000 sq. mtrs built up area or covering an area ≥50 ha	A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category 'B1' Project.  <b>Note.-</b> General Conditions shall not apply.]
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**Note: -**

<sup>1</sup>[General Condition (GC):

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

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

**Specific Condition (SC):**

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

<sup>1</sup> Subs. by S.O. 1599 (E) dated 25th June, 2014

APPENDIX I  
(See paragraph – 6)  
FORM I

<sup>1</sup>[(I) Basic Information

S. No.	Item	Details
1.	Name of the project/s	
2.	S. No. in the schedule	
3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/ number of wells to be drilled.	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If yes, please specify.	
8.	Does it attract the specific condition? If yes, please specify.	
9.	Location	
	Plot/Survey/Khasra No	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence:	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	

<sup>1</sup> Subs. by S.O.3067(E), dated 1st December, 2009

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	Fax No.	
16.	Details of Alternative Sites examined, if any, Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3.
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	
19.	If yes, date of submission	
20.	If no, reason	
21.	Whether the proposal involves approval/clearance under: if yes, detail of the same and their status to be given (a) The Forests (Conservation) Act, 1980? (b) The wild Life (Protection) Act, 1972? (c) The C.R.Z. Notification, 1991?	
22.	Whether there is any Government order/policy relevant/relating to the site?	
23.	Forests Land Involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is proposed to be setup? (a) Name of the court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.]	

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		

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

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
	or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other action?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are nonrenewable or in short supply):

S. No.	Information/checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease		

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
	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	Detail thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		

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

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		

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

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc. from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc.)?		

**9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality**

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

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S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
	<ul style="list-style-type: none"> <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

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3.	Areas used by protected, important or sensitive species of flora or fauna for breeding, 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.	Defense installations		
8.	Densely populated or built-up area		
9.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		

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

<sup>1</sup>[I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost.

Date:  
Place:

Signature of the applicant  
With Name and Full Address  
(Project Proponent / Authorized Signatory)

**NOTE:**

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km or the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-a-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project.]

<sup>1</sup> Inserted by S.O.3067(E), dated 1st December, 2009

**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 land use get significantly altered from the project that is not consistent with the surroundings? (Proposed land use must conform to the approved Master Plan / Development Plan of the area. Change of land use 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 need sets.
- 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 anyway?
- 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 its 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 artifacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

**7. SOCIO-ECONOMICASPECTS**

- 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 maximize 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 utilized 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 ASSESSMENT 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> </ul>

		<ul style="list-style-type: none"><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 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	<ul style="list-style-type: none"><li>• If recommended at the Scoping stage</li></ul>
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 and 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

### <sup>1</sup>APPENDIX IV

(See paragraph 7)

#### PROCEDURE FOR CONDUCT OF PUBLIC HEARING

- 1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District-wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).
- 2.0 **The Process:**
- 2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one district or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.
- 2.2 The applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and **in the official language of the state/local language**, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:
  - (a) District Magistrate/District collector/Deputy Commissioner/s
  - (b) Zila Parishad or Municipal Corporation or Pandhayats Union

<sup>1</sup> Substituted by S.O.3067(E), dated 1st December, 2009

- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) /PRIs Concerned/Development authorities
- (e) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

**3.0 Notice of Public Hearing:**

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional Vernacular Daily / Official State Language. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio/television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/**District Collector/Deputy Commissioner** and notified afresh as per procedure under 3.1 above.

**4.0 Supervision and Presiding over the Hearing:**

4.1 The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

**5.0 Videography**

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

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- 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 proceeding.
- 6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.
- 6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the local/vernacular language and the agreed minutes shall be signed by the District Magistrate/**District Collector/Deputy Commissioner** or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.
- 6.5 A Statement of the issues raised by the public and the comments of the applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings
- 6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchayats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate / **District collector / Deputy Commissioner**, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings, 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 forty five days from date of receipt of the request letter from the applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within eight days of the completion of the public hearing. **Simultaneously, a copy will also be provided to the project proponent.** The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns."
- 7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45 (forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this Notification.]

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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 -1 or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal.
- <sup>1</sup>[3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application in Form-1 and environment impact assessment report, in the case of all projects and activities (other than item 8 of the Schedule), except in the said project activity falls under category 'B2', and in the case of items 8(a) and 8(b) of the Schedule, considering their unique project cycle, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall appraise projects or activities on the basis of Form- 1, Form-1-A, conceptual plan and the environmental impact assessment report [required only for projects under 8(b)] and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance.]
4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents/ details in the prescribed manner.
5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.
6. The minutes of the EAC /SEAC meeting shall be finalized 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.

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<sup>1</sup> Substituted vide S.O.3067(E) dated 1st December, 2009, S.O. 695(E) dated 4th April, 2011, and S.O. 165(E) dated 25th January, 2012

## 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 (SEACs) 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

- <sup>1</sup>[2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields or 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 in measurement, monitoring, analysis and interpretation of data in relation to environmental quality.
- **Sectoral Project Management:** Experts in Project Management or Management of Process or Operations or Facilities in the relevant sectors.
- **Environmental Impact Assessment Process:** 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**
- **Life Science (Floral and Faunal management)**
- **Forestry and Wildlife**
- **Environmental Economics with experience in project appraisal**
- <sup>2</sup>{Public Administration or Management covering various developmental sectors and environmental issues}}

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

<sup>1</sup> Substituted by S.O.1737 (E), dated 11th October, 2007

<sup>2</sup> Substituted by S.O. No. 2600 (E) dated 9th October, 2014.

Committee.

- <sup>1</sup>[4. The Chairperson shall be an eminent person having experience in environmental policy related issues, in management or in public administration dealing with various developmental sectors.]
- 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.
  - <sup>2</sup>[Provided that wherever considered necessary and expedient, the Central Government may extend the term of such member for a further period not exceeding <sup>3</sup>{twelve} months.]
- 8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

<sup>4</sup>[APPENDIX VII  
(see paragraph 3 A)]

**Qualification and terms for the Experts in DEIAA and DEAC**

- 1. **Qualification:** : The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA or M Sc Degree or (ii) in case of Engineering/ Technology/ Architectural discipline, 4 years formal 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. MBA etc.) 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 associations (e.g. Chartered Accountancy) or (v) a University degree, followed by two years of formal training in a University or Service Academy (e.g. MBA/MPA etc.). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.
- 2. **Expert:** A professional fulfilling the above eligibility criteria with at least 10 years of relevant experience in the field or with an advanced degree (e.g. Ph. D) in a concerned field with at least 5 years of relevant experience.
- 3. **Age:** Below 70 years. However, in the event of non-availability of paucity of experts in a given field, the maximum age of a member may be allowed up to 75 years.
- 4. **Fields:** Experts in Mining, Geology, Hydrology, Remote Sensing, Environment Quality, Environment Impact Assessment Process, Risk Assessment, Life Sciences, Marine Sciences, Forestry and Wildlife, Environmental Economics, Bio-diversity, and River Ecology.
- 5. **Tenure:** The maximum tenure of expert members shall be for two terms of three years each.
- 6. The Expert Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

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<sup>1</sup> Ins. by S.O. 2600 (E), dated 09<sup>th</sup> October, 2014

<sup>2</sup> Ins. by S.O. 1562(E), dated 21st May, 2020

<sup>3</sup> Substituted the words "twelve months" for the words "six months" by S.O. 3752 (E), dated 20th October, 2020.

<sup>4</sup> Ins. by S.O. 141(E), dated 15th January, 2016

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**APPENDIX VIII**  
(See paragraph 6)

**FORM 1 M**

**APPLICATION FOR MINING OF MINOR MINERALS UNDER CATEGORY 'B2' FOR LESS THAN AND EQUAL TO FIVE HECTARE**

**(II) Basic Information**

- (i) Name of the Mining Lease site:
- (ii) Location / site (GPS Co-ordinates):
- (iii) Size of the Mining Lease(Hectare):
- (iv) Capacity of Mining Lease(TPA):
- (v) Period of Mining Lease:
- (vi) Expected cost of the Project:
- (vii) Contact Information:

**Environmental Sensitivity**

Sl. No.	Areas	Distance in kilometer/ Details
1.	Distance of project site from nearest rail or road bridge over the concerned River, Rivulet, Nallah etc.	
2.	Distance from infrastructural facilities: Railway line National Highway State Highway Major District Road Any Other Road Electric transmission line pole or tower Canal or check dam or reservoirs or lake or ponds In-take for drinking water pump house Intake for Irrigation canal pumps	
3.	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	
4.	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	
5.	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	
6.	Inland, coastal, marine or underground waters	

7.	State, National boundaries	
8.	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	
9.	Defence installations	
10.	Densely populated or built-up area, distance from nearest human habitation	
11.	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)	
12.	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)	
13.	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)	
14.	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)	
15.	Is proposed mining site located or near fissure/ fracture for ground water recharge.	
16.	Whether the proposal involves approval or clearance under the following Regulation or Acts, namely: - (a) The Forest (Conservation) Act,1980; (b) The Wildlife (Protection) Act,1972; (c) The Coastal Regulation Zone Notification, 2011. If yes, details of the same and their status to be given.	
17.	Forest land involved (hectares)	
18.	Whether there is any litigation pending against the project and/or land in which the project is propose to be setup? (a) Name of the Court (b). Case No. (c) Orders or direction of the Court, if any, and its relevance with the proposed projects.	

(Signature of Project Proponent  
Along with name and address)]

<sup>1</sup>[APPENDIX-IX

**EXEMPTION OF CERTAIN CASES FROM REQUIREMENT OF ENVIRONMENTAL CLEARANCE**

The following cases shall not require Prior Environmental Clearance, namely: -

1. Extraction of ordinary clay or sand by manual mining, by the Kumhars (Potter) to prepare earthen pots, lamp, toys, etc. as per their customs.
2. Extraction of ordinary clay or sand by manual mining, by earthen tile makers who prepare earthen tiles.
3. Removal of sand deposits on agricultural field after flood by farmers.
4. Customary extraction of sand and ordinary earth from sources situated in Gram Panchayat for personal use or community work in village.
5. Community works, like, de-silting of village ponds or tanks, construction of village roads, ponds or bunds undertaken in Mahatma Gandhi National Rural Employment and Guarantee Schemes, other Government sponsored schemes and community efforts.
6. Extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines, etc.
7. Dredging and de-silting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.
8. Traditional occupational work of sand by Vanjara and Oads in Gujarat vide notification number GU/90(16)/MCR-2189(68)/5-CHH, dated the 14th February, 1990 of the Government of Gujarat.
9. Manual extraction of lime shells (dead shell), shrines, etc., within inter tidal zone by the traditional community.
10. Digging of wells for irrigation or drinking water purpose.
11. Digging of foundation for buildings, not requiring prior environmental clearance, as the case may be.
12. Excavation of ordinary earth or clay for plugging of any breach caused in canal, nallah, drain, water body, etc., to deal with any disaster or flood like situation upon orders of the District Collector or District Magistrate or any other Competent Authority.
13. Activities declared by the State Government under legislations or rules as non-mining activity.]

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<sup>1</sup> Substituted vide S.O. 1224 (E) dated 28th March, 2020

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<sup>1</sup>[APPENDIX - X  
[See paragraph 7 (iii) (a)]

**I. PROCEDURE FOR PREPARATION OF DISTRICT SURVEY REPORT FOR SAND MINING OR RIVER BED MINING**

The main objective of the preparation of District Survey Report (as per the Sustainable Sand Mining Guideline) is to ensure the following:

Identification of areas of aggradations or deposition where mining can be allowed; and identification of areas of erosion and proximity to infrastructural structures and installations where mining should be prohibited and calculation of annual rate of replenishment and allowing time for replenishment after mining in that area.

The report shall have the following structure:

- (1) Introduction
- (2) Overview of Mining Activity in the District
- (3) The List of Mining Leases in the District with location, area and period of validity
- (4) Details of Royalty or Revenue received in last three years
- (5) Detail of Production of Sand or Bajari or minor mineral in last three years
- (6) Process of Deposition of Sediments in the rivers of the District
- (7) General Profile of the District
- (8) Land Utilization Pattern in the district: Forest, Agriculture, Horticulture, Mining etc.
- (9) Physiography of the District
- (10) Rainfall: month-wise
- (11) Geology and Mineral Wealth

In addition to the above, the report shall contain the following:

- (a) District wise detail of river or stream and other sand source.
- (b) District wise availability of sand or gravel or aggregate resources.
- (c) District wise detail of existing mining leases of sand and aggregates.

A survey shall be carried out by the District Environment Impact Assessment Authority with the assistance of Geology Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the district.

**Drainage system with description of main rivers**

S. No.	Name of the River	Area drained (Sq. Km)	% Area drained in the District
(1)			
(2)			

Salient Features of Important Rivers and Streams:

<sup>1</sup> Substituted by S.O. No. 3611(E) dated 25th July, 2018

S. No.	Name of the River or Stream	Total Length in the District (in km)	Place of origin	Altitude at Origin
(1)				
(2)				

Portion of the River or Stream Recommended For Mineral Concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)

Mineral Potential

Boulder (MT)	Bajari (MT)	Sand (MT)	Total Mineable Mineral Potential (MT)

Annual Deposition


S. No.	River or Stream	Portion of the river or stream recommended for mineral concession	Length of area recommended for mineral concession (in kilometer)	Average width of area recommended for mineral concession (in meters)	Area recommended for mineral concession (in square meter)	Mineable mineral potential (in metric tonne) (60% of total mineral potential)
(1)						
(2)						
Total for the District						

A Sub-Divisional Committee comprising of Sub-Divisional Magistrate, Officers from Irrigation department, State Pollution Control Board or Committee, Forest department, Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof.

**Methodology adopted for calculation of Mineral Potential:**

The mineral potential is calculated based on field investigation and geology of the catchment



Date of commencement of Mining Operation	Status (Working/ Non-Working/ Temp. Working for dispatch etc.)	Captive/ Non Captive	Obtained Environmental Clearance (Yes/No), If Yes Letter No with date of grant of EC.	Location of the Mining lease (Latitude & Longitude)	Method of Mining (Opencast/ Underground)
11	12	13	14	15	16

- (10) details of Royalty or Revenue received in last three years;
- (11) details of Production of Minor Mineral in last three years;
- (12) mineral Map of the District;
- (13) list of Letter of Intent (LOI) Holders in the District along with its validity as per the following format: -
- (14) total Mineral Reserve available in the District;

Sl. No.	Name of the Mineral	Name of the Lessee	Address & Contact No. of Letter of Intent Holder	Letter of Intent Grant Order No. & date	Area of Mining lease to be allotted	Validity of Lol	Use (Captive/ Non-Captive)	Location of the Mining lease (Latitude & Longitude)
1	2	3	4	5	6	7	8	9

- (15) quality /Grade of Mineral available in the District;
- (16) use of Mineral;
- (17) demand and Supply of the Mineral in the last three years;
- (18) mining leases marked on the map of the district;
- (19) details of the area of where there is a cluster of mining leases viz. number of mining leases, location (latitude and longitude);
- (20) details of Eco-Sensitive Area, if any, in the District;
- (21) impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity;
- (22) remedial Measures to mitigate the impact of mining on the Environment;
- (23) reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan);
- (24) risk Assessment & Disaster Management Plan;
- (25) details of the Occupational Health issues in the District. (Last five-year data of number of patients of Silicosis & Tuberculosis is also needs to be submitted);
- (26) plantation and Green Belt development in respect of leases already granted in the District;
- (27) any other information.

The District Environment Impact Assessment Authority (DEIAA) based on the nature and type of minor mineral in the District may include the additional parameters in the District Survey Report in consultation with the Department of Mines and Geology of the concerned State Government.

The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects. The Report shall be updated once every five years];

[F. No. L-11011/26/2018-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

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<sup>1</sup>APPENDIX - XI  
[See paragraph 7 (iii) (b)]

**PROCEDURE FOR ENVIRONMENTAL CLEARANCE FOR MINING OF MINOR  
MINERALS INCLUDING CLUSTER**

The following policy shall be followed for environmental clearance of mining of minor minerals including cluster situation: -

- (1) The data provided by the States (Sustainable Sand Mining Guidelines) shows that most of the mining leases for minor minerals are of lease area less than 5 hectare. It is also reported that in hill States getting a stretch in river with area more than 5 hectare is very uncommon. So the size of lease for minor minerals including river sand mining will be determined by the States as per their circumstances.
- (2) The mining of minor minerals is mostly in clusters. The Environment Impact Assessment or Environment Management Plan are required to be prepared for the entire cluster in order to capture all the possible externalities. These reports shall capture carrying capacity of the cluster, transportation and related issues, replenishment and recharge issues, geo-hydrological study of the cluster area. The Environment Impact Assessment or Environment Management Plan shall be prepared by the State or State nominated Agency or group of project proponents in the Cluster or the project proponent in the cluster.
- (3) There shall be one public consultation for entire cluster after which the final Environment Impact Assessment or Environment Management Plan report for the cluster shall be prepared.
- (4) Environmental clearance shall be applied for and issued to the individual project proponent. The individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.
- (5) The details of cluster Environment Impact Assessment or Environment Management Plan shall be reflected in each environmental clearance in that cluster and DEAC, SEAC, and EAC shall ensure that the mitigate measures emanating from the Environment Impact Assessment or Environment Management Plan study are fully reflected as environmental clearance conditions in the environmental clearances of individual project proponents in that cluster.
- <sup>2</sup>{(6) A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area which shall be applicable to the mine lease or quarry licenses granted on and after 9<sup>th</sup> September, 2013.}
- (7) Form 1M, Pre-Feasibility Report and mine plan for Category 'B2' projects for mining of minor minerals shall be prepared by the Registered Qualified Person or Accredited Consultants of Quality Council of India, National Accreditation Board for Education and Training. The Environment Impact Assessment or Environment Management Plan for Category 'A' and Category 'B1' projects shall be prepared by the accredited consultants of Quality Council of India, National Accreditation Board for Education and Training.
- (8) The SEIAAs shall have supervisory jurisdiction over the DEIAAs and decisions of DEIAA shall be reviewed by the SEIAA without prejudice to any provisions under any existing law.]

<sup>1</sup> Inserted vide S.O. 141(E) dated 15th January, 2016

<sup>2</sup> Subs. by S.O. 2269 (E), dated 1st July, 2016.

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<sup>1</sup>[Schematic Presentation of Requirements on Environmental Clearance of Minor Minerals Including Cluster Situation

Area of Lease (Hectare)	Category of Project	Requirement of EIA/ EMP/DSR	Requirement of Public Hearing	Requirement of EC	Who can prepare EIA/ EMP	Who will apply for EC	Authority to appraise/ grant EC	Authority to monitor EC compliance
<b>EC Proposal of Sand Mining and other Minor Mineral Mining on the basis of individual mine lease</b>								
0 – 5ha	'B2'	Form – 1M, PFR, DSR and Approved Mine Plan	No	Yes	Project Proponent	Project Proponent	DEAC/ DEIAA	DEIAA SEIAA SPCB CPCB
>5 ha and < 25 ha	'B2'	Form – I, PFR, DSR and Approved Mine Plan and EMP	No	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	MoEF&CC Agency nominated by MoEF&CC
>25 ha and <100 ha	'B1'	Form – I, PFR, DSR and Approved Mine Plan and EIA and EMP	Yes	Yes	Project Proponent	Project Proponent	SEAC/ SEIAA	
≥100 ha	'A'	Form – I, PFR, DSR and Approved Mine Plan and EIA and EMP	Yes	Yes	Project Proponent	Project Proponent	EAC/ MoEF& CC	
<b>EC Proposal of Sand Mining and other Minor Mineral Mining in cluster situation</b>								
Cluster area of mine leases up to 5 ha	'B2'	Form- 1M, PFR, DSR and Approved Mine Plan	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA/	DEIAA SEIAA SPCB CPCB MoEF&CC Agency nominated by MoEF&CC]
Cluster area of Mine leases >5 ha and <25 ha with no individual lease >5 ha	'B2'	Form-I, PFR, DSR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/ DEIAA /	DEIAA SEIAA SPCB CPCB MoEF&CC Agency nominated by MoEF&CC

<sup>1</sup> Substituted by S.O. 3977 (E), dated 14th August, 2018.

Cluster area of Mine leases >5 ha and <25 ha with no individual lease >5 ha	'B2'	Form-I, PFR, DSR and Approved Mine Plan and one EMP for all leases in the Cluster	No	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	DEAC/DEIAA /
Cluster of mine leases of area ≥25 hectares with individual lease size < 100ha	'B1'	Form -I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	SEAC/SEIAA
Cluster of any size with any of the individual lease ≥50 ha	'A'	Form -I, PFR, DSR and Approved Mine Plan and one EIA/EMP for all leases in the Cluster	Yes	Yes	State, State Agency, Group of Project Proponents, Project Proponent	Project Proponent	EAC/MoEF&C]

<sup>1</sup>[Note. - (1) In the State of Rajasthan, for mining of minor minerals, in situation of a large number of leases or quarry licenses of very small size (up to one hectare each) in contiguous area, the Mines and Geology Department of the State Government shall, -

- (A) define the size of cluster as per local situation for effective formulation and implementation of mine plan and Environment Management Plan;
  - (B) prepare mine plan and an Environment Management Plan for the cluster;
  - (C) prepare a Regional Mine Plan and Regional Environment Management Plan including all the clusters in that contiguity.
  - (D) provide for mobilization of funds from the Project Proponents in predetermined proportion for implementation of cluster and Regional Environment Management Plan.
- (2) The District Mineral Fund can also be used to augment the fund for implementation of Environment Management Plans.
- (3) The Environment Management Plan shall be prepared and presented within ninety days from the date of publication of this notification in the Official Gazette for environment clearance granted on or after 15th January, 2016 to any lease in that cluster. The recommendation of the State Expert Appraisal Committee and approval of the State Environment Impact Assessment Authority shall be granted within sixty days of presentation of the Environment Management Plan.

<sup>1</sup> Ins. by S.O. 2269 (E), dated 1st July, 2016

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(4) The implementation of the Environment Management Plan shall begin within six months from the date of publication of this notification in the Official Gazette. The Environment Management Plan shall be monitored at the interval of six months by the concerned State Environment Impact Assessment Authority.

(5) The leases not operative for three years or more and leases which have got environmental clearance as on 15th January, 2016 shall not be counted for calculating the area of cluster, but shall be included in the Environment Management Plan and the Regional Environmental Management Plan.]

<sup>1</sup>[APPENDIX – XII  
[See paragraph 10 (iv)]

**PROCEDURE FOR MONITORING OF SAND MINING OR RIVER BED MINING**

1. The security feature of Transport Permit shall be as under:
  - (a) Printed on Indian Bank's Association (IBA) approved Magnetic Ink Character Recognition (MICR) Code paper.
  - (b) Unique Barcode.
  - (c) Unique Quick Response (QR) code.
  - (d) Fugitive Ink Background.
  - (e) Invisible Ink Mark.
  - (f) Void Pantograph.
  - (g) Watermark.
  
2. Requirement at Mine Lease Site:
  - (a) Small Size Plot (Up to 5 hectare): Android Based Smart Phone.
  - (b) Large Size Plots (More than 5 hectare): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.
  - (c) Access control of mine lease site.
  - (d) Arrangement for weight or approximation of weight of mined out mineral on basis of volume of the trailer of vehicle used.
  
3. Scanning of Transport Permit or Receipt and Uploading on Server:
  - (a) Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;
  - (b) Android Application: Scanning on mining site can be done using Android Application using smart phone. It will require internet availability on SIM card;
  - (c) SMS: Transport Permit or Receipt shall be uploaded on server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, an unique invoice code gets generated with its validity period.
  
4. Proposed working of the system:

The State Mining Department should print the Transport Permit or Receipt with security

<sup>1</sup> Inserted vide S.O. 141(E) dated 15th January, 2016

features enumerated at Paragraph 1 above and issue them to the mine lease holder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferably with prefixed quantity, so the total quantity gets determined for the receipts issued.

When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.

5. Checking On Route:

The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using website, Android Application and SMS.

6. Breakdown of Vehicle:

In case the Vehicle breakdown, the validity of Transport Permit or Receipt shall be extended by sending SMS by driver in specific format to report breakdown of vehicle. The server will register this information and register the breakdown. The State can also establish a call Centre, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call centre.

7. Tracking of Vehicles:

The route of vehicle from source to destination can be tracked through the system using check points, RFID Tags, and GPS tracking.

8. Alerts or Report Generation and Action Review:

The system will enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.

The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the DEIAA, SEIAA and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place not later than three months. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose].

<sup>1</sup>[Appendix-XIII]**Verification of No Increase in Pollution Load**

The instant amendment in EIA Notification exempts the requirement of Prior Environmental Clearance for any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area specified in the environmental clearance of the project. This facility is available to those units which have obtained prior environmental clearance under EIA Notification, 1994 and EIA Notification, 2006. To claim exemption from obtaining Prior Environment Clearance in respect of such cases, the project proponent shall follow the following process: -

1. The project proponent is required to obtain a certificate of „no increase in the pollution load“ from the environmental auditors or reputed institutions, to be empanelled by the State Pollution Control Board or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry).
2. A copy of „no increase in pollution load“ certificate and intimation, as provided by the Ministry from time to time on PARIVESH portal, shall be uploaded by the unit for which system generated acknowledgement shall be issued online;
3. The unit shall inform the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, in specified format along with-
  - i. no increase in pollution load“ certificate from the Environmental Auditor or reputed institutions empanelled by the State Pollution Control Board or Pollution Control Committee or Central Pollution Control Board or Ministry;
  - ii. last Consent to Operate certificate for the project or activity; and
  - iii. online system generated acknowledgement of uploading of intimation and „no increase in pollution load“ certificate on PARIVESH Portal;
4. The information so received shall be examined by the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, who shall take decision on such information, received from the project proponent.
5. If on verification the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, holds that the change or expansion or modernisation will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was liable to obtain Prior Environmental Clearance before under taking such changes or increase, as per the clause (a) of sub-paragraph (ii) of paragraph 7 of this notification and the provisions of Environment (Protection) Act, 1986 shall apply accordingly.

**Note:** For removal of doubts, it is clarified that it shall be the responsibility of the project proponent to satisfy itself about „no increase in pollution load“ as a result of changes, expansion or modernisation, as the case may be, before under taking such changes or increase, and the project proponent shall be liable for action under the provisions of the Environment (Protection) Act, 1986 if on verification of facts or claim it is found that such change or expansion or modernisation involves increase in pollution load.].

<sup>1</sup> Inserted vide notification number S.O. 3518(E), dated the 23rd November, 2016 and subsequently substituted vide notification number S.O.908(E), dated the 2nd March, 2021

<sup>1</sup>[APPENDIX –XIV

## ENVIRONMENTAL CONDITIONS FOR BUILDINGS AND CONSTRUCTIONS

(CATEGORY '1': 5,000 to less than 20,000 Square meters)

MEDIUM	S. N.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rainwater.
Water Conservation, Rain Water Harvesting, and Ground Water Recharge	2	Use of water efficient appliances shall be promoted. The local bye-law provisions on rain water harvesting should be followed.  If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-Laws, 2016.  A rain water harvesting plan needs to be designed where the recharge bores (minimum one recharge bore per 5,000 square meters of built up area) is recommended. Storage and reuse of the rain water harvested should be promoted. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.  All recharge should be limited to shallow aquifer.
	2(a)	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
Waste Management	3	Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.  Sewage: In areas where there is no municipal sewage network, onsite treatment systems should be installed. Natural treatment systems which integrate with the landscape shall be promoted. As far as possible treated effluent should be reused. The excess treated effluent shall be discharged following the CPCB norms.  Sludge from the onsite sewage treatment; including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.  The provisions of the Solid Waste (Management) Rules 2016

<sup>1</sup> Inserted by S.O. 3999 (E) dated 09th December, 2016 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*.

		and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.
Energy	4	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be Light Emitting Diode (LED).</p> <p>Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.</p> <p>Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per (remove space) ECBC specifications.</p>
Air Quality and Noise	5	<p>Dust, smoke &amp; other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p> <p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016. All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India shall be made.</p>

	5 (a)	The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.
Green Cover	6	A minimum of 1 tree for every 80 square meters of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.

(Category '2': 20,000 to less than 50,000 Square meters)

MEDIUM	S. No.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	<p>The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rainwater.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
Water Conservation Rain Water Harvesting, and Ground Water Recharge	2	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared.</p> <p>Use of water efficient appliances should be promoted with low flow fixtures or sensors.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>
	2(a)	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
Waste Management	3	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>Sewage: Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.</p>

		<p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
	3(b)	Organic waste compost/Vermiculture pit with a minimum capacity of 0.3 kg/person/day must be installed.
Energy	4	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be LED.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
	4 (a)	Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
	4 (b)	Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.
	4 (c)	<p>Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include fly ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.</p> <p>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amended from time to time.</p>

Air Quality and Noise	5	<p>Dust, smoke &amp; other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3-meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p> <p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
	5 (a)	The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.
Green Cover	6	A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
	6 (a)	Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.
Top Soil preservation and reuse	7	<p>Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services.</p> <p>It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.</p>
Transport	8	<p>A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.</p> <ol style="list-style-type: none"><li>1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.</li><li>2. Traffic calming measures.</li><li>3. Proper design of entry and exit points.</li><li>4. Parking norms as per local regulation</li></ol>

(Category '3': 50000 to 150000 m<sup>2</sup>)

MEDIUM	S. No.	ENVIRONMENTAL CONDITIONS
Topography and Natural Drainage	1	<p>The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
Water conservation, Rain Water Harvesting, and Ground Water Recharge	2	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provisions are not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>
	2(a)	At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.
	2 (b)	Use of water efficient appliances should be promoted. Low flow fixtures or sensors be used to promote water conservation.
	2 (c)	Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.
Solid Waste Management	3	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
	3 (a)	All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
	3(b)	Organic waste composter/Vermiculture pit with a minimum capacity of 0.3 kg /person/day must be installed.

Sewage Treatment Plant	4	<p>Onsite sewage treatment of capacity of treating 100% waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per CPCB norms. Natural treatment systems shall be promoted.</p> <p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p>
Energy	5	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be LED.</p> <p>Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
	5 (a)	<p>Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.</p>
	5 (b)	<p>Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.</p>
	5 (c)	<p>Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include flyash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.</p> <p>Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification of September, 1999 as amend from time to time.</p>
Air Quality and Noise	6	<p>Dust, smoke &amp; other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murrum and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site. Wheel washing for the vehicles used be done.</p> <p>Sand, murrum, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.</p>

		<p>Wet jet shall be provided for grinding and stone cutting. Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
	6 (a)	The location of the DG set and exhaust pipe height shall be as per the provisions of the CPCB norms.
Green Cover	7	<p>A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained.</p> <p>The existing trees will be counted for this purpose. Preference should be given to planting native species.</p>
	7 (a)	Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.
Top Soil Preservation and Reuse.	8	Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
Transport	9	<p>A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.</p> <ol style="list-style-type: none"> <li>1. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.</li> <li>2. Traffic calming measures.</li> <li>3. Proper design of entry and exit points.</li> <li>4. Parking norms as per local regulation.</li> </ol>
Environment Management Plan	10	An environmental management plan (EMP) shall be prepared and implemented to ensure compliance with the environmental conditions specified in item number 1 to 9 above. A dedicated Environment Monitoring Cell with defined functions and responsibility shall be put in place to implement the EMP. The environmental cell shall ensure that the environment infrastructure like Sewage Treatment Plant, Landscaping, Rain Water Harvesting, Energy efficiency and conservation, water efficiency and conservation, solid waste management, renewable energy etc. are kept operational and meet the required standards. The environmental cell shall also keep the record of environment monitoring and those related to the environment infrastructure.

**APPENDIX-XV****Accreditation of Environmental Auditors (Qualified Building Auditors)**

The Ministry of Environment, Forest and Climate Change (MoEF&CC), through qualified agencies shall accredit the Qualified Building Environment Auditors (QBEAs). The Qualified Building Environment Auditors could be a firm / organization or an individual expert, who fulfills the requirements. The Ministry will implement this process of accreditation through Quality Council of India (QCI), National Productivity Council or any other organization identified by the Government. The organizations like Indian Green Building Council, Bureau of Energy Efficiency etc. can also be associated in the process of accreditation, training, and renewal. The environmental consultants accredited by the QCI for building sector will be qualified as QBEAs. The QBEAs will meet the following criteria. The accrediting agency can improvise on these criteria.

Qualifications of the Auditor:

- a. Education: Architect (Degree or Diploma), Town Planners (Degree), Civil Engineer / Mechanical Engineer (Degree or Diploma), PG in Environmental Science or any other qualification as per the scheme of the accreditation.

Training:

- b. Mandatory training to be given by the accreditation body or their approved training providers. This will be as per the scheme of the accreditation.

Experience:

- c. At least 3 years of work experience in the related field or building sector Environment Impact Assessment consultants accredited by QCI or any other experience criteria as per the scheme of the accreditation.

Infrastructure and equipment:

- d. As per the scheme of the accreditation

Renewal:

- e. The accreditation will be valid for 5 years and will be renewed as per the process developed under the accreditation scheme.

Accountability/Complaint redressal mechanism: Any complaints regarding the quality of the work of QBEAs shall be made to the accreditation body. The accreditation body shall evaluate the complaint and take appropriate action including black listing or cancellation of the accreditation with wide public notice. This will be in addition to the action at the level of local authority for penalty and blacklisting. The Ministry can also take such action in case of specific complaint or feedback.

**APPENDIX-XVI****Environmental Cell at the level of Local Authority:**

An Environmental Cell shall be setup at the local authority level to support compliance and monitoring of environmental conditions in buildings. The Cell shall also provide assistance in environmental planning and capacity building within their jurisdiction. The responsibility of this cell would be monitoring the implementation of this notification and providing an oversight to the Third-Party Auditing process. The cell will operate under the local authority.

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**Constitution of the cell:**

The cell will comprise of at least 3 dedicated experts in following fields:

- a. Waste management (solid and liquid)
- b. Water conservation and management
- c. Resource efficiency including Building materials
- d. Energy Efficiency and renewable energy
- e. Environmental planning including air quality management.
- f. Transport planning and management.

The Cell shall induct at least two outside experts as per the requirements and background of dedicated experts. Existing environmental cells at the level of local authority can be co-opted and trained for this Cell.

**Financial Support:**

An additional fee may be charged along with processing fee for building permission for integrating environmental conditions and it's monitoring. The local authority can fix and revise this additional fee from time to time. The amount of this fee shall be deposited in a separate bank account, and used for meeting the requirement of salary /emoluments of experts and running the system of online application, verifications and the Environmental Cell.

**Functions of the Cell:**

1. The cell shall be responsible for assessing and appraising the environmental concerns of the area under their jurisdiction where building activities are proposed. The Cell can evolve and propose additional environmental conditions as per requirements. These conditions may be area specific and shall be notified in advance from time to time. These additional conditions shall be approved following a due consultation process. These environmental conditions will be integrated in building permissions by the sanctioning authority.
2. Develop and maintain an online system for application and payment of fees. The Cell shall maintain an online database of all applications received, projects approved, the compliance audit report, random inspections made. The Cell shall maintain a portal for public disclosure of project details including self-certification and compliance audit reports filed by the Qualified Building Environment Auditors for public scrutiny of compliance of environmental conditions by the project.
3. Monitoring the work of Environmental Audit process carried by the Qualified Building Auditors.
4. The Cell shall review the applications; finalize the additional environmental conditions if required within 30 days of the submission of the application to the local authority.
5. The Cell shall adopt risk based random selection of projects for verifying on site for certification of QBA, compliance of environmental conditions and five yearly audit report.
6. The Cell shall recommend to the local authority for financial penalty for non- compliance of environmental conditions by the project proponent.
7. The Cell shall recommend to the accrediting body and the local authority against any Qualified Building Environment Auditor, if any lapse is found in their work.]

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 14th November, 2018

**S.O. 5733(E).**—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the power to local bodies such as Municipalities, Development Authorities, District Panchayats as the case may be, to ensure the compliance of the environmental conditions as specified in the Appendix in respect of building or construction projects with built-up area  $\geq 20,000$  sq. mtrs. To 50,000 sq. mtrs. and industrial sheds, educational institutions, hospitals and hostels for educational institutions  $\geq 20,000$  sqm upto 1,50,000 sqm along with building permission and to ensure that the conditions specified in Appendix are complied with, before granting the occupation certificate/completion certificate.

**APPENDIX**

**Environmental Conditions for Buildings and Constructions**

(Category: Building or Construction projects or Area Development projects and Townships  $\geq 20,000$  to  $< 50,000$  Square meters as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions from 20,000 sq. m to  $< 1,50,000$  sq. m)

S. No.	MEDIUM	ENVIRONMENTAL CONDITIONS
(1)	(2)	(3)
1	Topography and Natural Drainage	<p>The natural drain system shall be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site. No construction is allowed on wetland and water bodies. Check dams, bio-swales, landscape, and other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.</p> <p>Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.</p>
2	Water Conservation, Rain Water Harvesting and Ground Water Recharge	<p>A complete plan for rain water harvesting, water efficiency and conservation should be prepared and implemented.</p> <p>Use of water efficient appliances should be promoted with low flow fixtures or sensors.</p> <p>The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Bye-laws, 2016.</p> <p>A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.</p> <p>All recharge should be limited to shallow aquifer.</p>

2(a)		At least 20 per cent of the open spaces as required by the local building bye- laws shall be pervious. Use of Grass pavers, paver blocks, landscape etc. with at least 50 per cent opening in paving which would be considered as pervious surface.
3	Waste Management	<p>Solid waste: Separate wet and dry bins must be provided in each unit and at the ground level for facilitating segregation of waste.</p> <p>Sewage: Onsite sewage treatment of capacity of treating 100 per cent waste water to be installed. Treated waste water shall be reused on site for landscape, flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by Ministry of Environment, Forest and Climate Change. Natural treatment systems shall be promoted.</p> <p>Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organisation (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.</p> <p>The provisions of the Solid Waste (Management) Rules 2016 and the e-waste (Management) Rules 2016, and the Plastics Waste (Management) Rules 2016 shall be followed.</p>
3 (a)		All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.
3(b)		Organic waste compost/ Vermiculture pit with a minimum capacity of 0.3 kg per person per day must be installed.
4	Energy	<p>Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.</p> <p>Outdoor and common area lighting shall be Light Emitting Diode (LED). Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design.</p> <p>Wall, window, and roof u-values shall be as per ECBC specifications.</p>
4 (a)		Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1 per cent of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.
4 (b)		Solar water heating shall be provided to meet 20 per cent of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.

4 (c)		<p>Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20 per cent of the construction material quantity. These include fly ash bricks, hollow bricks, Autoclaved Aerated Concrete (AAC), Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials. Fly ash should be used as building material in the construction as per the provisions of the Fly Ash Notification, S.O. 763(E) dated 14<sup>th</sup> September, 1999 as amended from time to time.</p>
5	Air Quality and Noise	<p>Roads leading to or at construction sites must be paved and blacktopped (i.e. metallic roads).</p> <p>No excavation of soil shall be carried out without adequate dust mitigation measures in place.</p> <p>No loose soil or sand or Construction &amp; Demolition Waste or any other construction material that causes dust shall be left uncovered.</p> <p>Wind-breaker of appropriate height i.e. 1/3rd of the building height and maximum up to 10 meters shall be provided.</p> <p>Water sprinkling system shall be put in place.</p> <p>Dust mitigation measures shall be displayed prominently at the construction site for easy public viewing.</p> <p>Grinding and cutting of building materials in open area shall be prohibited. Construction material and waste should be stored only within earmarked area and road side storage of construction material and waste shall be prohibited.</p> <p>No uncovered vehicles carrying construction material and waste shall be permitted.</p> <p>Construction and Demolition Waste processing and disposal site shall be identified and required dust mitigation measures be notified at the site</p> <p>Dust, smoke and other air pollution prevention measures shall be provided for the building as well as the site.</p> <p>Wet jet shall be provided for grinding and stone cutting.</p> <p>Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.</p> <p>All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.</p> <p>All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.</p> <p>For indoor air quality the ventilation provisions as per National Building Code of India.</p>
5 (a)		<p>The location of the Genset and exhaust pipe height shall be as per the provisions of the statutory norms notified by Ministry of Environment, Forest and Climate Change</p>

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		The Genset installed for the project shall follow the emission limits, noise limits and general conditions notified by Ministry of Environment, Forest and Climate Change vide GSR 281(E) dated 7th March 2016 as amended from time to time.
6	Green Cover	A minimum of 1 tree for every 80 sq.mt. of land should be planted and maintained. The existing trees will be counted for this purpose. Preference should be given to planting native species.
6 (a)		Where the trees need to be cut, compensatory plantation in the ratio of 1:3 (i.e. planting of 3 trees for every 1 tree that is cut) shall be done and maintained.
7	Top Soil Preservation and reuse	Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services.  It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.
8	Transport	The building plan shall be aligned with the approved comprehensive mobility plan (as per Ministry of Housing and Urban Affairs best practices guidelines (URDPFI)).

[F. No 3-49/2017-IA.III-Pt]

JIGMET TAKPA, Jt. Secy.

**\*Note:** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 and subsequently amended vide the following numbers: -

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

24. S.O. 2571 (E) dated the 31<sup>st</sup> August, 2015;
25. S.O. 2572 (E) dated the 14<sup>th</sup> September, 2015;
26. S.O. 141 (E) dated the 15<sup>th</sup> January, 2016;
27. S.O. 190 (E) dated the 20<sup>th</sup> January, 2016;
28. S.O. 648 (E) dated the 3<sup>rd</sup> March, 2016;
29. S.O. 2269(E) dated the 1<sup>st</sup> July, 2016;
30. S.O. 3518 (E) dated 23<sup>rd</sup> November 2016;
31. S.O. 3999 (E) dated the 9<sup>th</sup> December, 2016;
32. S.O. 4241(E) dated the 30<sup>th</sup> December, 2016;
33. S.O. 3611(E) dated the 25<sup>th</sup> July, 2018;
34. S.O. 3977 (E) dated the 14<sup>th</sup> August, 2018;
35. S.O. 5733 (E) dated the 14<sup>th</sup> November, 2018;
36. S.O. 5736 (E) dated the 15<sup>th</sup> November, 2018;
37. S.O. 5845(E) dated the 26<sup>th</sup> November, 2018;
38. S.O. 345(E) dated the 17<sup>th</sup> January, 2019;
39. S.O. 1960(E) dated the 13<sup>th</sup> June, 2019;
40. S.O. 236(E) dated the 16<sup>th</sup> January, 2020;
41. S.O. 751(E) dated the 17<sup>th</sup> February, 2020;
42. S.O. 1223(E), dated the 27<sup>th</sup> March, 2020;
43. S.O. 1224(E), dated the 28<sup>th</sup> March, 2020;
44. S.O 1562 (E), dated the 21<sup>st</sup> May, 2020;
45. S.O. 3636(E), dated the 15<sup>th</sup> October, 2020;
46. S.O. 3752(E), dated the 20<sup>th</sup> October, 2020;
47. S.O. 4254(E), dated the 27<sup>th</sup> November, 2020;
48. S.O. 221(E), dated the 18<sup>th</sup> January, 2021;
49. S.O. 908(E), dated the 2<sup>nd</sup> March, 2021; and
50. S.O. 1247(E), dated the 18 March, 2021

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**STANDALONE NOTIFICATIONS RELATED TO ENVIRONMENT IMPACT ASSESSMENT**  
**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 14th March, 2017

**S.O. 804(E).**—Whereas, a draft notification under sub-section (1), and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), vide number S.O. 1705(E), dated the 10<sup>th</sup> May, 2016, as required by sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for finalising the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance under the Environment Impact Assessment Notification, 2006 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;

2. And whereas, copies of the said notification were made available to the public on the 10<sup>th</sup> May, 2016;

3. And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government.

4. Whereas, subject to the provisions of the Environment (Protection) Act, 1986, under sub-section (1) of section 3 of the Act, the Central Government has the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling, and abating environment pollution;

5. Whereas, section 5 of the Environment (Protection) Act, 1986 empowers the Central Government to give directions which reads as "Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;

6. Whereas the Ministry of Environment, Forest and Climate Change issued Office Memoranda dated 12.12.2012 and 27.06.2013 to establish a process for grant of environmental clearance to cases of violation.

7. Whereas, the Hon'ble High Court of Jharkhand had passed an order dated the 28<sup>th</sup> November, 2014 in W.P. (C) No. 2364 of 2014 in the matter of Hindustan Copper Limited Versus Union of India in which the High Court held that the conditions laid down under Office Memorandum dated 12<sup>th</sup> December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon'ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws;

8. And whereas, Hon'ble National Green Tribunal, Principal Bench vide its order dated 7<sup>th</sup> July, 2015 in Original Application No. 37 of 2015 and Original Application No. 213 of 2015 had also held that the Office Memoranda dated 12<sup>th</sup> December, 2012 and 24<sup>th</sup> June, 2013 on the subject of consideration of proposals for Terms of Reference or Environment Clearance or Coastal Regulation Zone Clearance involving violations of the Environment (Protection) Act, 1986 or Environment Impact Assessment Notification, 2006 Coastal Regulation Zone Notification, 2011 could not alter or amend the provisions of the Environment Impact Assessment notification, 2006 and had quashed the same;

9. And whereas, the Ministry of Environment, Forest and Climate Change and State Environment Impact Assessment Authorities have been receiving certain proposals under the Environment Impact Assessment Notification, 2006 for grant of Terms of References and Environmental Clearance for projects which have started the work on site, expanded the production beyond the limit of environmental

clearance or changed the product mix without obtaining prior environmental clearance;

10. Whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for the purpose of protecting and improving the quality of the environment and abating environmental pollution that all entities not complying with environmental regulation under Environment Impact Assessment Notification, 2006 be brought under compliance with in the environmental laws in expedient manner;

11. And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary to bring such projects and activities in compliance with the environmental laws at the earliest point of time, rather than leaving them unregulated and unchecked, which will be more damaging to the environment and in furtherance of this objective, the Government of India deems it essential to establish a process for appraisal of such cases of violation for prescribing adequate environmental safeguards to entities and the process should be such that it deters violation of provisions of Environment Impact Assessment Notification, 2006 and the pecuniary benefit of violation and damage to environment is adequately compensated for;

12. And whereas, Hon'ble Supreme Court in Indian Council for Enviro-Legal Action Vs. Union of India (the Bichhri village industrial pollution case), while delivering its judgment on 13<sup>th</sup>. February, 1996, analyzed all the relevant provisions of law and concluded that damages may be recovered under the provisions of the Environment (Protection) Act, 1986 [1996 [3] SCC 212]. The Hon'ble Court observed that ..... section 3 of the Environment (Protection) Act, 1986 expressly empowers the Central Government [or its delegate, as the case may be] to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment". Section 5 clothes the Central Government [or its delegate] with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2 (a), Sections 3 and 5 clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose. In the present case, the said powers will include giving directions for the removal of sludge, for undertaking remedial measures and also the power to impose the cost of remedial measures on the offending industry and utilize the amount so recovered for carrying out remedial measures. Hon'ble Court has further observed that levy of costs required for carrying out remedial measures is implicit in Sections 3 and 5 which are couched in very wide and expansive language. Sections 3 and 5 of the Environment (Protection) Act, 1986, apart from other provisions of Water and Air Acts, empower the Government to make all such directions and take all such measures as are necessary or expedient for protecting and promoting the 'environment', which expression has been defined in very wide and expansive terms in Section 2 (a) of the Environment (Protection) Act. This power includes the power to prohibit an activity, close an industry, direct to carry out remedial measures, and wherever necessary impose the cost of remedial measures upon the offending industry. The question of liability of the respondents to defray the costs of remedial measures can also be looked into from another angle, which has now come to be accepted universally as a sound principle, viz., the "Polluter Pays" Principle. "The polluter pays principle demands that the financial costs of preventing or remedying damage caused by pollution should lie with the undertakings which cause the pollution, or produce the goods which cause the pollution".

13 (1). Now, therefore, in exercise of the powers conferred by sub-section (1) and sub clause (a) of clause (i) 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 hereby directs that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Level Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under sub-section (3) of Section 3 of the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006 and will be dealt strictly as per the procedure specified in the following manner:-

<sup>1</sup>[(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for

<sup>1</sup> Sub. By S. O. No. 1030 (E), dated 8<sup>th</sup> March, 2018

environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.];

(3) In cases of violation, action will be taken against the project proponent by the respective State or State Pollution Control Board under the provisions of section 19 of the Environment (Protection) Act, 1986 and further, no consent to operate or occupancy certificate will be issued till the project is granted the environmental clearance.

<sup>1</sup>[(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.];

(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.;

(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.;

(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee and approval of the Regulatory Authority.

14. The projects or activities which are in violation as on date of this notification only will be eligible to apply for environmental clearance under this notification and the project proponents can apply for

<sup>1</sup> Sub. By S. O. No. 1030 (E), dated 8<sup>th</sup> March, 2018

environmental clearance under this notification only within six months from the date of this notification.

[F. No. 22-116/2015-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**ORDER**

New Delhi, the 6th June, 2017

**S.O. 1805(E).**—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14<sup>th</sup> March, 2017, issued under sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without taking prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, it is proposed to constitute the Expert Appraisal Committee (EAC) comprising of members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of sub-paragraph (4) of paragraph 13 of the notification of the Government of India in the Ministry of Environment, Forest and Climate Change, number S.O. 804(E), dated the 14<sup>th</sup> March, 2017, the Central Government hereby constitutes the Expert Appraisal Committee, as follows: —

S. No. (1)	Chairman/Member (2)	Role (3)
1.	Dr. S.R. Wate, Director (Retired) National Environmental Engineering Research Institute, Nagpur	Chairman;
2.	Dr. P.A. Joshi Chairman, Anchor Institute & Professor, Chemical Engineering, Dhramsinh Desai University, Nadiad - 387 001 (Gujarat)	Member;
3.	Dr. G. V. Subrahmanyam Advisor (Retired), MoEFCC D-II/183, Kaka Nagar, New Delhi - 75	Member;
4.	Dr. A.L. Ramanathan Professor, School of Environmental Sciences, Jawaharlal Nehru University, New Mehrauli Road, New Delhi - 67	Member;
5.	Dr. M.V. Ramana Murthy Advisor, ICMAM, NIOT Campus, Pallikarai, Chennai - 600 100	Member;
6.	Shri K Gowarappan, Plot No. 6, Ganesh Avenue, II Street, Sakthi Nagar, Porur, Chennai – 600116	Member;

7.	Dr. Dilip S. Ramteke Scientist (Retired), NEERI, 64 B, Adhyapak Colony, Jaitala Chowk, Trimurti Nagar, Nagpur - 440 020	Member;
8.	Dr. Poonam Kumria Professor, Geography Department, Miranda House, University of Delhi, Delhi - 7	Member;
9.	Dr. Bharat Jain Dy. Chief Engineer (Retired), GIDC Gujarat Cleaner Production Centre, Udyog Bhavan, Gandhinagar - 11	Member;
10.	Dr. Subrata Maity, Professor (Retired), BCKV (Agriculture University), B2/210 Kalyani, Nadia - 741235 (West Bengal)	Member;
11.	<sup>1</sup> [Scientist E or Scientist F or Scientist G, as the case may be Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi - 3].	Member Secretary.

2. The Expert Appraisal Committee shall exercise such powers and follow such procedures as enumerated in the said notification.
3. The Expert Appraisal Committee may co-opt an expert as a Member in a relevant field with prior approval of the Ministry of Environment, Forest and Climate Change.
4. The Chairman and Members of the Expert Appraisal Committee shall hold office for a term of three years from the date of publication of this order in the Official Gazette.
5. The meetings of the Expert Appraisal Committee shall be held in Delhi, however, in special cases, with the prior concurrence of the Ministry of Environment, Forest and Climate Change, a meeting may be held elsewhere in the country.
6. The sitting fee, travelling and dearness allowances to the Chairman and Members of the Expert Appraisal Committee shall be paid as per the Government of India rules.

[F. No. 19-43/2017-IA-III]

MANOJ KUMAR SINGH, Jt. Secy.

<sup>1</sup> Sub. by S.O. No. 1031 (E), dated 8<sup>th</sup> March, 2018

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 8th March, 2018

**S.O. 1030(E).** —Whereas, the Ministry of Environment, Forest and Climate Change *vide* notification number S.O.804(E), dated the 14th March, 2017 (hereinafter referred to as the said notification) has notified the process for appraisal of projects for grant of Terms of Reference and Environmental Clearance, which have started the work on site, expanded the production beyond the limit of environmental clearance or changed the product mix without obtaining prior environmental clearance as mandated under the Environment Impact Assessment Notification, 2006 [S.O.1533 (E), dated the 14th September, 2006];

And whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) in the said notification *inter alia*, directed *vide* sub-paragraph (2) of paragraph 13, that in case the projects or activities requiring prior environmental clearance under Environment Impact Assessment Notification, 2006 from the concerned Regulatory Authority, are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernization, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and in such cases, even Category B projects which are granted environmental clearance by the State Environment Impact Assessment Authority constituted under sub-section (3) section 3 of the Environment (Protection) Act, 1986 shall be appraised for grant of environmental clearance only by the Expert Appraisal Committee and environmental clearance will be granted at the Central level;

And whereas, the Ministry has received a number of proposals relating to all sectors covered under category A and category B, for consideration in pursuance of the said notification;

And whereas, the Ministry is in receipt of representations from the public representatives and Industrial Associations, requesting delegation of powers to the respective States to deal with the violation cases for operational reasons and expediting the proposals;

And whereas, the National Green Tribunal, Principal Bench at New Delhi *vide* their order dated the 27th November, 2017 in similar matters in OA No.570/2016 titled *M/s Anjli Infra Housing LLP Vs Union of India & others*, OA No.576/2016 in the matter of *M/s Ankur Khusal Construction LLP Vs Union of India & others* and OA No.579/2016 in the matter of *Anjli Infra Housing LLP Vs Union of India & others*, has passed directions for consideration of the projects at the State level and pass appropriate orders in regard to grant/refusal of the environmental clearance in accordance with law;

And whereas, in view of the above, the Central Government finds it necessary to amend the said notification number S.O.804(E), dated the 14th March, 2017 by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 regarding inviting objections and suggestions from persons likely to be affected thereby, in public interest;

Now, therefore, in exercise of the powers conferred by sub-section (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification by dispensing with the requirement of notice referred to in clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, namely:-

In the said notification, in paragraph 13, -

(a) for sub-paragraph (2), the following sub-paragraph shall be substituted, namely: -

“(2) In case the projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 from the concerned regulatory authority are brought for environmental clearance after starting the construction work, or have undertaken expansion, modernisation, and change in product-mix without prior environmental clearance, these projects shall be treated as cases of violations and the projects or activities covered under category A of the Schedule to the Environment Impact Assessment Notification, 2006, including expansion and modernisation of existing projects or activities and change in product mix, shall be appraised for grant of environmental clearance by the Expert Appraisal Committee in the Ministry and the

environmental clearance shall be granted at Central level, and for category B projects, the appraisal and approval thereof shall vest with the State or Union territory level Expert Appraisal Committees and State or Union territory Environment Impact Assessment Authorities in different States and Union territories, constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.”;

- (b) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely: -

“(4) The cases of violations will be appraised by the Expert Appraisal Committee at the Central level or State or Union territory level Expert Appraisal Committee constituted under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 with a view to assess that the project has been constructed at a site which under prevailing laws is permissible and expansion has been done which can run sustainably under compliance of environmental norms with adequate environmental safeguards, and in case, where the findings of Expert Appraisal Committee for projects under category A or State or Union territory level Expert Appraisal Committee for projects under category B is negative, closure of the project will be recommended along with other actions under the law.”;

- (c) for sub-paragraph (5), the following sub-paragraph shall be substituted, namely:-

“(5) In case, where the findings of the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee on point at sub-paragraph (4) above are affirmative, the projects will be granted the appropriate Terms of Reference for undertaking Environment Impact Assessment and preparation of Environment Management Plan and the Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, will prescribe specific Terms of Reference for the project on assessment of ecological damage, remediation plan and natural and community resource augmentation plan and it shall be prepared as an independent chapter in the environment impact assessment report by the accredited consultants, and the collection and analysis of data for assessment of ecological damage, preparation of remediation plan and natural and community resource augmentation plan shall be done by an environmental laboratory duly notified under the Environment (Protection) Act, 1986, or a environmental laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories, or a laboratory of the Council of Scientific and Industrial Research institution working in the field of environment.”;

- (d) for sub-paragraph (6), the following sub-paragraph shall be substituted, namely: -

“(6) The Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee, as the case may be, shall stipulate the implementation of Environmental Management Plan, comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of environmental clearance.”;

- (e) for sub-paragraph (7), the following sub-paragraph shall be substituted, namely: -

“(7) The project proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and Natural and Community Resource Augmentation Plan with the State Pollution Control Board and the quantification will be recommended by the Expert Appraisal Committee for category A projects or by the State or Union territory level Expert Appraisal Committee for category B projects, as the case may be, and finalised by the concerned Regulatory Authority, and the bank guarantee shall be deposited prior to the grant of environmental clearance and released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after recommendation by regional office of the Ministry, Expert Appraisal Committee or State or Union territory level Expert Appraisal Committee and approval of the Regulatory Authority.”.

[F.No.Z-11013/22/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

ORDER

New Delhi, the 8th March, 2018

**S.O. 1031(E).**—Whereas, by the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 804(E), dated the 14th March, 2017, issued under subsection (1), sub-clause (a) of clause (i) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the said notification), the Central Government has established an arrangement to appraise the projects, which have started the work without obtaining prior environmental clearance and such cases have been termed as cases of violation;

And whereas, vide sub-paragraph (1) of paragraph 13 of the said notification, it has been directed that the projects or activities or the expansion or modernisation of existing projects or activities requiring prior environmental clearance under the Environment Impact Assessment Notification, 2006 [S.O.1533(E), dated the 14th September, 2006] entailing capacity addition with change in process or technology or both, undertaken in any part of India without obtaining prior environmental clearance from the Central Government or by the State Environment Impact Assessment Authority, as the case may be, duly constituted by the Central Government under the said Act, shall be considered a case of violation of the Environment Impact Assessment Notification, 2006;

And whereas, the said notification further provides that the projects and activities referred above, shall be dealt strictly as per the procedure specified in sub-paragraph (2) to (7) of paragraph 13 of the said notification;

And whereas, in exercise of the power conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification, an Expert Appraisal Committee (EAC) was constituted by notification of the Government of India in the Ministry of Environment, Forest and Climate Change vide number S.O.1805(E), dated the 6th June, 2017 comprising members with expertise in different sectors to appraise and make recommendations to the Central Government as cases of violation in all the sectors;

And whereas, in this Expert Appraisal Committee so constituted, Shri S K Srivastava, Scientist E was nominated as representative of the Ministry of Environment, Forest and Climate Change as Member Secretary of the said Committee;

And whereas, due to administrative and operating reasons, it has become expedient to replace the nomination of Shri S. K. Srivastava, Scientist E with the Scientist E or Scientist F or Scientist G, as the case may be, as Member Secretary of the Expert Appraisal Committee constituted to deal with violation cases;

And now, therefore, in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of sub-paragraph (4) of paragraph 13 of the said notification number S.O.804(E), dated the 14th March, 2017, the Central Government hereby makes the following amendments in the order of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O.1805(E), dated the 6th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 6th June, 2017, namely:-

In the said order, in the Table, against serial number 11, for the entries in column (2), the following entries shall be substituted, namely:-

“Scientist E or Scientist F or Scientist G, as the case may be, Ministry of Environment, Forest and Climate Change, Jorbagh Road, New Delhi-3”.

[F. No. Z-11013/22/2017-IA-II (M)]  
GYANESH BHARTI, Jt. Secy.

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 6th April, 2018

**S. O. 1530(E).**—Whereas, the Hon'ble Supreme Court, vide judgment dated the 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors., inter-alia, has directed that the validity of the environmental clearance granted for mining projects under the notification number S.O. 60(E), dated the 27th January, 1994 (hereinafter referred to as the EIA Notification, 1994) of the Government of India in the erstwhile Ministry of Environment and Forests shall be five years, and for considering expansion under the EIA Notification, 1994, the annual production of 1993-94 or immediately preceding year shall be the base year;

And whereas, the Hon'ble Supreme Court vide judgment dated the 7th February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors. has reiterated that the validity of the environmental clearance for mining projects granted under the EIA Notification, 1994 shall be five years;

And whereas, the Hon'ble Supreme Court in its aforesaid judgment dated the 7th February, 2018 has held that para 9 of the notification number S.O. 1533 (E), dated the 14th September, 2006 of the Government of India in the erstwhile Ministry of Environment and Forests (hereinafter referred to as the EIA Notification, 2006), provides that the environmental clearance would be valid for the estimated project life subject to a maximum of 30 years;

And whereas, in the view of the above, there would be two categories of cases related to mining projects under EIA Notification, 1994, namely: -

(a) mining projects, which were granted environmental clearance under the EIA Notification, 1994, and also granted environmental clearance for expansion / modernisation / amendment under the EIA Notification, 2006; and

(b) mining projects, which were granted environmental clearance under the EIA Notification, 1994, and but not obtained environmental clearance for expansion / modernisation / amendment under the EIA Notification, 2006.

And whereas, as per third paragraph above, the projects mentioned in clause (a) of fourth paragraph above do not suffer from the infirmity of validity of environmental clearance being five years;

And whereas, the projects mentioned in clause (a) of fourth paragraph above, do not suffer from the infirmity of expansion vis-à-vis the base production as these projects were already appraised and granted environmental clearance under the EIA Notification, 2006;

And whereas, all mining projects mentioned in clause (b) of fourth paragraph above are required to obtain environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgments of the Hon'ble Supreme Court; And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for implementation of the aforesaid judgments of the Hon'ble Supreme Court as well as for the protecting and improving the quality of environment and abating the environmental pollution, that all projects mentioned in clause (b) of fourth paragraph above, be brought under the regulatory framework of the EIA Notification, 2006;

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 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules in public interest, for implementation of the aforesaid judgments of the Hon'ble Supreme Court, that the project proponent in all such cases involving validity of the environmental clearance and expansion of mining projects vis-à-vis the base production, shall make application within six months from the date of issue of this notification in Form-1 as given in Appendix-II of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications

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shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide on the due diligence necessary including preparation of Environmental Impact Assessment Report and public consultation and the application shall be appraised accordingly for grant of environmental clearance.

[F. No. L-11011/69/2014-IA. II(M)]

GYANESH BHARTI, Jt. Secy.

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 29th May, 2018

**S.O. 2172(E).**— Whereas by a notification of the Government of India in the erstwhile Ministry of Environment and Forests vide number S.O.319(E), dated the 7<sup>th</sup> May, 1992 (herein referred to as the said notification) issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said Act) read with rule 5 of the Environment (Protection) Rules, 1986 (herein referred to as the said rules), the Central Government had imposed prohibitions on carrying out certain processes and operations in the specified areas of Aravalli range as provided in the said notification, except with prior permission of the Central Government;

And whereas, the Central Government had delegated the aforesaid powers conferred on it by the said notification, to the State Governments of Haryana and Rajasthan vide notification of the Government of India in the Erstwhile Ministry of Environment and Forests number S.O.1189(E), dated the 29<sup>th</sup> November, 1999;

And whereas, the Central Government with a view to adopt uniform procedure for grant of environmental clearance to mining projects for major minerals involving mining lease areas of more than five hectares had integrated the provisions of the notification of the Government of India published in the Gazette of India vide number S.O.60(E), dated the 27<sup>th</sup> January, 1994 (hereafter referred as the EIA Notification, 1994) with the Aravalli Notification published in the Gazette of India, vide number S.O.319(E), dated the 7<sup>th</sup> May, 1992 for regulation of mining activities in the specified areas of Aravalli range;

And whereas, the Government of India in the erstwhile Ministry of Environment and Forest Notification number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) (hereinafter referred to as the said EIA Notification, 2006) which superseded the EIA Notification, 1994 had mandated the requirement of prior environmental clearance for all projects or activities included in the Schedule, including expansion and modernisation of existing projects or activities and change in product mix including mining operations;

And whereas, pursuant to the order of the Hon'ble Supreme Court dated the 27<sup>th</sup> February, 2012 in I.A. No.12-13 of 2011 in Special Leave Petition (Civil) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc., prior environmental clearance has now become mandatory for mining of minor minerals and the Central Government has published notification number S.O.141(E), dated the 15<sup>th</sup> January, 2016 making prior environment clearance mandatory for all minerals (major as well as minor) irrespective of size of the mine lease;

And whereas, all mine lease holders are required to obtain prior environment clearance based on the recommendations of the Expert Appraisal Committees at the Central Government, State level Expert Appraisal Committee at the State or Union territory level and District level Expert Appraisal Committee at the district level;

And whereas, the Central Government opines to further integrate the provisions of notification number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 to maintain uniformity in the procedure for grant of environmental clearance to mining projects of major as well as minor minerals with the Aravalli Notification number S.O.319(E), dated the 7<sup>th</sup> May, 1992;

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

And whereas, the Central Government is of the opinion that it is in the public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the notifications of the erstwhile Ministry of Environment and Forests vide number S.O. 319(E), dated the 7<sup>th</sup> May, 1992.

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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 rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification with effect from the date of publication of this notification in the Official Gazette namely:

In the notification of the erstwhile Ministry of Environment and Forests number S.O. 319(E), dated the 7<sup>th</sup> May, 1992, in paragraph 1, clause (ii), shall be omitted.

[F. No. Z-11013/64/2017-IA-II (M)]

GYANESH BHARTI, Jt. Secy.

**Note:** - The Principal notification was published in the Gazette of India, Extraordinary, vide number S.O.319(E) dated the 7<sup>th</sup> May, 1992 and subsequently amended vide number S.O. 1189(E) dated the 29<sup>th</sup> November, 1999 and S.O.248(E) dated 28<sup>th</sup> February, 2003.

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 17th January, 2019

**S.O. 345(E).**—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the EIA Notification) vide S.O.1533(E), dated the 14<sup>th</sup> September, 2006, making the requirement of prior environmental clearance from the concerned regulatory authority mandatory for all new projects/activities listed in the schedule to the said notification, their expansion and modernization and/or change in product mix, as the case may be, before any construction work or preparation of land by the project management except for securing the land;

AND WHEREAS, the projects/activities listed in the schedule to the said notification include distilleries (molasses and non-molasses based) under item 5(g), and thus requiring prior environmental clearance from the Ministry or the State Environment Impact Assessment Authorities in different States/Union Territory, as the case may be;

AND WHEREAS, the Central Government has published the National Policy on Bio-fuels, 2018 stipulating Ethanol Blended with Petrol (EBP) Programme as its main component, offering indigenous and non-polluting renewable energy source and successful implementation of the programme would not only result in substantial reduction in air pollution but also saving of precious foreign exchange through import substitutions;

AND WHEREAS, the Ministry of Environment, Forest and Climate Change deems it necessary for expediting environmental clearances to the projects for manufacturing of bio-ethanol for the purpose of blending with the petrol under the Ethanol Blended with Petrol (EBP) Programme;

AND WHEREAS, based on substantial experience gained in matters relating to prior environmental clearance related to distilleries, conditions of grant of environmental clearance have been standardized;

AND WHEREAS, distillery units adhering to Zero Liquid Discharge norms provide reasonable safeguard with respect to ambient environment;

AND WHEREAS, distilleries adhering to Zero Liquid Discharge in areas with adequate water availability can be provided special dispensation for a year with view to achieving objective set as above without adverse environmental impact for a year;

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 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the rule 5 of the said rules in public interest, for expediting production of Ethanol for its limited purpose of blending with petrol exclusively for its usage as bio-fuel, hereby makes the following special provision, namely:-

“(1) All expansion projects of sugar manufacturing or distilleries, having environmental clearances for their present industrial operations and intended to produce Ethanol for blending with petrol under the Ethanol Blended with Petrol (EBP) Programme, shall make an application in Form-1 given in Appendix-I of the EIA Notification, 2006 along with the Environmental Management Plan, certificate from the Government of India, the Ministry of Petroleum and Natural Gas stating that the proposal is for the purpose of blending the bio-ethanol with the petrol, for grant of environmental clearance under the provisions of the EIA Notification, 2006, and all such applications shall be considered by the concerned sectoral Expert Appraisal Committee or State Expert Appraisal Committee, who shall appraise the proposal as per the procedure applicable to category B2 projects specified in the EIA Notification, 2006 based on certificate from the Central

Ground Water Board regarding adequate availability of water and adherence to standard conditions related to distilleries (appendix).

(2) The Expert Appraisal Committee may prescribe, in addition to the standard environmental clearance conditions given in the appendix to this notification, the specific conditions on case to case basis.”

This notification shall remain in force for a period of one year from the date of publication of this notification in the Official Gazette.

[F. No. IA-J-11013/55/2017-IA. II(I)]

GEETA MENON, Jt. Secy.

**APPENDIX****Standard EC Conditions**

- I. Statutory compliance
  - i. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
  - ii. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
  - iii. The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report. (incase of the presence of schedule-I species in the study area)
  - iv. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.
  - v. The project proponent shall obtain authorization under the Hazardous and other Waste Management Rules, 2016 as amended from time to time.
  - vi. The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989
- II. Air quality monitoring and preservation
  - i. The project proponent shall install 24x7 continuous emission monitoring system at process stacks to monitor stack emission with respect to standards prescribed in Environment (Protection) Rules 1986 and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
  - ii. The project proponent shall install system carryout to Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM<sub>10</sub> and PM<sub>2.5</sub> in reference to PM emission, and SO<sub>2</sub> and NO<sub>x</sub> in reference to SO<sub>2</sub> and NO<sub>x</sub> emissions) within and outside the plant area at least at four locations (one within and three outside the plant area at an angle of 120° each), covering upwind and downwind directions. (case to case basis small plants: Manual; Large plants: Continuous)
  - iii. The project proponent shall submit monthly summary report of continuous stack emission and air quality monitoring and results of manual stack monitoring and manual monitoring of air quality /fugitive emissions to Regional Office of MoEF&CC, Zonal office of CPCB and Regional Office of SPCB along with six-monthly monitoring report.
  - iv. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
  - v. The National Ambient Air Quality Emission Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be complied with.
  - vi. Sulphur content should not exceed 0.5% in the coal for use in coal fired boilers to control particulate emissions within permissible limits (as applicable). The gaseous emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines.

vii. The DG sets shall be equipped with suitable pollution control devices and the adequate stack height so that the emissions are in conformity with the extant regulations and the guidelines in this regard.

viii. Storage of raw materials, coal etc shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.

**III. Water quality monitoring and preservation**

i. For online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises (applicable in case of the projects achieving ZLD) and connected to SPCB and CPCB online servers.

ii. Zero Liquid Discharge shall be ensured and no waste/treated water shall be discharged outside the premises (applicable in case of the projects achieving the ZLD).

iii. Process effluent/any wastewater shall not be allowed to mix with storm water. The storm water from the premises shall be collected and discharged through a separate conveyance system.

iv. The effluent discharge shall conform to the standards prescribed under the Environment (Protection) Rules, 1986, or as specified by the State Pollution Control Board while granting Consent under the Air/Water Act, whichever is more stringent.

v. Total fresh water requirement shall not exceed the proposed quantity or as specified by the Committee. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard.

vi. Industrial/trade effluent shall be segregated into High COD/TDS and Low COD/TDS effluent streams. High TDS/COD shall be passed through stripper followed by MEE and ATFD (agitated thin film drier). Low TDS effluent stream shall be treated in ETP and then passed through RO system.

vii. The Company shall harvest rainwater from the roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial operations within the plant.

**IV. Noise monitoring and prevention**

i. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.

ii. The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation.

iii. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time

**V. Energy Conservation measures**

i. The energy sources for lighting purposes shall preferably be LED based.

**VI. Waste management**

i. Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm and the solvent transfer through pumps.

ii. Process organic residue and spent carbon, if any, shall be sent to cement industries. ETP sludge, process inorganic & evaporation salt shall be disposed off to the TSDF.

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- iii. The company shall undertake waste minimization measures as below: -
  - a. Metering and control of quantities of active ingredients to minimize waste.
  - b. Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
  - c. Use of automated filling to minimize spillage.
  - d. Use of Close Feed system into batch reactors.
  - e. Venting equipment through vapour recovery system.
  - f. Use of high pressure hoses for equipment clearing to reduce wastewater generation

#### VII. Green Belt

- i. Green belt shall be developed in an area equal to 33% of the plant area with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant

#### VIII. Safety, Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The PP shall provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- iii. Training shall be imparted to all employees on safety and health aspects of chemicals handling. Pre-employment and routine periodical medical examinations for all employees shall be undertaken on regular basis. Training to all employees on handling of chemicals shall be imparted.
- iv. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- v. Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act.
- vi. There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products, and no parking to be allowed outside on public places

#### IX. Corporate Environment Responsibility

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F. No. 22- 65/2017-IA.III dated 1<sup>st</sup> May 2018, as applicable, regarding Corporate Environment Responsibility.
- ii. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest /wildlife norms/ conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to

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the head of the organization.

- iv. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
- v. Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

**X. Miscellaneous**

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- ix. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- x. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF & CC).
- xi. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xii. The Ministry may revoke or suspend the clearance, if implementation of any of the above

conditions is not satisfactory.

- xiii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiv. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xv. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
- xvi. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**  
**NOTIFICATION**

New Delhi, the 29th November, 2019

**S.O. 4307(E).** —Whereas, the Environment Impact Assessment Notification vide S.O. 1533 dated the 14<sup>th</sup> September, 2006 (hereinafter referred to as the EIA Notification, 2006), and subsequent amendments issued by the Government of India provides the "Validity of Environmental Clearance" for mining of minerals is meant for period of project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years;

And whereas, the Hon'ble Supreme Court vide judgment dated the 7<sup>th</sup> February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors., *inter alia*, has directed to obtain fresh environmental clearance to those who are successful in obtaining fresh mining leases;

And whereas, the sub-section (6) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) prescribes as: -

*"Notwithstanding anything contained in sub-sections (2), (3) and sub-section (4), the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, where mineral is used for other than captive purpose, shall be extended and be deemed to have been extended up to a period ending on the 31st March, 2020 with effect from the date of expiry of the period of renewal last made or till the completion of renewal period, if any, or a period of fifty years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and conditions of the lease have been complied with".*

And whereas, the sub-section (4) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957) prescribes as: -

*"On the expiry of the lease period, the lease shall be put up for auction as per the procedure specified in this Act"*

And whereas, in the view of the above, there would be cases related to mining projects granted environmental clearance under EIA Notification, 2006, wherein validity of the environmental clearance granted for the mining lease may not have expired, but the mining lease will have ended and freshly re-allocated to the successful bidder as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957).

And whereas, the mining projects mentioned in paragraph above are required to obtain fresh environmental clearance under the EIA Notification, 2006, in pursuance of the aforesaid judgment of the Hon'ble Supreme Court;

And whereas, the Ministry of Environment, Forest and Climate Change deems it necessary for implementation of the aforesaid judgment of the Hon'ble Supreme Court as well as continuation of the mining activity as per the approved mining scheme, mining plan, production capacity, mine lease area specified in the environmental clearance granted under the provisions of the EIA Notification, 2006, as these mining projects were already appraised and the Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) have been considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, and granted environmental clearance by the regulatory authority concerned, these projects need to be granted fresh environmental clearance expeditiously so that their mining activity does not get disrupted as per the earlier approved environmental clearance;

And whereas, therefore, a draft notification was published in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 *vide* S. O. 1038 (E), dated the 27th February, 2019, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of sixty days from the date of publication of the said notification in the

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Gazette of India;

And whereas, all objections and suggestions received in response to the said 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 said Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that for implementation of the aforesaid judgment of the Hon'ble Supreme Court dated the 7<sup>th</sup> February, 2018 in Special Leave to Appeal (Civil) No. 32138 of 2015 in the matter of Goa Foundation versus M/s Sesa Sterlite Ltd., & Ors, as well as, continuation of the mining activity without any changes to production capacity, mine lease area specified in the environmental clearance granted under the provisions of the EIA Notification, 2006 through an expeditious mechanism for grant of fresh environmental clearance, the successful bidder selected by the Government in accordance with law, in all such cases, shall make an application in Form-1 as given in Appendix-I of the EIA Notification, 2006, for grant of environmental clearance under the provisions of the EIA Notification, 2006 and all such applications shall be considered by the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, who shall decide with due diligence, considering the existing EIA/EMP and the environmental clearance granted earlier, and the application shall be appraised accordingly for grant of environmental clearance subject to the same validity period as was initially granted, however, the concerned Expert Appraisal Committee or the State Level Expert Appraisal Committee, as the case may be, may stipulate case specific additional conditions to such mining projects.

[F. No. Z-11013/47/2018-IA. II (M)]

GEETA MENON, Jt. Secy.

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ANNEXURE-2

**GOVERNMENT OF MEGHALAYA**  
**OFFICE OF THE DEPUTY COMMISSIONER,**  
**RI BHOI DISTRICT NONGPOH**

NO. DCRB (LR) 37/2019/Rev/Pt-III/534

Dated Nongpoh, the 14<sup>th</sup> February, 2022.

To.

The District Public Relation Officer,  
Ri Bhoi District, Nongpoh.

**Subject: - Publication of Auction Sale Notice under Section 69 of the Assam Land Revenue Regulation Act, 1886.**

Sir,

With reference to the subject cited above, please find enclosed herewith a copy of the Auction Sale Notice which is self explanatory with a request to kindly publish it in 2 (Two) Local English Newspapers and 2 (Two) Local Khasi Newspapers and also 1 (one) National/Regional Newspaper which is in wide circulation. Copies of all the 5 (Five) publications are to reach this Office immediately after the Auction Sale Notice is published.

This is for your information and necessary action.

Please treat this as 'Most Urgent'

Yours faithfully,

Enclosed: - As stated above.

**Deputy Commissioner,**  
**Ri Bhoi District, Nongpoh.**

Memo NO. DCRB (LR) 37/2019/Rev/Pt-III/534-A / 346 Dated Nongpoh, the 14<sup>th</sup> February, 2022.

Copy to:-

1. The Secretary to the Government of Meghalaya, Forests & Environment Department, Shillong for kind information.
2. Member Secretary, Meghalaya State Pollution Control Board (MSPCB) for information and necessary action.
3. All Members of District Level Committee for information and necessary action.
4. The District Informatics Officer, Nongpoh for necessary action with a request to kindly upload the Auction Sale Notice alongwith all relevant documents in the District website with immediate effect.

  
**Deputy Commissioner,**  
**Ri Bhoi District, Nongpoh.**

**GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER,  
RI BHOI DISTRICT NONGPOH**

NO. DCRB (LR) 37/2019/Rev/Pt-III/531

Dated Nongpoh, the 14<sup>th</sup> February, 2022.

**AUCTION SALE NOTICE**

This is for General information to all interested Bidders that in compliance to the Hon'ble NGT Order in the matter of Jitul Deka versus Union of India & Ors in Original Application No. 48 of 2019, the Office of the Deputy Commissioner, Ri Bhoi District, Nongpoh has, under the Provision of Section 69 of the Assam Land Revenue Regulation Act, 1886, seized movable properties which includes stone crushing plants, screens, conveyors, D.G.Sets, Trucks etc from illegal stone crusher units and stone quarrying units located in Rani Jirang, Umtyrnga, Chibra, Maikhuli, Barapathar, Killing, Baridua, Bir, Saiden, Umroi Nongrah, Umjathang villages as per list of identified illegal stone crusher units and stone quarries that have been submitted before the Hon'ble NGT.

Sealed tenders/bids from intending purchasers are invited in prescribed format by 28<sup>th</sup> February, 2022 up to 4:00 P.M. for auction sale of seized properties "AS IS WHERE IS BASIS AND AS IS WHAT IS BASIS". The tender/ bid application along with terms & conditions and detailed list of seized properties put under auction sale with reserve/upset price may be downloaded from the website [ribhoi.gov.in](http://ribhoi.gov.in).

**LAST DATE FOR SUBMISSION OF EMD AND APPLICATION- 02<sup>ND</sup> MARCH, 2022 by 4:00 PM.**

  
**Deputy Commissioner,  
Ri Bhoi District, Nongpoh.**

**GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER,  
RI BHOI DISTRICT NONGPOH**

TENDER DOCUMENT FOR AUCTION SALE

Bidders are requested to go through the Auction Sale Notice to be published in 2 (Two) Local English Newspapers, 2 (Two) Local Khasi Newspapers, 1 (One) National /Regional Newspaper and in the website (ribhoi.gov.in) of the Office of the Deputy Commissioner, Ri Bhoi District, Nongpoh w.e.f 16<sup>th</sup> February, 2022 by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh along with the "General Terms and Conditions of Auction Sale" and "Item Description for Auction Sale".

Auctioneer Name	Chairman District Level Committee O/o Deputy Commissioner, Ri Bhoi District, Nongpoh Phone No.9366597539 Email id:dc.ngp.rev1@gmail.com or nongpoh@nic.in
Auction Schedule	Last date and Time for filing Bid - <u>28<sup>th</sup> February, 2022</u> at <u>4:00 P.M.</u> Date and Time of Public Opening of Bid: <u>28<sup>th</sup> February, 2022</u> at <u>4:00 P.M.</u> Place- O/o Deputy Commissioner, Ri Bhoi District, Nongpoh
Annexures	1. General Terms and Conditions of Auction Sale 2. Item Description for Auction Sale (Annexure-I) 3. Bid/Auction/Tender Form(Annexure-II) 4. Declaration ( Annexure-III)

(Signature of the Bidder)

GENERAL TERMS AND CONDITIONS OF AUCTION SALE

**1. Nature and Object of Auction Sale:** The auction sale is with the avowed object of free and fair sale, transparency and for achieving best possible recovery of environmental compensation from illegal stone crushers and stone quarry operators. The sale is governed by the following specific terms and conditions.

**2. Caution/Advise to bidders:**

- (a) Property is sold on "as is and where is" / "as is what is" / basis"
- (b) Bidders are advised to inspect the property under Auction Sale (Annexure-I) and satisfy themselves regarding the nature, description, condition, encumbrance, lien, charge, statutory dues, etc over the property before submitting their bids.
- (c) Bidders are advised to go through all the terms and conditions of sale given in the tender document and also in the corresponding public sale notice in the dailies before submitting the bid and participating in the auction.
- (d) Statutory dues/liabilities/Taxes etc., due to the Government/Local Body, shall be borne by the purchaser(s).
- (e) Acceptance or rejection shall be finally decided by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh without assigning any reason thereof.

**3. Inspection of Property:**

- (a) Property can be inspected on any date (except public holidays) between 17<sup>th</sup> February, 2022 to 28<sup>th</sup> February, 2022 with prior intimation to the Office of the Deputy Commissioner, Ri Bhoi District Nongpoh.
- (b) Bidders are bound by the principle of caveat emptor (Buyer Beware).
- (c) Complaints, if any, in the matter of inspection shall immediately be brought to the notice of the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh

**4. Submission of Bid Forms:**

- (a) Bids in the prescribed format (Annexure-II) given in the tender document along with Item Description for Auction in Annexure-I and Declaration in Annexure-III shall be submitted either in person or through speed post/courier service addressed to the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh. Bids submitted otherwise shall not be eligible for consideration and shall be rejected.
- (b) Bids shall be submitted before the last date and time given in the sale notice/tender document.
- (c) Bids form shall be duly filled in with all the relevant details and signed at each page by the bidder.
- (d) Incomplete/unsigned bids without EMD will be summarily rejected.

(e) Only copy of PAN Card/ Passport/ Voter's ID/ Valid Driving License or Photo Identity Card issued by Govt. and PSU will be accepted as the identity document and should be submitted along with the bid form.

(f) Original Identity Document copy of which is submitted along with the bid form must be produced on demand.

**5. Reserve Price/Upset Price & Earnest Money Deposit (EMD):**

(a) The Reserve Price (upset price) of the items under auction has been fixed at Annexure-I.

(b) The bid shall be accompanied by the EMD amounting to 10% of the corresponding Reserve Price.

(c) EMD in shape Draft/Demand Draft shall be made in favour of the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh payable at Nongpoh in any Nationalized Bank.

(d) Bid form without EMD and below the reserve price / upset price shall be summarily rejected.

(e) EMD, either in part or in full, is liable for forfeiture in case of default.

**6. Date and Time of Opening of Auction Bid:**

(a) Auction Bid document shall be opened on 28<sup>th</sup> February, 2022 at 04:00 P.M. The Bidders or their Authorized representatives are requested to be present at the time of opening of Auction Bid Document, if they want to do so.

(b) No complaint on time-factor or paucity of time for bidding will be entertained.

**7. Declaration of Successful Bidder:**

(a) The successful bidder will be intimated the letter of award in his favour by registered / speed post/ e-mail.

(b) If no intimation reaches, bidders are expected to take efforts to find out status from the office of the Deputy Commissioner, Ri Bhoi District, Nongpoh. Non-receipt of intimation should not be an excuse for default/non-payment.

**8. Deposit of Sale Value:**

(a) The bidder declared successful, shall deposit 25% of bidding amount within three days of issue of Letter of Award.

(b) The balance 75 % of bid amount shall be paid on or before the 10<sup>th</sup> day from the date of issue of Letter of Award or within such period as may be extended, for the reason to be recorded, by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh.

(c) All deposits will be made in shape of Bank draft/Demand Draft in favour of the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh payable at Nongpoh in any Nationalized Bank.

**9. Default of Payment:**

(a) Default of payment of 25% of bid amount as stated in para 9 (a) above and 75% of balance bid amount within the stipulated time as in para 9 (b) and bid

not accompanied with EMD shall render automatic cancellation of sale without any notice. In such default the EMD and any other Payment by the successful bidder shall be forfeited by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh.

**10. Sale Certificate:**

- (a) On payment of the entire purchase price / bid amount, Sale Certificate will be issued by the District Level Committee o/o the Deputy Commissioner, Ri Bhoi District, Nongpoh only in the name/names of the successful bidders whose name/names are mentioned in the bid form.
- (b) No request for inclusion/substitution of names, other than those mentioned in the bid, in the sale certificate will be entertained.
- (c) Sale Certificate shall be collected in person or through an authorized person.
- (d) Any statutory due to the Government as per relevant laws for the sale certificate shall be borne by the successful bidder.
- (e) No request for return of deposit either in part or full/cancellation of sale will be entertained.

**11. Return of EMD:**

- (a) EMD of unsuccessful bidders will be returned to the bidder by registered post.
- (b) The EMD of successful bidder shall be returned within 7 days from the date of lifting of the auctioned items by depositing full cost.

**12. Stay/Cancellation of Sale:**

- (a) In case of stay of further proceedings by any Court of Law, the auction may either be deferred or cancelled and persons participating in the sale shall have no right to claim damages, compensation or cost for such postponement or cancellation.

**13. Delivery of possession and Lifting Period:**

- (a) All expenses and incidental charges thereto shall be borne by the auction purchaser. The purchaser is obliged to lift all items for sale engaging own labour and machine and following all laws under force.
- (b) Entire quantity has to be lifted within a period of 15 days from the date of issue of Letter of Acceptance or Sale Certificate following all statutory requirements by the purchaser. Any delay in lifting material shall attract a penalty of Rs.1000/- (Rupees One Thousand) only per item for each day of delay.

**14. Other Conditions:**

- (a) The District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh will be at liberty to amend/ modify/ delete any of the conditions as may be deemed necessary in the light of facts and circumstances.
- (b) The District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh reserves the right to accept or reject all or any bid or bids

without assigning any reason and to postpone or cancel the sale without assigning any reason.

- (c) Bidders shall be deemed to have read and understood all the conditions of sale and are bound by the same.
- (d) No counter-offer/conditional offer/conditions by the bidder and/or successful-bidder will be entertained.
- (e) Conditional offer(s) in the tender shall be liable for rejection.
- (f) The District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh reserves the right to withdraw from sale the materials offered for sale in full or in part thereof without assigning any reason whatsoever and also retains the option to cancel a deal even after issue of Letter of Award.
- (g) In case the Bidders are found lower than the upset price / reserve price, the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh reserves the right to cancel the auction process or to accept the bids, without assigning any reason.

**15. Technical Terms and Conditions of Auction Sale**

- (a) Bids: Once the bid is placed, the bidder cannot reduce or withdraw the bid for whatever reason. If done so, the EMD amount shall be forfeited.

- (b) The highest bid on the auction shall supersede all other bids provided all terms and conditions are satisfied by the highest bidder.
  
- (c) The bidder shall be solely responsible for all consequences arising out of the bid submitted by him (including any wrongful bidding) and no complaint/representation will be entertained in this regard by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh. Hence bidders are cautioned to be careful to check the bid amount before submission of bid document.
  
- (d) The intimation to the bidder/ bidders concerned of having declared successful in the auction sale will primarily be sent to them by registered post/speed post /email.
  
- (e) If no intimation reaches for reasons beyond the control of the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh, the bidders are required to take efforts to ascertain the status. Non receipt of intimation shall not be a ground for non-payment or delayed payment. Bidders must therefore keep a watch on their incoming e-mail or can contact the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh.

Signature of the Bidder

**Annexure-I**

**ITEM DESCRIPTION FOR AUCTION SALE PROPERTY FOR SALE ON "AS IS WHERE IS" AND "AS IS WHAT IS BASIS"**  
 The list of items for Auction Sale is as follows:-

Inventory of Seized Movable Property, including Machineries, Stone Crusher Plants, Screen, Dumpers, Excavators, DG Sets etc, in connection with Attachment of Property from illegal Mines/Stone Crusher Units, as per section 69 of the Assam Land Revenue Regulation Act, 1886					
Sl. No	Details of Movable Property	Location	GPS Co-ordinates	Name of Owner	Reserve Price (in Lakhs)
1	5 Conveyor with motor, 2 feeder, 1 DG set with Control Panel 125 KVA, FG Wilson, 1 Jaw Torsa	Puron Sukurbaria	26°07. 31016" 91°33' 48.75696"	Osirial Doloi	6.00
2	One Assembled DG Set, One Jaw, 1 Screen	Puron Sukurbaria	26°04. 37832" 91°33' 52.42932"	WeSley Doloi-A	1.00
3	DG set assembled, 1 Jaw with Screen, 3 Conveyor Belts	Puron Sukurbaria	26°09. 04104" 91°33'55.00944"	WeSley Doloi-B	3.00
4	1 jaw with Screen, 1 DG Set assembled, 3 Conveyor Belt	Puron Sukurbaria	26°0'10.48644" 91°33' 54.42048"	Stoneness Syiemphang	4.00
5	1 DG set Assembled, 1 Jaw with Screen, 4 Conveyors	Puron Sukurbaria	26°0'6.65172" 91°33' 55.21284"	Nirupam choudhury	3.00

6	Partly dismantled-1 DG set, 1 Jaw with Screen, 3 Conveyor Belts	Puron Sukurbaria	26°0'11.90808" 91°33' 52.38108"	Sharly Doloi	1.50
7	1 jaw with screen, 1 DG Set assembled with control panel, 4 Conveyor Belt	Puron Sukurbaria	26°0'13.49244" 91°33' 50.35536"	Donbor Lakhmic	4.50
8	1 jaw with screen, 1 DG Set assembled, 4 Conveyor Belt	Puron Sukurbaria	26°0'13.00212" 91°33' 46.17432"	Raj Kumar	4.00
9	1 jaw with Screen, 1 conveyor belt, 1 DG set	Puron Sukurbaria	26°0'13.0986" 91°33' 45.51408"	Komal Das-A	2.50
10	1 jaw with Screen, 4 conveyor belt, 1 DG set	Puron Sukurbaria	26°0'14.16456" 91°33' 44.7822"	Komal Das-B	3.00
11	6 Conveyors with Motors, 2 Jaws medium, DG with control panel, 1 Sizer, 1 Truck AS01 BC 5302	Puron Sukurbaria	26°0'18.67068" 91°33' 47.06424"	Rutamon Nongphlang	15.00
12	Metal Scrap approx 50 Kg, Excavator dilapidated	Umtynga Chibra	26°4'27.77412" 91°46'57.76788"	Giri Mohanta	3.00
13	metal Scrap approx 100 Kg,	Umtynga Chibra	26°4'29.07084" 91°46'56.4492"	Shyamal	0.30
14	5 conveyor, One Motor, 2 feeder, DG set with control Panel, No jaw	Umtynga Chibra	26°4'34.04568" 91°46'51.27492"	Rakesh Agarwal	1.50

15	3 conveyor with motor, jaw with screen, DG set	Umytinga Chibra	26°4'30.38772" 91°46'55.49484"	Unknown	3.00
16	Scrap approx 200 kg	Killing	26°4'54.26256" 91°50'8.58696"	Heimonmi Tangliang	0.60
17	5 Conveyor with Motor, 2 Jaws, 1 Feeder, 2 trucks	Baridua	26°6'12.61404" 91°50'1.96656"	Andreas Narleng	1.50
18	scrap approx 1 ton. (Jaw & Metal)	Baridua	26°6'17.17632" 91°50'2.5674"	Rajesh Talukdar	1.50
19	abandoned Jaw	Baridua	26°6'19.75608" 91°49'53.43312"	Babu Ali ( SLNo 76)	0.50
20	1 jaw, Feeder and DG set Dilapidated	Baridua	26°6'18.4878" 91°49'58.02996"	Veronica Narleng	0.75
21	1 jaw, 1 screen, 1 DG set assembled	Bir	25°46'13.04112" 91°54'20.62224"	Kespar Nongsiej	2.00
22	1 jaw, 1 screen	Saiden	25°52'17.65776" 91°52'18.85368"	Mcdonald Sweetly	0.75
23	As per DPR	Killing	26°4'46.70" 91°49'54.50"	Dayanidhi Ventures Pvt. Ltd	245.00
24	Biru Narleng As per DPR	Baridua	26°6'18.50" 91°49'58.10"	Biru Narleng	123

25	Martina Tariang As per DPR	Killing	26°4'51.15" 91°51'7.82"	Martina tariang	3.86
26	very Small crusher Plant , Screen, 5 Conveyors with motors. Assembled DG set, Makeshift Control Room	Puron Sukurbaria	25°59' 51.59" 91°33' 36.26"	Odomos Patho	2.00
27	Small crusher. No Conveyor, Empty semi concrete Control Room	Ampen Semgura	25°59' 42.24" 91°33' 29.87"	WS Doloi	1.75
28	Small Plant with Primary & Secondary crusher, 5 Conveyors with motors, Kirloskar DG set-125 KVA, Semi-Concrete Control Room	Ampen Semgura	25°59' 40.52" 91°33' 28.12"	Donbor Lakhmie	11.50
29	Abandoned Plant with only 5 rusted Conveyor frames & overhead horizontal Screen supported by Steel joist framework.	Ampen Semgura	25°59' 45.70" 91°33' 31.90"	Unknown	1.00
30	Medium Plant in working condition. Assessment will be as per Project Report as the plant was already issued Consent to Establish.	Puron Sukurbari	25°59' 58.92" 91°33' 36.53"	G.L.Lakhmie	70.00
31	Small Plant with Primary & Secondary crusher, 5 Conveyors with motors. No DG Set.	Puron Sukurbari	25°59' 58.92" 91°33' 37.38"	G.L.Lakhmie	14.00
32	Small Plant with Rotating Screen, 5 Conveyors.	Puron Sukurbari	26°00' 02.66" 91°33' 39.43"	Shanbor Lakhmie	6.00

33	Small Plant in working condition. Assessment will be as per Project Report as the plant was already issued Consent to Establish.	Puron Sukurbari	26°00' 04.79" 91°33' 41.88"	Three Sisters Dolloi	6.65
34	Small Plant with only 4 rusted Conveyor frames no Screen Assembled gen set from truck engine	Sukurbari	26°00' 06.72" 91°33' 42.71"	Wesley Doloi	1.00
35	Large Plant in working condition. Assessment will be as per Project Report as the unit has applied for Consent to Establish.	Umduba,Raid Marwet	26°03' 39.05" 91°49'35.75"	CONCORD Stones LLP	1050
36	Abandoned Plant, 3 rusted Conveyor frames,	Umtynga	26°04' 28.24" 91°47'00.57"	Anchu Agarwal	0.10
37	Abandoned Plant, No Machines	Umtynga	26°04' 32.44" 91°47'00.72"	Dinesh Sharma	0.00
38	Abandoned Plant, 2 rusted Conveyor frames no motors. Assembled truck engine as DG.	Umtynga	26°04' 26.11" 91°47'01.34"	Dhanbir Lama	0.35
39	Abandoned Plant, 2 rusted Conveyor frames no motors.	Umtynga	26°04'34.20" 91°46' 49.69"	Rajesh Agarwal	0.25
40	Abandoned Plant, 5 rusted Conveyor frames no motors.	Umtynga	26°04'16.24" 91°46' 56.07"	Aibor Kshiar	0.70

41	Abandoned Plant, 3 rusted Conveyor frames no motors, Small screen	Umyrnga	26°04'15.07" 91°46'54.53"	Decison Kshiar	0.65
42	Abandoned Plant, 3 rusted Conveyor frames no motors, Small screen, Truck engine as DG.	9th Mile Baridua	26°06'13.78" 91°50'03.69"	Malwa Manar	1.00
43	Abandoned submerged Plant with only Roller	9th Mile Baridua	26°06'12.00" 91°50'00.32"	Andreas Narleng	0.10
44	Medium Plant with Primary & 2 Secondary crusher, 7 Conveyors with motors, Greaves Power DG set-250 KVA, Semi-Concrete Control Room & Weigh Bridge	9th Mile Baridua	26°06'16.91" 91°49'55.42"	OK Stone Crushers/ (Theresia Manar)	210.00
45	very Small crusher Plant, Screen, 3 makeshift tin Channcls, Assembled DG set from Truck Engine, Makeshift Control Room	Bir, Umsaitising	25°46'13.86" 91°54'18.01"	Dalimrose Nongshli	2.00
46	Compressor model PG300-100 Mfg-year 2016, Pressure pipe, Nozzle pipe	Ganapati	26°03'3998 91°58'7642	Unknown	5.00
47	Chain Excavator Model CAT 320D3	Ganapati	26°02'22913 91°59'1864	Unknown	30.00
48	Breaker	Ganapati	26°02'7764 91°59'0232	Dipak Baruah	3.00

49	Tata Truck AS01 N 8529, Crusher Engine DG Set Assembled, Car Battery	Rani, Jirang,	26°03'14.57" 91°58'24.09"	W. Doloi	4.50
50	Crusher Plant, with generator set and conveyor belt	Maikuli	26°06'07.1" 91°48'41.4"	Benudarth baurah	3.00
51	Crusher Plant with conveyor belt and truck	Maikuli	26°06'05.4" 91°48'41.0"	Chindia Bithu	2.50
52	Screen Wire Mech	Maikuli	26°06'03.5" 91°48'41.1"	Niraj Agarwal	0.01
53	feeder and Conveyor And metal Scrap	Maikuli	26°06'07.5" 91°48'50.7"	Ankit Mittal	3.00
54	Stone crusher with conveyor belt, DG Set,	Maikuli	26°06'08.7" 91°48'49.6"	Pankali Devi	28:00
55	Stone crusher with conveyor belt	Maikuli	26°06'10.3" 91°48'52.9"	Nagendra Singh	1
56	Stone crusher with conveyor belt, DG set, Excavator, Bike Hero	Maikuli	26°06'09.3" 91°48'48.4"	Kishon Rupani	6
57	Truck 1618 1-No., Truck 709 -5Nos., pik up -2 Nos.	Barapathar	26°05'01.2" 91°46'54.9"	Sukur Ali	50

58	Old Crusher (Tan), 4 Conveyor Belts(Tan), 1 Screen, 1 Generator (Red/Black - Micro- SL.No. 28134867)	Rani, Jirang, Moirapur	26°01'23.57 91°56'9.487	Opasroy Thangkhiew	5.00
59	1 Tata Hitach EX210 LC Super Excavator, 131 HP, SI No. S210-5?0?77 (Orange)	Rani, Jirang, Moirapur	26°01'21.81 91°56'8.974	Unknown	25.00
60	New Crusher (Yellow/ Blue), 5 Conveyor Belts(Tan), 1 Screen (Tan), 1 Generator (Black - Mico- SL.No. 09117531)	Rani, Jirang, Moirapur	26°01'14.42 91°56'9.343	Opasroy Thangkhiew	6.25
61	Very old Crusher (White), 4 Conveyor Belts (Tan), 1 Screen (Tan), 1 Generator (Black - Micro- SL.No. 7501377), 1 Blue Fabricated square water tank (2500ltr approx), 1 very old Shaktiman Truck without Registration No. & 1 Tata Truck (White, AS 01 BC- 8344)	Rani, Jirang, Moirapur	26°01'13.36 91°56'8.625	Prabhot Boro/ Basumatary (Owner name unsure)	10.18
62	1 Generator (Green), 1 Old Shaktiman Truck (Green, Regn No. AS01-672?, last digit tampered), 1 Old Shaktiman Truck (Green, No Regn No.)	Rani, Jirang, Moirapur	26°00' .680" 91°34' 051"	Sadak Ali	6.50
63	1 New Crusher (Yellow/ Torsa), 4 Conveyor Belts(Tan), 1 Screen (Tan), 1 Generator (Yellow - SL.No. DEF329F1133642)	Rani, Jirang, Moirapur	26°00' .661" 91°34' 050"	Romesh Boro/ Stamen Lapang	10.75

64	1 New Crusher (Light Green), { 6(5+1small) Conveyor Belts(Tan)}, 1 Screen (Tan), 1 Generator Black- Mico - SI.No. 66430589)	Rani, Jirang, Moirapur	26°00' .608" 91°34' 019"	Oscirial Doloi	7.80
65	1 New Crusher (Yellow), 2 Conveyor Belts(Tan), 1 Screen (Tan), 1 Generator (Black/Red - SI.No. unclear), 1 Tanker without truck (Rusted Yellow, SI. No. 448)	Rani, Jirang, Moirapur	26°00' 34.9" 91°33' 57.1"	Sharly Daloi	5.25
66	Very new Crusher (1 primary, 2- secondary, Blue/ White), 8 Conveyor Belts (White), 1 Screen (Tan, Automatic Sieving M/c), 250 KVA Kirloskar DG Set (Eng No. FG3845/1200096), Switch Board Panel room, 1 2000ltr Blue Tank- Pluton)	Rani, Jirang, Moirapur	26°00' 31.7" 91°33' 55.2"	Thombor Thangkhiew/ Binoy Kalita/ Ismel Wahlang/ Aiborman Thangkhiew (Owner unsure)	421.50
67	1 Very Old Crusher (Yellow), 1 Conveyor Belts(Tan), 1 Screen (Tan), 1/2 Tonne M/c Scrap/ 60 CuM Boulders	Bhoirybong, Nongrah	25°42' 34.1" 91°59' 38.8"	Shanlang Kharbangar	1.3

Annexure-II

BID/AUCTION/TENDER FORM

PROPERTY FOR SALE ON "AS IS WHERE IS" AND "AS IS WHAT IS BASIS"

(Read carefully the terms and conditions of auction sale before filling-up and submitting the bid)

1	Name(s) of Bidder (in capital)	
2	Father's/Husband's Name	
3	Postal Address of Bidder(s) (If the Bidder is a company, address of its Regd. Office)	
4	Phone/Cell Number and E-mail ID	
5	Details of items for which bid is submitted (see Annexure-I)	
6	Date of submission of bid	
7	PAN Number	
8	Whether EMD deposited	Yes/No
9	Bank Draft No/Date	
	Name of the Bank	
	Branch	
	Account No	
	IFSC Code No.	
10	Bid/Tender amount quoted	Rs. _____ (In Figure)Rs. _____ (In Words)

I declare that I have read and understood all the terms and conditions of auction sale and shall abide by them. A signed copy of the terms and condition has been enclosed in the application.

(Signature of the Bidder)

**Annexure-III**

DECLARATION

1. With reference to your notice inviting tender, I/We, the Bidder/s aforesaid do hereby state that, I/We have read the entire terms and conditions of the sale and understood them fully. I/We, hereby unconditionally agree to conform with and to be bound by the said terms and conditions and agree to take part in the Auction sale of the seized properties
2. I/We have seen/inspected the properties to be purchased and understand the general terms and conditions as mentioned in the offer/bid/tender document, sale notice, advertisement and those mentioned here-in-after.
3. I/We declare that the EMD and other deposit towards purchase-price were made by me/us as against my/our bid and that the particulars remittance given by me/us in the bid form is true and correct.
4. I/We further declare that the information revealed by me/us in the bid document is true and correct to the best of my/our belief. I/We understand and agree that if any of the statement/ information revealed by me/us is found to be incorrect and/or untrue, the bid submitted by me/us is liable to be cancelled and in such case, the EMD paid by me/us is liable to be forfeited by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh will be at liberty to annul the offer made to me/us at any point of time.

5. I/We also agree that after my/our offer given in my/our bid for purchase of the assets is accepted by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh and I/We fail to accept or act upon the terms and conditions of the sale or am/are not able to complete the transaction within the time limit specified for any reason whatsoever and/or fail to fulfil any/all the terms and conditions of the bid and offer letter, the EMD and any other payment made by me/us along with the bid are liable to be forfeited.
6. The decision taken by the District Level Committee, O/o the Deputy Commissioner, Ri Bhoi District, Nongpoh in all respects shall be binding on me/us.
7. I also undertake to abide by the additional conditions if announced during the auction including the announcement of correcting and/or additions or deletions of terms being offered for sale.

Signature:.....

Name:.....

E-mail id.....

Mobile.....

**Enclosures**

1. Bid/Auction/Tender Form (including Annexure-I, II & III) along with accepted terms and conditions
2. Self-attested copy of Identity proof
3. Self-attested copy of PAN card/Voter ID/Passport/Driving Licence; and
4. Bank Draft for EMD Amount.

Signature of the Bidder