

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 148 OF 2025**

IN THE MATTER OF:

ROHIT SINGH

.....APPLICANT

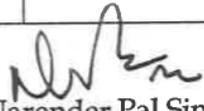
Versus

MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE & Ors.

.....RESPONDENT(S)

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 Adv Narender Pal Singh

On Behalf of MoEF&CC

K-18, Level-1, Green Park Main

New Delhi - 110016

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Place: New Delhi

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Date: 01.09.2025

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI**

Original Application No. 148/2025 (PB)

IN THE MATTER OF:

Rohit Singh

...Applicant

Vs.

Ministry of Environment, Forest and

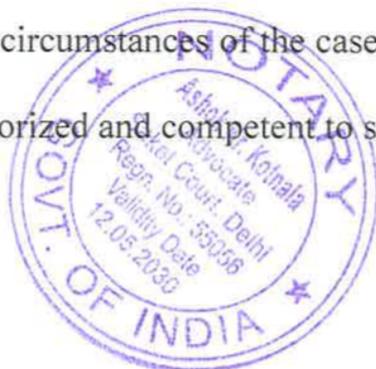
Climate & Ors.

...Respondent(s)

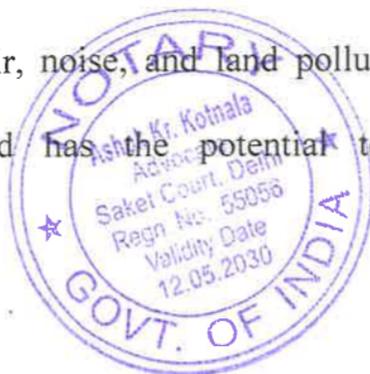
COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE.**MOST RESPECTFULLY SHOWETH:**

I, Amardeep Raju currently working as Scientist 'E' at the Ministry of Environment, Forest and Climate Change (MoEF&CC), New Delhi, do hereby solemnly affirm and state as under:

1. That I, in my official capacity in the Ministry of Environment, Forest and Climate Change, in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.

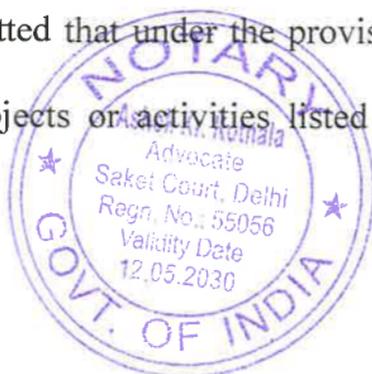


2. That, the applicant has filed the present application stating that M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited (HPBDIL) proposes to establish a bulk drug park over an area of 1,405 acres in Polian Beet, Tehsil Haroli, District Una, Himachal Pradesh.
3. The applicant further states that the right to a clean and healthy environment is part of the right to life guaranteed under Article 21 of the Constitution of India and that the application is in furtherance of the fundamental duty under Article 51A(g) to protect and improve the natural environment. It is alleged that M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited (HPBDIL) has proposed the establishment of a bulk drug park over an area of 1,405 acres in Polian Beet, Tehsil Haroli, District Una, Himachal Pradesh, and that during the public hearing conducted on 20.11.2024, the Project Proponent submitted its Environment Impact Assessment (EIA) Report.
4. That the applicant also states that the project, in its present form, poses a serious threat to the environment and public health, including large-scale deforestation, alteration of topography, destruction of the underground water table, and displacement of wildlife species protected under Schedule I of the Wildlife Protection Act, 1972. It is further alleged that the project will result in significant air, noise, and land pollution, lacks adequate compliance measures, and has the potential to render the area environmentally hazardous.



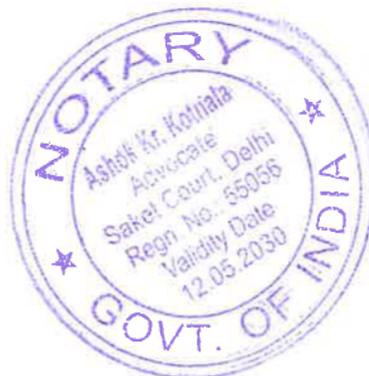
REPLY OF THE MoEF&CC

5. That in this regard, the answering Respondent respectfully submits that under clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (here inafter referred to as the “1986 Act”), the Central Government has the power to make rules for carrying out the purposes of the said Act. While exercising the powers conferred by the 1986 Act, the Ministry had issued the Environment Impact Assessment (EIA) Notification vide S.O.60 (E) dated 27th January, 1994 mandating 32 categories of projects listed in Schedule- I to obtain prior environmental clearance based on the investment criteria (originally it was Rs 50 crores, which was enhanced to Rs 100 crores). It is further submitted that the Environmental Impact Assessment (EIA) was made a statutory requirement for certain category of construction and development activities through amendment dated 07.07.2004 in the EIA Notification, 1994.
6. It is humbly submitted that under the 1986 Act read with Environment (Protection) Rules, 1986, the Ministry has issued a notification number S.O. 1533(E) dated 14.09.2006 (hereinafter referred to as the “EIA Notification, 2006”), in suppression of the notification number S.O.60(E) dated 27th January, 1994.
7. It is further submitted that under the provisions of the EIA Notification, 2006, all new projects or activities listed in the Schedule to the EIA

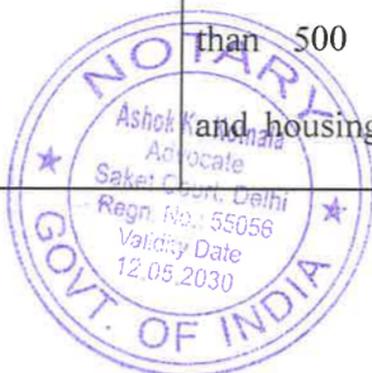


Notification, 2006 or the expansion/ modernization of existing projects/activities listed in the said Schedule with addition of capacity beyond the limits specified for the concerned sector, i.e., projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization or any change in product –mix in an existing manufacturing unit included in Schedule beyond the specified range, shall be undertaken in any part of India, as applicable, only after receipt of the prior environment clearance from the Central Government or by the State Level Environment Impact Assessment Authority (“SEIAA”), as the case may be. It is submitted that the Central Government under sub-section (3) of Section 3 of the 1986 Act in accordance with the procedure specified in the EIA Notification, 2006, duly constitutes SEIAA in the States.

8. It is most respectfully submitted that under the Schedule to the EIA Notification, 2006 relating to the list of activities requiring prior Environmental Clearance, the Industrial Parks are covered under entry 7 (c) of the Schedule. The relevant portion of the Schedule is stated as follows:-

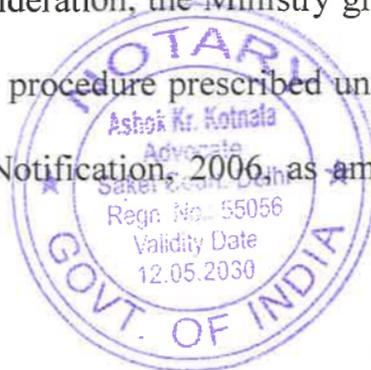


	Project or Activity	Category with threshold limit		Conditions if any
		A	B	
(1)	(2)	(3)	(4)	(5)
7(c)	Industrial estates/ parks/complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at	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	General as well as specific conditions shall apply. Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction



		least one Category B industry.	to Category A or B.	projects > 20,000 sq. mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be.
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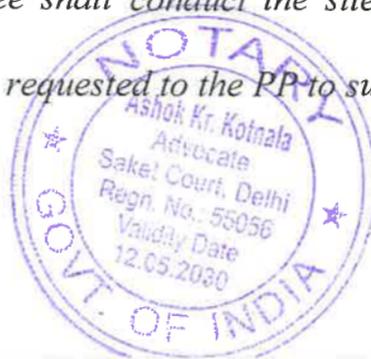
9. That as per the EIA Notification, 2006, the said bulk drug park shall fall under Category 'A' project as the industrial estate is having an area greater than 500 ha. and housing at least one Category B industry.
10. It is most respectfully submitted that, the Project Proponent (M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited (HPBDIL) submitted an application to this Ministry seeking Terms of Reference (ToR) for preparation of an Environmental Impact Assessment (EIA) study.
11. That, after due consideration, the Ministry granted ToR on 01.08.2024 in accordance with the procedure prescribed under the Environment Impact Assessment (EIA) Notification, 2006, as amended. The ToR laid down



detailed parameters for the preparation of the EIA Report, including baseline studies, assessment of likely impacts, and formulation of mitigation measures.

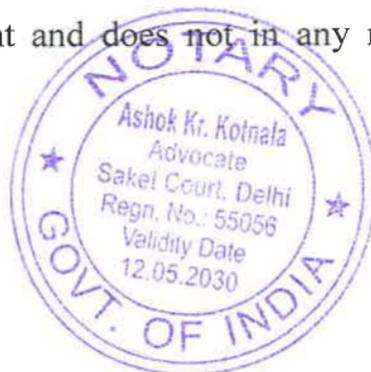
12. It is submitted that in pursuance of the ToR and as mandated under the EIA Notification, a public hearing was conducted on 20.11.2024 by the Himachal Pradesh State Pollution Control Board. During this hearing, the Project Proponent submitted its draft EIA Report for comments and representations from the public and stakeholders.
13. That, Subsequent to the public hearing and finalisation of the EIA Report, the Project Proponent submitted an application for Environmental Clearance (EC) before this Ministry on 14.01.2025 through the PARIVESH portal.
14. It is most humbly submitted that the proposal was thereafter placed for appraisal before the Expert Appraisal Committee (EAC- Infrastructure sector) in its 398th meeting held on 29th-30th January 2025. The EAC, after detailed deliberations, deferred the proposal and recommended that:

“...The EAC, taking into account the submission made by the project proponent has a detailed deliberation in its 389th meeting during 29th - 30th January 2025 and deferred the proposal. The EAC recommended that a sub-committee shall conduct the site visit for further appraisal. The committee also requested to the PP to submit the information with respect



to the above observations of the Committee...” A copy of the minutes of the 398th meeting held on 29th-30th January 2025 is marked and annexed herein as **ANNEXURE R1/1**.

15. It is humbly submitted that, in compliance with the aforesaid directions of the Expert Appraisal Committee, the Sub-Committee conducted a site visit at the project location and submitted its report during the 401st meeting of the EAC held on 14th-15th May, 2025. The said report has been taken on record and accepted by the EAC and is presently under consideration and the proposal will be further examined on the basis of the Sub-Committee’s findings. A copy of the minutes of the 401st meeting of the EAC held on 14th-15th May, 2025 is marked and annexed herein as **ANNEXURE R1/2**.
16. It is most respectfully submitted that the matter is still under examination before the EAC-(Infra) and no final recommendation has been made regarding the grant or rejection of EC. It is important to note that as per the site inspection report the Project Proponent has not commenced any activity at the site, no Environmental Clearance has been granted by this Ministry, and the proposal is presently shown as “delisted” on the PARIVESH portal, which merely reflects pendency of compliance by the Project Proponent and does not in any manner imply approval of the project.



17. That, the allegations raised by the Applicant regarding deforestation, depletion of the water table, displacement of wildlife, or pollution impacts are speculative at this stage, since the project is undergoing statutory appraisal and cannot proceed without prior EC.
18. That, the answering Respondent assures this Hon'ble Tribunal that the proposal will be appraised strictly in accordance with the provisions of the EIA Notification, 2006, taking into account scientific data, public consultation, and the Sub-Committee's findings, before any final decision is taken.
19. It is humbly submitted that, in light of the facts and circumstances stated herein, the apprehensions raised by the Applicant are premature, speculative, and without factual basis. The proposal of the Project Proponent is still under active examination before the Expert Appraisal Committee, the site visit report of the Sub-Committee is under consideration, and the project has not commenced any activity at the site. The fact that the project is presently shown as 'delisted' on the PARIVESH portal further demonstrates that the matter remains pending for compliance and appraisal. It is reiterated that no Environmental Clearance has been granted by this Ministry, and the project cannot proceed without prior approval in accordance with law. The answering Respondent, therefore, humbly submits that the present Original Application deserves to be dismissed as being devoid of merit.



20. That, in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.

I identify the deponent who has Signed this. In my presence
VERIFICATION

01 SEP 2025

[Signature]
DEPONENT
AMARDEEP RAJU
वैज्ञानिक 'ई' /Scientist 'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Verified at ~~Delhi~~ on this ^{1st} day of sep, 2025 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

[Signature]

[Signature]
DEPONENT
अमरदीप राजू
AMARDEEP RAJU
वैज्ञानिक 'ई' /Scientist 'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

NOTARY
Ashok Kr. Kataria
Advocate
Saket Court, Delhi
Regn. No.: 58056
Validity Date
12.05.2030
GOVT. OF INDIA

ATTESTED
[Signature]
NOTARY PUBLIC
GOVT. OF INDIA

01 SEP 2025



सत्यमेव जयते

1362

File No: 10/68/2023-IA.III

Government of India

Ministry of Environment, Forest and Climate Change

IA Division



Dated 01/08/2024



To,

Tilak Raj Sharma

HIMACHAL PRADESH BULK DRUG PARK INFRASTRUCTURE LIMITED

Himachal Pradesh Bulk Drug Park Infrastructure Limited Directorate of Industries Majitha House, Near HP Secretariat Chhota Shimla, Shimla, SHIMLA, HIMACHAL PRADESH, 171002

trsharma4@gmail.com

Subject:

The proposed project is for development of "Bulk Drug Park" over an area of 568.75 Ha at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Janani and Malluwal, Teh. Haroli, Distt. Una, Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Ltd-Terms of References reg.

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project Proposed "Bulk Drug Park" at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Janani and Malluwal, Teh. Haroli, Distt. Una, Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Ltd. under Department of Industries, Government of Himachal Pradesh submitted to Ministry vide proposal number IA/HP/INFRA1/450106/2023 dated 25/10/2023.

2. The particulars of the proposal are as below :

(i) TOR Identification No.	TO23A3103HP5957087N
(ii) File No.	10/68/2023-IA.III
(iii) Clearance Type	TOR
(iv) Category	A
(v) Project/Activity Included Schedule No.	7(c) Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones, 7(h) Common Effluent Treatment Plants (CETPs)
(vi) Sector	INFRA-1
(vii) Name of Project	Proposed "Bulk Drug Park" at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Janani and Malluwal, Teh. Haroli, Distt. Una, Himachal

	Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Ltd. under Department of Industries, Government of Himachal Pradesh
(viii) Name of Company/Organization	HIMACHAL PRADESH BULK DRUG PARK INFRASTRUCTURE LIMITED
(ix) Location of Project (District, State)	UNA, HIMACHAL PRADESH
(x) Issuing Authority	MoEF&CC
(xii) Applicability of General Conditions	yes
(xiii) Applicability of Specific Conditions	no

3. 3. The proposal is for proposal is for development of "Bulk Drug Park" over an area of 568.75 Ha at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Janani and Malluwal, Teh. Haroli, Distt. Una, Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Ltd.

4. The proposed project falls under Schedule 7(c), Industrial Estates /Parks /SEZ etc and category 'A' of EIA Notification 2006, as attracts general condition due to Punjab and Himachal Pradesh Border located at a distance 100 m in West direction from project site boundary. The total cost of the project is Rs. 1,923 Crores.

6. List of industries within the proposed project site includes only for those projects which are covered under 7(c) category of EIA Notification, 2006: As per guidelines of the scheme 'Promotion of Bulk Drug Parks', manufacturing of AP is only would be allowed in this upcoming Bulk Drug Park and the State Govt. has already decided to allow chemical based APIs only in this park due to comparatively low consumption of water & power. In this Park, about 70-80 APIs manufacturing units would be set up over 125 industrial plots. Accordingly, project layout with master plan has been worked out. Details are as following.

S.No.	Land use Description	Area in Acres	Area in ha	Percentage (%)
1	Industrial Plot area	531.06	214.92	37.79
	Green Urban Plot area	197.79	80.04	14.07
2	Commercial area	93.39	37.79	6.65
3	Electrical Utilities	23.37	9.46	1.66
4	Utility area	42.22	17.09	3.00
5	TSDF Complex	33.80	13.68	2.41
6	Parking area	24.17	9.78	1.72
7	Green area	270.78	109.58	19.27
8	Treatment units (STP/ETP/MEE & WTP)	41.70	16.87	2.97
9	Logistics hub & ware house	18.90	7.65	1.34
10	Roads Area	100.79	40.79	7.17
11	Water bodies(Existing Nallah/Khad)	27.15	10.99	1.93
12	Semi Public (Temple)	0.30	0.12	0.02
	Total Area	1405.416	568.76	100

7. The land use pattern in and around 10km of project comprises of open scrub/jungle 50.2%, Agricultural land 36.6%barren/waste land 5.9%, Settlement 5.2%, River bed 1%, water body 0.7% and forest etc 0.4%.

8. Terrain and topographical features: The terrain of the Project area is semi hilly area and there is no major drainage or nallah except a few seasonal channel inflows and one khad along the western direction of the project. Further, the area in & around the site under reference is in the form of hill and channels formed due to the dendric pattern of drainage.

9. Details of water bodies, impact on drainage: Swan River is located at a distance of approx. 8.5 km NE from the

proposed project site.

10. Water requirements: Total water requirement for the proposed project will be 22.1 MLD; out of which 15 MLD will be fresh water demand which will be met from groundwater* and 7.1 MLD will be recycled water which will be met from treated water. For utilization ground water permission has been accorded by the Jal Shakti Department, Govt. of HP.

11. Detailed contour map and drainage map along with the elevation of the project area and overlaying the project layout has been prepared as per contour, map the elevation of the project area varies from 390m to 590m from Mean Sea Level (MSL) approximately to avoid any apprehension of slides retaining and breast walls will designed with adequate strength to avoid any apprehensions of slides. The terrain of the Project area is semi hilly area and there is no major drainage or nallah except a few seasonal channel inflows and one khad along the western direction of the project. Further, the area in & around the site under reference is in the form of hill and channels formed due to the dendric pattern of drainage.

12. Detailed hydrological studies of the area for hydrological suitability to establish the industrial park has also been worked and no area or block has been notified from ground water development point of view. In beet area (Polian Beet and Kuthar Beet), ground water level is more than 60m below land surface. Hence, the geography of the study area makes hydrological suitability for establishment Bulk Drug Park 1405.41 acres.

13. Waste Management: CETP: Provide details type and quantity of effluent, effluent conveyance system from the member units to CETP with CETP's Capacity. 5 MLD CETP with ZLD. STP: Provide details of treatment and usage of treated sewage with STP's capacity. 3 MLD.

14. Details of tree cutting: the proposed project will not involve any tree cutting.

15. Diversion of Forest land: The proposed project does not involve any forest land. As per the land use map of the project area, the project area includes open scrub/jungle is 91% and Barren/waste land is 9%. Also submitted the letter no.1270/HP Forest Department dated 13/6/2024 and Endst.No.1300-1301 dated 14/6/2024 from the state forest department stating that the said land has been vested to Govt. of Himachal Pradesh under HP village Common Lands Vesting and Utilization Act, 1974 and the said land was neither recorded as forest land before vesting nor it has been recorded as forest land thereafter at any point of time. During presentation the concerned DFO also confirmed the status of project land as non-forest

16. The proposed site is not located within 10 km of Protected Areas (PA) including National Parks, Sanctuaries and Tiger Reserves etc and Eco-Sensitive Zone (ESZ) or Eco-Sensitive Area (ESA) notified.

17. R& R issues involved: The proposed project does not involve R&R issues.

18. Employment potential: The proposed project will create total 44,000 people. Benefits of the project: Industrial Innovation, Manufacturing growth, Employment generation.

19. Details of Court cases: There are no court cases against the project

20. EAC, after discussion and presentation, observed the following:

a. PP has submitted the No Objection certificate from the Forest Department/ concerned DFO to the effect that the project does not involve forestland. During presentation the concerned DFO also confirmed the status of project land as non-forest. Though he suggested that attempt shall be made to protect the vegetative growths including shrubs and small tree growths.

b. Though out of the options explored the PP has opted for relatively plain area close to the existing industrial areas yet terrain of the project area is undulating and hilly. Therefore developing industrial plots would require careful industrial

plot development avoiding the undue earth cutting, obstructing the drainages/khads/nallah and planning for water and soil conservation.

21. The EAC, taking into account the submission made by the project proponent has a detailed deliberation during its 367th meeting of Expert Appraisal Committee held on 26th June, 2024 and recommended the proposal for grant of Terms of Reference (ToR) with the specific conditions, as mentioned below, in addition to all standard conditions applicable for such projects:

22. Based on the deliberations in the meeting and information provided by the proponent in support of the project, the EAC recommended the project for 'development of "Bulk Drug Park" over an area of 568.75 Ha at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Janani and Malluwal, Teh. Haroli, Distt. Una, Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Ltd' and for preparation of EIA/EMP report with public consultations subject to compliance of all conditions as notified in the standard ToR applicable for Industrial Estate/parks and specific conditions, as mentioned below-

23. A detailed draft EIA/EMP report shall be prepared in terms of the above additional TOR and should be submitted to the State Pollution Control Board for Public Hearing. Public Hearing to be conducted for the project in accordance with the provisions of Environmental Impact Assessment Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing shall be conducted based on the TOR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the website.

24. The project proponent shall submit the detailed final EIA/EMP report prepared as per TOR including issues raised during Public Hearing to the Ministry for considering the proposal for environmental clearance before expiry of validity of TOR.

25. The consultants involved in preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCFNABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/Laboratories including their status of approvals etc. vide notification of the MoEF dated 19th July, 2013.

26. The prescribed TOR would be valid for a period of four years for submission of the EIA/EMP Reports.

27. This issue with the approval of Competent Authority.

Copy To

1. The Member Secretary, H.P. State Pollution Control Board, 35JF+MJM Him Parivesh, Phase 3, New Shimla, Shimla, Himachal Pradesh 171009.
2. Inspector General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Shimla 1st & 2nd Floor, C.G.O. Complex, Longwood, Shimla – 171001.
3. PARIVEH Portal.
4. Guard file.

Annexure 1

Specific Terms of Reference for (Industrial Estates/ Parks/ Complexes/ Areas, Export Processing Zones (Epzs), Special Economic Zones)

1. Specific Conditions

S. No	Terms of Reference
1.1	The planning of Industrial Estate should be based on the criteria mentioned in this Ministry's

S. No	Terms of Reference
	Technical EIA Guidance Manual for Industrial Estate (2009) prepared by IL&FS as well as CPCB's Zoning Atlas Guidelines for siting industries.
1.2	Categorization of industries as per CPCB/SPCB norms and as per EIA notification, 2006 has to be mentioned
1.3	Detailed layout of proposed Industrial area to be submitted along with the EIA/EMP report.
1.4	In the project area all slopes above 45 degrees shall be protected. No earth cutting shall be permitted in these slopes for plot development. Even in slopes less than 45-degree attempt shall be made to avoid undue earth cutting. Slope stabilization methods viz Breast wall/retaining wall constructions/use of geo-fabrics shall be used. A soil and water Conservation plan incorporating above suggestions shall be submitted as part of EIA report.
1.5	Muck shall not be disposed of in drains/nallah/Khad/depressions and the same shall not be obstructed by the muck. A proper muck disposal plan shall be prepared and submitted as part of EIA Report.
1.6	A detailed rain water harvesting plan including the provisions for check dams across all major and minor drains/streams and water re-charge wells along the banks of these drains/nallah/khad, shall be prepared and submitted as part of EIA Report.
1.7	The project area has undulating terrain and it is important to have detailed hydrological study and its impact need to be carried out on the catchment and drainage system in core and buffer zones.
1.8	The recommendations made by the Geologist Zone-I and II, Geological Wing, Department of Industries, Himachal Pradesh, Himachal Pradesh for the establishment of the proposed drug industrial estate shall comply later in spirit and shall submit along with the EIA/EMP report.
1.9	A detailed hydro geological study on the catchment area of the drainage system within core zone and at least 5km perimeter of the project area. The recommendations made in the Hydro geological study of the area shall comply later in spirit and shall submit along with the EIA/EMP report.
1.10	As proposed by PP Provision for reservoir for water storage shall be made, and the details of the same shall be submit along with the EIA/EMP report.
1.11	Water balancing chart and its resources for obtaining the ground water shall be submitted.
1.12	Provision for Reuse/recycle of treated wastewater, wherever feasible. Explore possibilities for recycling and reusing of treated water in the unit to reduce the fresh water demand and waste disposal. A detailed water harvesting plan needs to be submitted. Provision for Zero liquid discharge whenever techno-economically feasible. Provision for Continuous monitoring of effluent quality/quantity.
1.13	Detailed air quality study for each point source to be conducted along with the Micro metallurgical data.
1.14	The industrial layout/zones shall be planned such a way that, No tree can be felled/transplant unless exigencies demand. Where absolutely necessary, tree felling shall be with prior permission from the concern Authority. Where the trees need to be cut/transplanted with prior permission from the

S. No	Terms of Reference
	concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for every 1 tree that is cut/ non-survival of any transplanted tree) shall be done and maintained. Plantations to be ensured species (cut) to species (planted). All the plantation will be done by state forest department as deposit work and not by private contractors.
1.15	At least 50-meter-wide green belt shall be developed all along the major streams/ nallah/khads and in minor streams 15-meter-wide green belt shall be developed. All slopes above 45 degrees and any slope around industrial plot, not planned for development within project, shall be properly afforested in consultation with forest department. Project boundary shall have at least 15-meter-wide green belt. A detailed green belt development plan shall be submitted as part of EIA Report
1.16	Plan for afforestation should be such that it is free from pesticides with flowering plants of native species for attracting bees and insects, which in turn is beneficial to the agriculture. Farmers around the project site shall be involved in developing such an afforestation Plan.
1.17	Details of Onsite and Offsite emergency plans as per provisions of the MSIHC Rules needs to be submitted.
1.18	Activity-wise, a time bound action plan along with budgetary provision for occupational health & surveillance, environment management plan, and green belt development plan.
1.19	Assessment of carrying capacity of transportation load on roads inside the notified industrial premises shall be carried out and submitted.
1.20	In addition to above, the EIA/EMP report shall also address issues such as i) Effective fugitive emission control measures for process, transportation, packing etc. ii) use of cleaner fuels and iii) best available technology for the plant.
1.21	As per the Ministry's Office Memorandum F.No.22-65/2017-IA.III dated 30th September, 2020, the activities proposed by the project proponent, based on the commitment made in the public hearing shall be incorporated in the Environmental Management Plan along with the cost estimates and submit to the Ministry. All other activities including pollution control, environmental protection and conservation, R&R, wildlife and forest conservation/protection measures including the NPV, Compensatory Aforestation etc, envisaged by the project proponent based on the social impact assessment and R&R action plan carried out during the preparation of EIA report, shall be detailed out along with the cost estimates and become part of EMP. Focus should also be kept for local floral and fauna biodiversity.

Standard Terms of Reference for (Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones)

1. Project Details

S. No	Terms of Reference
1.1	Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental damage, resources sustainability associated with selected site as compared to rejected sites.

S. No	Terms of Reference
1.2	The analysis should include parameters considered along with weightage criteria for shortlisting selected site.
1.3	Zoning of the area in terms of 'type of industries' coming-up in the industrial area based on the resource requirement along with likely pollutants with quantity from the various industries.
1.4	Submit Roles and responsibility of the developer etc for compliance of environmental regulations under the provisions of EP Act.
1.5	Examine the details of National Highways/State Highways/ expressways falling along the corridor and the impact of the development on them.
1.6	Submit the details of the infrastructure to be developed.
1.7	Justification of the parameters, frequency and locations shall be discussed in the EIA.

2. Environment Status/baseline Data Methodology

S. No	Terms of Reference
2.1	Examine baseline environmental quality along with projected incremental load due to the project taking into account of the existing developments nearby. (ii) Environmental data to be considered in relation to the project development would be (a) land, (b) groundwater, (c) surface water, (d) air, (e) bio-diversity, (f) noise and vibrations, (g) socio economic and health.
2.2	Site justification of the identified industry sectors from environmental angle and the details of the studies conducted if any.
2.3	Identify, predict and assess the environmental and sociological impacts on account of the project.

3. Remote Sensing/ Gis

S. No	Terms of Reference
3.1	Analysis should be made based on latest satellite imagery for land use with raw images.
3.2	Check on flood plain of any river.

4. Land Use, Land Acquisition, R&r

S. No	Terms of Reference
4.1	Submit the details of the land use break-up for the proposed project. Details of land use around 10 km radius of the project site.
4.2	Submit details of environmentally sensitive places, land acquisition status, rehabilitation of communities/villages and present status of such activities.

S. No	Terms of Reference
4.3	Examine the impact of proposed project on the nearest settlements.
4.4	Submit details regarding R&R involved in the project
4.5	The project boundary area and study area for which the base line data is generated should be indicated through a suitable map.

5. Esz, Crz Details

S. No	Terms of Reference
5.1	Details regarding project boundary passing through any eco- sensitive area and within 10 km from eco- sensitive area.

6. Forest And Wildlife Related Details

S. No	Terms of Reference
6.1	An overall green area of at-least 33% of the Industrial Area should be developed with native species. The green area shall be 40% in case of critically polluted area. Green buffer in the form of green belt to a width of 15 meters should be provided all along the periphery of the industrial area.
6.2	Submit the details of the trees to be felled for the project.
6.3	Submit the present land use and permission required for any conversion such as forest, agriculture etc.

7. Court/ Litigation Related

S. No	Terms of Reference
7.1	Submit Legal frame work for the implementation of Environmental Clearance conditions - to be clearly spelt out in the EIA report.
7.2	Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.

8. Water Environment/quality/hydrology

S. No	Terms of Reference
8.1	Ground water classification as per the Central Ground Water Authority
8.2	Submit the source of water, requirement vis-à-vis waste water to be generated along with treatment facilities, use of treated waste water along with water balance chart taking into account all forms of water use and management.

9. Rain Water Harvesting

S. No	Terms of Reference
9.1	Rain water harvesting proposals should be made with due safeguards for ground water quality
9.2	Maximize recycling of water and utilization of rain water. Examine details.
9.3	Examine soil characteristics and depth of ground water table for rainwater harvesting.

10. Waste Management, Drainage And Stps Details

S. No	Terms of Reference
10.1	Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area, and any obstruction of the same by the project.
10.2	Examine details of solid waste generation treatment and its disposal.

11. Soil Environment

S. No	Terms of Reference
11.1	Examine soil characteristics and depth of ground water table for rainwater harvesting.

12. Energy And Resources

S. No	Terms of Reference
12.1	Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption.

13. Air Environment

S. No	Terms of Reference
13.1	In case DG sets are likely to be used during construction and operational phase of the project. emissions from DG sets must be taken into consideration while estimating the impacts on air environment. Examine and submit details.

14. Road/transport Safety And Traffic Aspects

S. No	Terms of Reference
14.1	Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project.
14.2	Present and future traffic and transport facilities for the region should be analysed with measures for

S. No	Terms of Reference
	preventing traffic congestion and providing faster trouble free system to reach different destinations in the city.
14.3	A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
14.4	Examine the details of transport of materials for construction which should include source and availability.

15. Noise Environment

S. No	Terms of Reference
15.1	Examine noise levels - present and future with noise abatement measures.

16. Environmental Management Plans And Mitigative Measures

S. No	Terms of Reference
16.1	Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
16.2	Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
16.3	Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry.

Additional Terms of Reference

N/A

Annexure 2

Details of Products & By-products

Name of the product /By-product	Product / By-product	Quantity	Unit	Mode of Transport / Transmission	Remarks (eg. CAS number)
APIs and API intermediates	APIs and intermediates	API 787500	Tons per Annum (TPA)	Road	Approx. 80 API units are likely proposed in the Bulk

Signature Not Verified
Digitally Signed by : Dr. Anurag Raju
Member Secretary, MoEFCC (EC)

Date: 01/08/2024

Annexure II

Site visit report of sub-committee, constituted by Ministry of Environment, Forest & Climate Change, New Delhi-India for inspection of a proposed project of “Bulk Drug Park at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Jnani and Malluval, Teh. Haroli, District Una Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited under Department of Industries, Govt of Himachal Pradesh.

1. Background

The proposal for “Bulk Drug Park at Villages Kuthar Beet, Pollian Beet, Tibbian, Jodian, Jnani and Malluval, Teh. Haroli, District Una Himachal Pradesh by M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited under Department of Industries, Govt of Himachal Pradesh was submitted in the Ministry on 14.01.2025 in Parivesh Portal. The above proposal was considered in the 389th EAC (Infra I) meeting dated 29/01/2025. After detailed presentation, during the EAC, The Committee observed the following:

- i. The proposed project site of approx. 4728664.34 sqm (472 ha) area involves considerable cutting and filling for construction of the project infrastructures and this may cause the landslides. The PP as per their study found only 2.9 acre of land out of total project area of 1405 acre not suitable for slope stabilisation as per the condition of the TOR. EIA Study (Geologist zone I and Zone II report) has mentioned the elevation difference of 160 meters in the project area and also the hilly and undulating nature of the project terrain with soil having loose boulders. Therefore, there is a need to reassess the site and building development plan in the project through a nationally reputed institute like IIT or Central Building Research Institute (CBRI) so that the danger of soil erosion can be avoided for ensuring the longevity of the project. The committee also noted that there are many streams/drainages passing through the site thus the committee opined that it requires extraction of drainage patterns from the study area is required and after extraction of drainage further modelling studies of flow directions, flow accumulation, flood modeling studies using remote sensing data needs to be conducted.
- ii. The Committee noted that the proposal involves a large number of tree cutting and not sufficient attempts have been made by the PP to save the trees by reworking the green belt area within the project area.
- iii. The EAC noted that the government notification order shown for the aforementioned Bulk Drug Park area is 108.3666 Ha. PP applied for the area of 568.75 Ha. During the Meeting PP mentioned that the notification has been revised and issued an area of 568.75 ha. The revised notification has to be submitted.
- iv. In view of the above, the EAC, taking into account the submission made by the project proponent had a detailed deliberation in its 389th meeting during 29th-30th January 2025 and deferred the proposal. The EAC recommended that a sub-committee shall conduct a site visit for further appraisal of the project.
- v. The subcommittee comprising of following members was constitute by the Ministry of Environment, Forest and Climate Change vide its order no 10/68/2023-IA.III [E-260987] dated 29th April 2025

- Manmohan Singh Negi Chairman EAC
- Dr V K Jain Member
- Amardeep Raju Member secretary.

2. Site Visit and Brief of Project

A site visit by the Sub-committee was conducted on 29th – 30th April 2025 for the proposed project M/s Himachal Pradesh Bulk Drug Park Infrastructure Limited under Department of Industries, Govt of Himachal Pradesh inter-alia presented a brief on the project to the sub-Committee. Following are the details provided:

- i. The proposed area under the Bulk Drug Park for which EC application is under consideration of the Competent Authority is 568.75 Ha.
- ii. The document/notification containing the details of 568.75 ha under the proposal for the establishment for the BDP is issued by the Dept. of Revenue, Govt. of HP vide Letter No. 105 dated 03.10.2020.
- iii. The PP in response to the suggestion made by the EAC about the need to reassess the site and building development plan in the project through a nationally reputed institute like IIT or Central Building Research Institute (CBRI) intimated the subcommittee that a study has been conducted by the National Institute of Technology, Hamirpur, which has brought down the possibility of earth cutting and filling in the project area and has accordingly suggested the plan. The Subcommittee was of the opinion that considering the experience of recent incidences of land subsidence and landslides in Himalayan states it is always be better if this environmental aspect is thoroughly examined and taken care of before taking up this economically important project of the state. Considering the experience of the Central Building Research Institute, Roorkee in the field of building research especially in the hilly states like Uttarakhand and Himanchal, NIT, Hamirpur study should be ratified by the CBRI from the angle of Risk assessment, seismic vulnerability and sub surface deformation and land slide and suggesting the environment friendly suitable building architecture.
- iv. It has been mentioned by the PP that the numeration of tree counting has been conducted by the State Forest Department. The total number of trees within the proposed area designated for infrastructural components such as electrical utilities, common logistics, treatment facilities, TSDF, and other utilities amounts to 8,599.
- v. Effort has been made to minimize tree cutting through an optimized layout design, resulting in the preservation of nearly 60% of the total trees. Consequently, only 40% of the total trees, approximately 3,440 trees, are anticipated to be felled.
- vi. Prior No Objection Certificate (NOC) has already been obtained from the Department of Forest, Government of Himachal Pradesh for the felling of trees falling within the proposed development areas.

3. Project review and Observations of the Sub-Committee

The Sub-Committee conduct the Site visit on 30/04/2025 and took complete round of the site wherever access road was available and observed the topography of the area from some high elevation points in and around the project side . Following are the observations:

- i. Most of the land at the project site and adjoining areas is part of Shivalik range having a undulating terrain of small hills interspersed with narrow flatter valleys / depressions/smaller planes. Some wider valleys fall outside the project area which are being used for agriculture. Quite a good number of hillocks are having steep slopes above 45 degrees, however, the elevation of the small hillocks are not very high with gentle slopes. No work at the project site has been started in any manner. The approach road is constructed by the State Government to provide access to the nearby villages, however, the road is only up to the boundary of the site.
- ii. Several primary and secondary streams are passing through the site. There are some indications of gully erosion in the area.
- iii. Sparse to dense vegetation is available throughout the site in patches. In considerable area vegetation is with scattered canopy having few number of trees. Vegetation is of deciduous nature . As per the PP and state government officials accompanying the subcommittee intimated the status of vegetation is not forest. This is the revenue area placed under the control of the state forest department for its management and conservation. PP has already provided records about non- forest status of vegetation.

4. Conclusion and Recommendations

The sub-committee made following conclusions and recommendations:

- i. The study of the NIT Hamirpur should be ratified by the CBRI Roorkee from the angle Seismic vulnerability, risk assessment, sub surface deformation and landslides. If required, CBRI may submit their independent assessment of environmental vulnerability of the project site and suggest the architectural plan for the industrial park with the focus on minimising the disturbance of the topography of the area .
- ii. Considering hilly terrain and seismic vulnerability and erosion proneness of the project area the extent of area to be used for building infrastructure should be reduced optimally with focus on maintaining the hillocks with higher and steep slopes as natural green belt.
- iii. Project can be executed in phased manner. In the phase-I the development of site and establishment of industrial units should initially be taken up in low lying areas with flatter terrain or terrains with gentle slopes. After saturation of the area of the phase one Phase-2 can be initiated in other slopes but in no case in area beyond 30-degree slopes. , Accordingly revised lay out plan of the park shall be submitted to the EAC.
- iv. A comprehensive Soil and water conservation plan shall be prepared in consultation with ICAR- Indian Institute of Soil and Water conservation (IISWC) and implemented at the project cost to mitigate the impact of the project on the soil and water regime.
- v. A detailed green belt Development Plan shall be prepared in consultation with state Forest Department with the emphasis on preservation and afforestation of the hillocks with higher slopes not suggested for infrastructure development. The normal norms of 33% area coverage for green belt development will not be applicable here in view of hilly and environmentally vulnerable nature of the project side. The green belt plan shall be executed at the project cost.
- vi. Tree felling requirement shall be reassessed phase wise and submitted to the ministry. The committee opined that the proposed project can be executed in phased manner, i.e. in the phase-I the execution of the project can be started in the plane area. Further, in Phase-2, the undulating hillocks can be levelled to certain extent wherever required.

vii. The environmental clearance for the project shall be granted for the entire land parcel in one go, provided, the necessary documents as highlighted by the Committee are submitted to the Ministry.

