

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN BENCH, CHENNAI**

**OA 24 OF 2023**

**IN THE MATTER OF:**

**KOSGI VENKATAIAH**

...Applicant(s)

-VS-

**STATE OF TELANGANA  
& Ors**

...Respondent(s)

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Date: Chennai

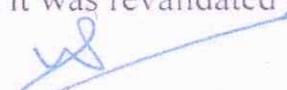
Place: 11.11.2025



COUNSEL FOR THE 6<sup>TH</sup> RESPONDENT

## **REPORT FILED BY THE TGIIC (RESPONDENT NO. 6)**

1. It is to submit that the proposal of industrial park (formerly Growth Centre) at Jadcherla (Rajapur and Polepally villages) in an extent of 954 acres was initiated in the year 2003 with a sanction of 30.05 Crores from the central government. The land was acquired and possession was given to TGIIC (Then APIIC) from 30.06.2003 to 09.01.2006. Further, Government of India has notified the SEZ notification for Pharmaceuticals formulations in an extent of 101.17 Ha. in Polepally Village, Jadcherla (M), Mahaboobnagar (Dist) on 13.06.2007. TGIIC (formerly APIIC) also had initiated the development in 2007. Allotment of plots to the industrial units have been made since 2007 onwards and the industrial units have established after obtaining the consent for establishment from 2008 onwards ( CFE of M/s Aurobindo Pharma Ltd, Dt 27.06.2008 & CFE of M/s. Hetero Labs Ltd, Dt. 11.08.2008 ) and consent for operation from 2009 onwards( CFOof Aurobindo Pharma Ltd, Dt 03.10.2009).
2. It is to further submit that, however since this being an Industrial Park, in order to be in good spirit with the environment, TGIIC initiated process to obtain environmental clearance and had assigned the work to EPTRI. TGIIC with the guidance of EPTRI has submitted an application for ToR through violation window on 11.04.2018 and EPTRI completed the baseline data collection in 28.06.2018. TGIIC has obtained the ToR on 22.03.2021 and since the baseline data is expiring, it was revalidated with

  
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one season baseline data collection from 01.03.2022 to 31.05.2022. A public hearing was conducted on 11.07.2023.

3. It is submitted that, subsequently TGHC has submitted an application for ToR vide no. SIA/TG/INFRA1/535578/2025 on 30.04.2025 and also submitted final EIA report to the SEAC/SEIAA on 01.05.2025 through Parivesh vide application No. SIA/TG/INFRA1/535995/2025. SEAC/SEIAA has returned the application for EC vide no. SIA/TG/INFRA1/535995/2025 directing to obtain ToR afresh, as the old ToR has expired.
4. It is further submitted that TGHC has applied for new ToR on 16.05.2025 vide proposal no. SIA/TG/INFRA1/537791/2025. On 22-05-2025 an EDS was raised by SEAC/SEIAA citing Supreme court judgement in WP (C) 1394 of 2023 i.e., "In view of the Hon'ble Supreme Court Order dated 16.05.2025, this office is not in a position to issue any TORs in the violation cases."
5. At this juncture, it is to bring to your kind notice that that the EIA notification vide no. 1533 dated 14<sup>th</sup> September 2006 mentions about industrial Estates/ Parks, that require Environmental Clearance, under 7(C), if
  - Industrial estates housing at least one Category B industry and area < 500 ha.
  - or
  - Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B

In this connection, it is to submit that TGHC (formerly APIIC) has developed Industrial Park, when the said project doesn't fall under the EC purview as

  
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- the proposed Industrial Park area is 386.2 Ha. (954.23 Acres), which is less than 500 Ha.
  - and
  - Not housing any industry of category A & B.
6. It is also to submit that it is clearly mentioned under 7(C) of the schedule of the same notification, that Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
  7. It is further submitted that, as TGIIC had commenced the development of Industrial Park in an extent of 386.20 Ha (Ac 954.23) at Sy NO. 408 to 412, 418 to 435, 437 to 445, 452 to 459 of Polepally (V), Jadcherla (M) & Sy. NOs 588 to 630 of Rajapur (V), Balanagar (M), Mahaboobnagar (Dist) in the year of 2007 and individual Industrial units had obtained CFE from the year of 2008 and CFO from 2009 onwards and not housing any Category A or B industry and hence the issue of obtaining prior environmental clearance did not arise.
  8. It is submitted that TGIIC has initiated the process of obtaining EC with good intention as many industries would be established in the Industrial Park. Further submit that as this is an 18 year old project, it may not be equated with other recent violation cases. The Hon'ble court is therefore requested to provide a relief from EC process as it did not fall under the purview of EC as on 2006.

DATE: 11.11.2025

PLACE: Hyderabad.



**Chief Engineer**  
T.G. Industrial Infrastructure Corp. Ltd.  
Parisrama Bhavanam, 5th Floor,  
Fateh Maidan Road, Hyderabad-500 004.

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

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

**Notification**

S.O. 1533 Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India<sup>1</sup>, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18<sup>th</sup> May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India ,Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15<sup>th</sup> September ,2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

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

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

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27<sup>th</sup> January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

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<sup>1</sup>Includes the territorial waters

**2. Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

**3. State Level Environment Impact Assessment Authority:- (1)** A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

**4. Categorization of projects and activities:-**

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

#### **5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

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

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

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

#### **6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

## **7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-**

**7(i)** The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category ‘B’ projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

### **I. Stage (1) - Screening:**

In case of Category ‘B’ projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category ‘B1’ and remaining projects shall be termed Category ‘B2’ and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

### **II. Stage (2) - Scoping:**

(i) “Scoping”: refers to the process by which the Expert Appraisal Committee in the case of Category ‘A’ projects or activities, and State level Expert Appraisal Committee in the case of Category ‘B1’ projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category ‘B’ in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of

Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

### **III. Stage (3) - Public Consultation:**

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five ) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period

directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

#### **IV. Stage (4) - Appraisal:**

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant

validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

**7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:**

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

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

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

#### **9. Validity of Environmental Clearance (EC):**

The “Validity of Environmental Clearance” is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

#### **10. Post Environmental Clearance Monitoring:**

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.

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

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

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

**12. Operation of EIA Notification, 1994, till disposal of pending cases:**

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27<sup>th</sup> January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

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

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

## SCHEDULE

(See paragraph 2 and 7)

## LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

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

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

<b>3</b>				
<b>Materials Production</b>				
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>3(a)</b>	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units ≥ 20,000 tonnes /annum</p> <p>-</p>	<p>Sponge iron manufacturing &lt;200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.) All toxic and heavy metal producing units &lt;20,000 tonnes /annum</p> <p>ii.) All other non-toxic secondary metallurgical processing industries &gt;5000 tonnes/annum</p>	General Condition shall apply for Sponge iron manufacturing
<b>3(b)</b>	Cement plants	≥ 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply

<b>4</b>	<b>Materials Processing</b>			
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>4(a)</b>	Petroleum refining industry	All projects	-	-
<b>4(b)</b>	Coke oven plants	≥2,50,000 tonnes/annum -	<2,50,000 & ≥25,000 tonnes/annum	-
<b>4(c)</b>	Asbestos milling and asbestos based products	All projects	-	-
<b>4(d)</b>	Chlor-alkali industry	≥300 TPD production capacity or a unit located outside the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply  No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
<b>4(e)</b>	Soda ash Industry	All projects	-	-
<b>4(f)</b>	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units outside the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
<b>5</b>	<b>Manufacturing/Fabrication</b>			
<b>5(a)</b>	Chemical fertilizers	All projects	-	-
<b>5(b)</b>	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

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

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

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

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

(1)	(2)	(3)	(4)	(5)
<b>8</b>		<b>Building /Construction projects/Area Development projects and Townships</b>		
<b>8(a)</b>	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area )
<b>8(b)</b>	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

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

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

**Specific Condition (SC):**

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

## APPENDIX I

(See paragraph – 6)

## FORM 1

**(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: \*

Expected cost of the project:

Contact Information:

Screening Category:

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

**(II) Activity**

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

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

1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		

1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

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

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

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

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		

4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

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

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

**6. Generation of Noise and Vibration, and Emissions of Light and Heat:**

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

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

<b>S.No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

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

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

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

<b>S. No.</b>	<b>Information/Checklist confirmation</b>	<b>Yes/No</b>	<b>Details thereof (with approximate quantities/rates, wherever possible) with source of information data</b>
9.1	<p>Lead to development of supporting, lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> <li>• Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)</li> <li>• housing development</li> <li>• extractive industries</li> <li>• supply industries</li> <li>• other</li> </ul>		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

**(III) Environmental Sensitivity**

<b>S.No.</b>	<b>Areas</b>	<b>Name/ Identity</b>	<b>Aerial distance (within 15 km.) Proposed project location boundary</b>
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses ( <i>hospitals, schools, places of worship, community facilities</i> )		
10	Areas containing important, high quality or scarce resources ( <i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i> )		
11	Areas already subjected to pollution or environmental damage. ( <i>those where existing legal environmental standards are exceeded</i> )		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems ( <i>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions</i> )		

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

## APPENDIX II

(See paragraph 6)

**FORM-1 A (only for construction projects listed under item 8 of the Schedule)**

### **CHECK LIST OF ENVIRONMENTAL IMPACTS**

**(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)**

#### **1. LAND ENVIRONMENT**

**(Attach panoramic view of the project site and the vicinity)**

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

#### **2. WATER ENVIRONMENT**

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

### **3. VEGETATION**

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

#### **4. FAUNA**

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

#### **5. AIR ENVIRONMENT**

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

#### **6. AESTHETICS**

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

#### **7. SOCIO-ECONOMIC ASPECTS**

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

## **8. BUILDING MATERIALS**

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

## **9. ENERGY CONSERVATION**

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

### **10. Environment Management Plan**

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

## APPENDIX III

(See paragraph 7

## GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> <li>• Purpose of the report</li> <li>• Identification of project &amp; project proponent</li> <li>• Brief description of nature, size, location of the project and its importance to the country, region</li> <li>• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)</li> </ul>
2.	Project Description	<ul style="list-style-type: none"> <li>• Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> <li>• Type of project</li> <li>• Need for the project</li> <li>• Location (maps showing general location, specific location, project boundary &amp; project site layout)</li> <li>• Size or magnitude of operation (incl. Associated activities required by or for the project)</li> <li>• Proposed schedule for approval and implementation</li> <li>• Technology and process description</li> </ul> </li> <li>• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose</li> <li>• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)</li> <li>• Assessment of New &amp; untested technology for the risk of technological failure</li> </ul>

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

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

**APPENDIX III A**  
**(See paragraph 7)**

**CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT**

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

**APPENDIX IV**  
**(See paragraph 7)**

**PROCEDURE FOR CONDUCT OF PUBLIC HEARING**

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

**2.0 The Process:**

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

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

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

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

### **3.0 Notice of Public Hearing:**

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

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

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

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

### **4.0 The Panel**

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

### **5.0 Videography**

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

### **6.0 Proceedings**

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate ,and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

#### 7.0 **Time period for completion of public hearing**

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing .The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

**APPENDIX –V**  
**(See paragraph 7)**

**PROCEDURE PRESCRIBED FOR APPRAISAL**

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy)]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

## APPENDIX VI

(See paragraph 5)

### COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT`

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

**Professional:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy ),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

**Expert:** A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

**Age:** Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of “Experts” are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.





ANNEXURE - 2

# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 1 दिसम्बर, 2009

**का.आ. 3067(अ).**—पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) में दी गई शक्तियों का प्रयोग करते हुए, पर्यावरण समाघात निर्धारण अधिसूचना, 2006 में कतिपय संशोधन करने वाली एक प्रारूप अधिसूचना जो का.आ. 1533(अ), तारीख 14 सितम्बर, 2006 द्वारा जारी की गई थी, जो पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के अधीन का.आ. 195(अ), तारीख 19 जनवरी, 2009 द्वारा प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों के जिसके उससे प्रभावित होने की संभावना है, राजपत्र में उक्त अधिसूचना के प्रकाशन की तारीख से 60 दिन के भीतर आक्षेप और सुझाव मांगे गए थे;

और उपरोक्त उल्लिखित प्रारूप अधिसूचना के उत्तर में सभी आक्षेप और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में,—

(1) पैरा 3 के उप-पैरा (7) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(7) एसईआईए के सभी विनिश्चय बैठक में बहुमत द्वारा लिए जाएंगे :

परंतु बहुमत द्वारा लिए गए विनिश्चय की दशा में इसके प्रति या इसके विरुद्ध विचार के व्यौरों कार्यवृत्त में स्पष्ट रूप से अभिलिखित किए जाएंगे और इसकी एक प्रति पर्यावरण और वन मंत्रालय को भेजी जाएगी।”;

(II) पैरा 4 के उप-पैरा (iii) में, “एसईआईए सम्यक् रूप से गठित एसईआईए या एसईएसी की अनुपस्थिति में कोई प्रवर्ग ‘ख’ परियोजना प्रवर्ग ‘क’ परियोजना समझी जाएगी” शब्दों और अक्षरों के स्थान पर, “सम्यक् रूप से गठित एसईआईए या एसईएसी के अभाव में, किसी प्रवर्ग

‘ख’ परियोजना केन्द्रीय स्तर पर प्रवर्ग ‘ख’ परियोजना समझी जाएगी” शब्द और अक्षर रखे जाएंगे ;

(III) पैरा 7(i) में लोक परामर्श से संबंधित प्रक्रम (3) के उपपैरा (iii) के खंड (i) में,—

(i) मद (ग) के पश्चात् निम्नलिखित मद अंतःस्थापित की जाएगी, अर्थात् :—

“(गग) तलकर्षण अनुस्क्षण परन्तु तलकर्षित सामग्री का निपटान पत्तन सीमाओं के भीतर किया जाएगा ।”;

(ii) मद (घ) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात् :—

“(घ) सभी भवन या संनिर्माण परियोजनाएं या क्षेत्र विकास परियोजनाएं (जिसके अंतर्गत कोई प्रवर्ग ‘क’ परियोजनाएं या क्रियाकलाप नहीं है) और नगरीय परियोजनाएं (अधिसूचना की अनुसूची के मद 8(क) और 8(ख) में) ।”;

(IV) पश्च पर्यावरणीय अनापत्ति को मानीटर करने से संबंधित पैरा 10 में,—

(क) विद्यमान उपपैरा (i) को उपपैरा (ii) के रूप में पुनःसंख्यांकित किया जाएगा और इस प्रकार पुनःसंख्यांकित उपपैरा (ii) के पूर्व निम्नलिखित उपपैरा अंतःस्थापित किया जाएगा, अर्थात् :—

“(i) (क) प्रवर्ग ‘क’ परियोजनाओं के संबंध में, परियोजना प्रस्तावक के लिए यह आज्ञापक होगा कि वह पर्यावरणीय शर्तों और रक्षोपाय सहित अपनी परियोजना के लिए अनुदत्त पर्यावरणीय अनापत्ति को अपने खर्च पर उस जिले या राज्य के, जहां परियोजना अवस्थित है कम से कम दो स्थानीय समाचारपत्रों में विज्ञापित करके सार्वजनिक करें । इसके अतिरिक्त, परियोजना का प्रस्तावक की वेबसाइट में परियोजना को स्थायी रूप से दर्शित किया जाएगा । (ख) प्रवर्ग ‘ख’ परियोजनाओं के संबंध में, पर्यावरण और वन मंत्रालय/एसईआईएए के अनापत्तियों को विचार में लाए बिना परियोजना प्रस्तावक समाचार पत्रों में यह दर्शित करते हुए कि परियोजना की पर्यावरण अनापत्ति प्राप्त कर ली गई है और उसके ब्यौरे पर्यावरण और वन मंत्रालय की वेबसाइट पर जहां वह प्रदर्शित हैं प्रमुखता से विज्ञापित कराएगा । (ग) पर्यावरण और वन मंत्रालय तथा राज्य या संघ राज्यक्षेत्र स्तर का पर्यावरण समाघात निर्धारण प्राधिकरण भी पर्यावरणीय अनापत्ति को सरकारी पोर्टल पर लोक क्षेत्र में रखेगा । (घ) परियोजना प्रस्तावकों द्वारा प्रस्तुत पर्यावरणीय अनापत्ति की प्रतियां स्थानीय निकायों, पंचायतों और नगरपालिका निकायों के प्रधानों को भी प्रस्तुत की जाएगी । इसके अतिरिक्त, सरकार के सुसंगत कार्यालय में प्राप्ति की तारीख से 30 दिन के भीतर उसे दर्शित करेगा”;

(ख) विद्यमान उपपैरा (ii) को उपपैरा (iii) के रूप में पुनःसंख्यांकित किया जाएगा ।

(V) अनुसूची में,-

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

(1)	(2)	(3)	(4)	(5)
“1(क)	(i) खनिजों का खनन ।  (ii) पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों राष्ट्रीय उद्यानों/पक्षी उद्यान/प्रवाल भित्ति से होकर गुजरने वाली पतली पाइप लाइनें (कोयला लिग्नाइट और अन्य अयस्क)	गैर कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का $\geq 50$ है 0 ।  कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का $>150$ है 0 ।  खनन क्षेत्र पर ध्यान दिए बना एसवेस्टोज खनन । सभी परियोजनाएं ।	गैर कोयला खान पट्टे के संबंध में $<50$ हैक्टेयर $\geq 5$ हैक्टेयर खनन पट्टा क्षेत्र  कोयला खान पट्टे के संबंध में खनन पट्टा क्षेत्र का $\leq 150$ हैक्टेयर $\geq 5$ है 0 ।	साधारण शर्त लागू होगी ।  टिप्पण : खनिज पूर्वक्षण को छूट दी जाती है 1”;

(ii) मद 1(ग) के सामने स्तंभ (5) की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“साधारण शर्त लागू होगी ।

टिप्पण : जल मग्नता या अंतरराज्यिक क्षेत्र वाली सिंचाई परियोजना अंतर्वलित नहीं है को एसईआईएए द्वारा प्रवर्ग 'ख' परियोजनाओं के रूप में निर्धारित किया जाएगा ।”;

(iii) मद 1(घ) के सामने,-

(क) स्तंभ (3) में प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“ $\geq 500$  मेगावाट (कोयला/लिग्नाइट/नेफ्था गैस आधारित) ;

$\geq 50$  मेगावाट (पेट कोक, डीजल और बायोमास के सिवाय परिशोधन संयंत्रों के सभी अपशिष्ट तेल के रूप में सभी अन्य ईंधन) ;

$\geq 20$  मेगावाट (ईंधन के रूप में बायोमास या गैर परिसंकटमय नगरपालिका ठोस अपशिष्ट पर आधारित) ;

(ख) स्तंभ (4) में, प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“ $< 500$  मेगावाट (कोयला लिग्नाइट/नेफ्था और गैस आधारित) ;

$< 50$  मेगावाट  $\geq 5$  मेगावाट (पेट कोक, डीजल और सभी अन्य ईंधन बायोमास के सिवाय परिशोधन संयंत्रों के सभी अपशिष्ट तेल के रूप में सभी अन्य ईंधन) ।”;

(ग) स्तंभ (5) में, प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“साधारण शर्त लागू होगी ।

टिप्पण :

(i) बायोमास और अतिरिक्त ईंधन जैसे कोयला/लिग्नाइट/ पेट्रोलियम उत्पाद जैसे ईंधन पर आधारित 15 मेगावाट तक के विद्युत संयंत्रों में 15% तक छूट प्राप्त है ।

(ii) गैर परिसंकटमय नगरपालिक अपशिष्ट और अतिरिक्त ईंधन जैसे कोयला/लिग्नाइट/ पेट्रोलियम उत्पाद ईंधन पर आधारित 15 मेगावाट तक विद्युत संयंत्र में 15% तक छूट प्राप्त हैं ।

(iii) किसी अतिरिक्त ईंधन के बिना अपशिष्ट ऊष्मा बायलर का उपयोग करने वाले विद्युत संयंत्र छूट प्राप्त हैं ।”;

(iv) मद 3(क) के सामने, स्तंभ (5) में प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“साधारण शर्त लागू होगी ।

टिप्पण :

- (i) एचएसएम नियमों के अधीन आने वाली पुनःचक्रण औद्योगिक यूनिटें जिनके लिए रजिस्ट्रीकरण अपेक्षित हैं छूट प्राप्त हैं ।
- (ii) गौण धातुकर्म प्रसंस्करण औद्योगिक इकाईयों की दशा में केवल वे परियोजनाएं जिनमें भट्टियों का प्रचालन अंतर्वलित है जैसे कि प्रेरण और विद्युत आर्क भट्टी, सबमर्ज आर्क भट्टी और 30,000 टन प्रति वाष्पक उष्मता क्षमता वाली गुम्बदी भट्टी को पर्यावरणीय अनापत्ति अपेक्षित होगी ।
- (iii) नगरपालिक ठोस अपशिष्ट (अपरिसंकटमय) पर आधारित विद्युत संयंत्र से भिन्न (अनुसूची की प्रविष्टि सं. 1(घ) के सामने दिया गया है) संयंत्र/इकाईयां छूट प्राप्त है ।”;

(v) मद 4(ख) के सामने, स्तंभ (5) में प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

“साधारण शर्तें लागू होंगी ।”;

(vi) मद 4(घ) के सामने,-

(क) स्तंभ (4) में प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :-

“(i) आकार पर ध्यान दिए बिना, सभी परियोजनाएं, यदि वे अधिसूचित औद्योगिक क्षेत्र/संपदा में अवस्थित हैं ।

(ii) <300 (टन प्रतिदिन) और अधिसूचित औद्योगिक क्षेत्र/संपदा के बाहर अवस्थित ।”;

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

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

किसी नए मरकरी सेल आधारित संयंत्र की अनुज्ञा नहीं दी जाएगी । मेंबरेन सेल प्रौद्योगिकी की संपरिवर्तित विद्यमान इकाई को अधिसूचना से छूट प्राप्त है ।”;

(vii) मद 4(च) के सामने स्तंभ (5) में विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

(viii) मद 5(क) के सामने,—

(क) स्तंभ (3) में, विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

“एकल सुपर फास्फेट को छोड़कर सभी परियोजनाएं ।”;

(ख) स्तंभ (4) में, प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“एकल सुपर फास्फेट ।”;

(ix) मद 5(ड) के सामने स्तंभ (5) में विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण के साथ विनिर्दिष्ट शर्तें लागू होंगी ।”;

(x) मद 5(च) के सामने, स्तंभ (5) में विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।”;

(xi) मद 5(ट) और उससे संबंधित प्रविष्टियों का लोप किया जाएगा ;

(xii) मद 7(क) के सामने,—

(क) स्तंभ (3) में, विद्यमान प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“सभी परियोजनाएं, जिनके अंतर्गत ऐसी वायु पट्टियां भी हैं जो वाणिज्यिक उपयोग के लिए हैं ।”;

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

“टिप्पण :

ऐसी वायु पट्टियां जिनमें बंकर/पुनःईंधन भरण सुविधा सम्मिलित नहीं है और/या वायुमार्ग यातायात नियंत्रण छूट प्राप्त हैं ।

(xiii) मद 7(ग) के सामने, स्तंभ (5) में प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :-

“साधारण और विनिर्दिष्ट शर्तें लागू होंगी ।

टिप्पण :

1. 500 हे० से कम क्षेत्र वाली औद्योगिक संपदा जिसमें प्रवर्ग क या प्रवर्ग ख का कोई उद्योग स्थित नहीं है को अनापत्ति अपेक्षित नहीं है ।
2. यदि क्षेत्र 500 हे० से कम है किन्तु उसमें >20,000 वर्गमीटर के भवन और संनिर्माण परियोजनाएं और/या 50 हे० से अधिक विकास क्षेत्र अंतर्विष्ट है तो उसे यथास्थिति अनुसूची में क्रम सं० 8(क) या 8(ख) में सूचीबद्ध कार्यकलाप माना जाएगा ।”

(xiv) मद 7(ड) के सामने,-

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

“पत्तन, बंदरगाह, तरंग रोध, तलकर्षण ।”;

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

“ साधारण शर्तें लागू होंगी ।

टिप्पण :

1. पत्तन या बंदरगाह और जलान्तराल के अंदर और बाहर मुख्य झमाई शामिल हैं ।”

2. झमाई अनुरक्षण को छूट प्राप्त है परंतु यह उस मूल प्रस्ताव का भाग हो जिसके लिए पर्यावरण प्रबंधन योजना (ईएमपी) तैयार की गई थी और पर्यावरणीय अनापत्ति प्राप्त की गई थी ।

(xv) मद 7 (च) के सामने,

(क) स्तंभ (4) की प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :--

(i) सभी राज्य राजमार्ग परियोजनाएं ; और

(ii) पहाड़ी धरती में राज्य राजमार्ग विस्तार परियोजनाएं (1,000 मी. एम.एस.एल से ऊपर) और/या पारिस्थितिकी संवेदनशील क्षेत्र।”;

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

“साधारण शर्तें लागू होगी ।

टिप्पण :

राजमार्ग में एक्सप्रेस मार्ग सम्मिलित हैं।”;

(xvi) मद संख्या 7 (छ) के सामने --

(क) स्तंभ (3), में प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :--

“ (i) 1000 मीटर और इससे ऊपर की ऊंचाई पर स्थित सभी परियोजनाएं;

(ii) अधिसूचित पारिस्थितिक क्षेत्रों में स्थित सभी परियोजना।”;

(ख) स्तंभ (4) में प्रविष्टि के स्थान निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :--

“ स्तंभ (3), में आने वाली परियोजनाओं के सिवाय सभी परियोजनाएं।”;

(xvii) अनुसूची के पश्चात् टिप्पण में साधारण शर्त (सा. श.) से संबंधित उपशीर्षक के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :--

“साधारण शर्त (सा.श.) :

प्रवर्ग ‘ख’ में विनिर्दिष्ट कोई परियोजना या क्रियाकलाप प्रवर्ग ‘क’ के रूप में समझा जाएगा यदि वह : (i) वन्य जीव (संरक्षण) अधिनियम, 1972 के अधीन संरक्षित क्षेत्र अधिसूचित है; (ii) समय-समय पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथा पहचान किए गए गंभीर रूप से प्रदूषित क्षेत्र है ; (iii) पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 के अधीन यथा अधिसूचित पारिस्थितिकी संवेदनशील क्षेत्र जैसे महाबलेश्वर, पंचगनी, मथेरन, पंचमढी दहानू, दून घाटी, आदि और (iv) अंतरराज्यिक सीमाओं और अंतरराष्ट्रीय सीमाओं से 10 कि.मी. के भीतर पूर्ण रूप से या आंशिक रूप से अवस्थित हैं :

परंतु यदि उपरोक्त मद (i), मद (ii) और मद (iii) में उल्लिखित क्षेत्रों में 10 किमी के अंतर्गत के क्रियाकलाप नहीं आते हैं, अंतरराज्यीय सीमाओं की 10 कि.मी.की दूरी से संबंधित

अपेक्षा को, एक ही सीमा के संबद्ध राज्यों या संघ राज्यक्षेत्रों के बीच करार द्वारा कम किया जा सकता है या पूरी तरह से हटाया जा सकता है।

(VIII) परिशिष्ट 1 के प्ररूप 1 में, --

(क) आधारभूत जानकारी से संबंधित मद (I) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :--

“(I) आधारभूत जानकारी

क्रम संख्या	मद	ब्यौरे
1.	परियोजना/परियोजनाओं का नाम	
2.	अनुसूची में क्रम संख्या	
3.	प्रस्तावित क्षमता/क्षेत्र/लंबाई /उपयोग किए जाने वाले टन/समादेश क्षेत्र/पट्टाक्षेत्र/निष्कर्षी कुओं की संख्या	
4.	नया/विस्तार/आधुनिकीकरण	
5.	विद्यमान क्षमता/क्षेत्र आदि	
6.	परियोजना का प्रवर्ग अर्थात् ‘क’ या ‘ख’	
7.	क्या इसे साधारण शर्त लागू होती है ? यदि हां, तो कृपया विनिदिष्ट करें।	
8.	क्या इसे विनिदिष्ट शर्त लागू होती है ? यदि हां, तो कृपया विनिदिष्ट करें।	
9.	स्थान प्लाट/सर्वे/ खसरा सं० ग्राम तहसील जिला राज्य	
10.	किलोमीटर में दूरी के साथ समीपस्थ रेलवे स्टेशन/ वायुपत्तन	
11.	किलोमीटर में दूरी के साथ निकटतम शहर, नगर, जिला मुख्यालय	
12.	ग्राम पंचायत, जिला परिषद्, नगरपालिक निगम, स्थानीय निकाय (टेलीफोन न. के साथ पूर्णकालिक पता दें)	
13.	आवेदक का नाम	

14.	रजिस्ट्रीकृत पता	
15.	पत्राचार का पता नाम पदनाम (स्वामी/भागीदार/सीई ओ) पता पिन कोड ई मेल दूरभाष सं. फैक्स सं०	
16.	जांच की गई अनुकल्पी स्थल, यदि कोई हो, के ब्यौरे। इन स्थलों की अवस्थिति टापशीट पर दर्शाई जाए।	ग्राम-जिला-राज्य 1. 2. 3.
17.	जुड़ी परियोजनाएं	
18.	क्या जुड़ी परियोजना के लिए पृथक आवेदन किया गया है।	
19.	यदि हां, प्रस्तुतीकरण की तारीख	
20.	यदि नहीं, कारण	
21.	क्या प्रस्ताव के लिए : (क) वन (संरक्षण) अधिनियम, 1980 (ख) वन्य जीव (संरक्षण) अधिनियम, 1972 (ग) सी.आर.जेड अधिसूचना, 1991 के अधीन अनुमोदन/अनापत्ति की आवश्यकता है : यदि हां तो, उनके ब्यौरे या उनकी प्रास्थिति दीजिए।	
22.	क्या स्थल से सुसंगत/संबद्ध कोई सरकारी आदेश/नीति है	
23.	अंतर्वलित वन भूमि (हेक्टेयर)	
24.	क्या परियोजना और/या भूमि जिसमें परियोजना का स्थापित किया जाना प्रस्तावित है के विरुद्ध कोई वाद लंबित है (क) न्यायालय का नाम (ख) वाद संख्या (ग) न्यायालय का आदेश/निदेश, यदि कोई है और प्रस्तावित परियोजना के लिए इसका महत्व	

(ख) अंत में निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :-

“ मैं यह वचन देता हूँ कि आवेदन और संलग्नकों में दिए गए आंकड़े और सूचना मेरे सर्वोत्तम ज्ञान और विश्वास में सही है और मुझे यह जानकारी है कि यदि प्रस्तुत आंकड़े और सूचना का कोई भाग किसी प्रक्रम पर असत्य या भ्रामक पाया जाता है तो परियोजना को अस्वीकार कर दिया जाएगा और परियोजना को दी गई अनापत्ति, यदि कोई है, हमारे जोखिम और लागत पर प्रतिसंहत की जाएगी ।

तारीख :

स्थान :

आवेदक का हस्ताक्षर

नाम और पूरा पता

(परियोजना प्रस्तावक/ प्राधिकृत हस्ताक्षरकर्ता)

टिप्पण :

1. तटीय विनियमन जोन अधिसूचना, 1991 के अधीन अनापत्ति वाली परियोजनाएं आवेदन के साथ परियोजना क्रिया कलाप, डब्लू आर टी, सी आर जैड (टी.ओ.आर.की अवस्था में) दर्शाते हुए एक प्राधिकृत अभिकरण द्वारा सम्यक रूप से रेखांकित सी आर जैड नक्शा और राज्य तटीय जोन प्रबंध प्राधिकरण (ई.सी. की अवस्था में) की सिफारिशें प्रस्तुत करेंगी । सी आर जैड में की जाने वाली क्रियाकलापों के लिए सी आर जैड अधिसूचना, 1991 के उपबंधों के अधीन अपेक्षित अनापत्ति अभिप्राप्त करने के लिए भी साथ साथ कारवाई की जाएगी ।
2. राष्ट्रीय उद्यान अभ्यारण्य, जीव मंडल आरक्षित क्षेत्र वन्य पशुओं के प्रवासी कारीडोर की 10कि.मी. के भीतर स्थापित की जाने वाली परियोजनाओं के संबंध में परियोजना प्रस्तावक इन लक्षणों के साथ साथ परियोजना अवस्थिति दर्शाते हुए मुख्य वन प्राणी वार्डन द्वारा सम्यक रूप से अधिप्रमाणित नक्शा और उस पर मुख्य वन प्राणी वार्डन की सिफारिशें या टिप्पणियां प्रस्तुत करेगा ।”
3. टी.ओ.आर/पर्यावरणीय अनापत्ति के लिए आवेदन, पश्चात स्पष्टीकरण के प्रस्तुति करने सहित पर्यावरण और वन मंत्रालय के साथ सभी पत्राचार समय-समय पर अपेक्षित हैं, परियोजना प्रस्तावक के निमित्त ई.ए.सी. में भागीदारी केवल प्राधिकृत हस्ताक्षरधारी द्वारा की जाएगी । प्राधिकृत हस्ताक्षरी, विनिर्दिष्ट परियोजना के लिए परियोजना के लिए प्राधिकृत हस्ताक्षरी के अपने दावे के समर्थन में दस्तावेज प्रस्तुत करेगा ।”

(Ix) परिशिष्ट 4 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :--

“परिशिष्ट 4  
(पैरा 7 देखिए)

लोक सुनवाई को संचालित करने के लिए प्रक्रिया

1.0 लोक सुनवाई की, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा परियोजना स्थल (स्थलों) में या उसके निकटस्थ परिसर में जिला वार एक प्रणालीबद्ध, समयबद्ध या पारदर्शी रीति में अधिकतम संभव लोक भागीदारी को सुनिश्चित करते हुए व्यवस्था की जाएगी।

## 2.0 प्रक्रिया :

2.1 आवेदक, उस राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य सचिव को, जिसकी अधिकारिता में परियोजना अवस्थित है, विहित कानूनी अवधि के भीतर लोक सुनवाई की व्यवस्था करने के लिए एक सादा पत्र के माध्यम से अनुरोध करेगा। यदि परियोजना स्थल एक से अधिक जिले या राज्य या संघ राज्यक्षेत्र के अंतर्गत आता है तो प्रत्येक जिला, राज्य या संघ राज्यक्षेत्र में जिसमें परियोजना स्थित है, लोक सुनवाई आज्ञापक है और आवेदक, इस प्रक्रिया के अनुसार लोक सुनवाई करने के लिए प्रत्येक संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण समिति को पृथक अनुरोध करेगा।

2.2 आवेदक, अनुरोध पत्र के साथ प्ररूप पर्यावरणीय समाघात निर्धारण रिपोर्ट की कम से कम दस मुद्रित प्रतियां और उसी के बराबर इलैक्ट्रॉनिक प्रतियां, परिशिष्ट 3 में दी गई सामान्य संरचना सहित (जिसके अंतर्गत विस्तार(प्रक्रम 2) के पश्चात् संसूचित किए गए सौंपे गए कृत्यों के अनुसार निर्बाध रूप से अंग्रेजी और राज्य की राजभाषा/ स्थानीय भाषा में तैयार की गई संक्षिप्त पर्यावरणीय समाघात निर्धारण रिपोर्ट सम्मिलित है) संलग्न की जाएगी। इसके साथ-साथ आवेदक संक्षिप्त पर्यावरणीय समाघात निर्धारण रिपोर्ट के साथ ऊपर प्ररूप पर्यावरणीय समाघात निर्धारण रिपोर्ट की हार्ड प्रति और एक सॉफ्ट प्रति पर्यावरण और वन मंत्रालय तथा निम्नलिखित प्राधिकारियों या कार्यालयों को जिनकी अधिकारिता में परियोजना अवस्थित होगी, अग्रेषित करने की व्यवस्था करेगा :

- (क) जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त
- (ख) जिला परिषद या नगर निगम या पंचायत संघ
- (ग) जिला उद्योग कार्यालय
- (घ) शहरी स्थानीय निकाय /संबद्ध पी आर आई/विकास प्राधिकरण
- (ङ) पर्यावरण और वन मंत्रालय का संबंधित प्रदेशिक कार्यालय

2.3 ऊपर उल्लिखित प्राधिकारी, पर्यावरण और वन मंत्रालय के क्षेत्रीय कार्यालय के सिवाय, प्ररूप पर्यावरणीय समाघात निर्धारण रिपोर्ट की प्राप्ति पर अपनी अधिकारिता के भीतर उसमें हितबद्ध व्यक्तियों से संबंधित विनियामक प्राधिकरणों को अपनी टीका-टिप्पणियां भेजने का अनुरोध करते हुए, विस्तृत प्रचार करने की व्यवस्था करेंगे। वे लोक सुनवाई होने तक सामान्य कार्यालय घंटों के

दौरान जनता को इलैक्ट्रानिक रूप से या अन्यथा निरीक्षण करने के लिए प्रारूप पर्यावरणीय समाघात निर्धारण रिपोर्ट भी उपलब्ध कराएंगे ।

2.4 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति भी राज्य/संघ राज्यक्षेत्र के भीतर परियोजना की बाबत प्रचार करने के लिए उसी प्रकार की व्यवस्था करेगी और चयनित कार्यालयों या लोक पुस्तकालयों या किसी अन्य उपयुक्त स्थानों आदि में निरीक्षण के लिए प्रारूप पर्यावरणीय समाघात निर्धारण रिपोर्ट (परिशिष्ट 3क) का संक्षिप्त सार उपलब्ध कराएगी । वे जैसा पैरा 2.2 में वर्णित है, उपर्युक्त पांच प्राधिकारियों/कार्यालयों, को अतिरिक्त रूप प्रारूप पर्यावरणीय समाघात निर्धारण रिपोर्ट की एक प्रति से भी उपलब्ध कराएंगे ।

### 3.0 लोक सुनवाई की सूचना

3.1 संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति का सदस्य सचिव परियोजना प्रस्तावक प्रारूप पर्यावरणीय समाघात निर्धारण रिपोर्ट की प्राप्ति की तारीख से सात दिनों के भीतर लोक सुनवाई संचालित करने के लिए तारीख, समय और निश्चित स्थान को अंतिम रूप देगा और उसको मुख्य राष्ट्रीय दैनिक में और एक प्रादेशिक भाषा /राज्य की राजभाषा के दैनिक समाचारपत्र में विज्ञापित करेगा । जनता को अपनी प्रतिक्रियाएं देने के लिए कम कम तीस दिनों की सूचना उपलब्ध कराई जाएगी ;

3.2 विज्ञापन, जनता को उन स्थानों या कार्यालयों की बाबत भी सूचित करेगा जहां प्रारूप पर्यावरणीय समाघात निर्धारण रिपोर्ट और पर्यावरणीय समाघात निर्धारण रिपोर्ट के संक्षिप्त सार तक सुनवाई से पूर्व जनता की पहुंच हो सके । ऐसे स्थानों को जहाँ समाचार पत्र नहीं पहुंचते हैं, वहां सक्षम प्राधिकारी को ढोल बजाकर और रेडियो/टेलीविजन पर विज्ञापन /घोषणा द्वारा जैसे अन्य माध्यमों से जनता को आम जानकारी उपलब्ध कराने की व्यवस्था करनी चाहिए ।

3.3 लोक सुनवाई की तारीख, समय और स्थान को तब तक आस्थगित नहीं किया जाएगा जब तक कोई अवांछित आपात स्थिति न आ जाए और केवल संबंधित जिला मजिस्ट्रेट/ जिला कलक्टर/ जिला उपायुक्त की सिफारिश पर किया आस्थगन को उन्हीं राष्ट्रीय और प्रादेशिक भाषा के समाचार पत्रों के माध्यम से अधिसूचित किया जाएगा तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा पहचान किए सभी कार्यालयों में मुख्य रूप से प्रदर्शित भी किया जाएगा ;

3.4 ऊपर आपवादिक परिस्थितियों में, केवल जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त के परामर्श से संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के सदस्य - सचिव लोक परामर्श के लिए नई तारीख, समय और स्थान का विनिश्चय किया जाएगा और ऊपर 3.1 के अधीन प्रक्रिया के अनुसार नए सिरे से अधिसूचित किया जाएगा ।

### 4.0 पर्यवेक्षण और सुनवाई का पीठासीन अधिकारी

जिला मजिस्ट्रेट/जिला कलक्टर/उपायुक्त या किसी अपर जिला मजिस्ट्रेट से अन्यून की पंक्ति का उसका प्रतिनिधि, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि की सहायता से सम्पूर्ण लोक सुनवाई प्रक्रिया का पर्यवेक्षण करेगा और उसकी अध्यक्षता करेगा ।

### 5.0 वीडियोग्राफी

राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, समस्त कार्यवाहियों की वीडियो फिल्म तैयार करने की व्यवस्था करेगी । संबंधित विनियामक प्राधिकरण को इसे अग्रेषित करते समय वीडियो टेप की एक प्रति या एक सीडी लोक सुनवाई कार्रवाइयों के साथ संलग्न की जाएगी ।

### 6.0 कार्यवाहियां

6.1 उन सभी व्यक्तियों की उपस्थिति को जो स्थल पर विद्यमान हैं, अंतिम कार्यवाहियों के साथ संलग्न किया जाएगा ।

6.2 कार्यवाहियों को आरंभ करने के लिए उपस्थिति के लिए कोई गणपूर्ति अपेक्षित नहीं होगी ।

6.3 आवेदक का कोई प्रतिनिधि, परियोजना और पर्यावरणीय समाघात निर्धारण रिपोर्ट के संक्षिप्त सार की प्रस्तुति के साथ कार्यवाहियां आरंभ करेगा ।

6.4 स्थल पर उपस्थित व्यक्तियों को, आवेदक से परियोजना पर सूचना या स्पष्टीकरण मांगने का अवसर दिया जाएगा । लोक सुनवाई कार्यवाहियों का संक्षिप्त सार ठीक रूप से प्रदर्शित करते हुए अभिव्यक्त सभी विचारों और अभिव्यक्त विंताओं को राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के प्रतिनिधि द्वारा अभिलिखित किया जाएगा और प्रांतीय भाषा में अंतर्वस्तुओं को स्पष्ट करते हुए कार्यवाहियों के अंत में श्रोताओं को स्थानीय/देशी भाषा में पढ़कर सुनाया जाएगा तथा करार पाए गए कार्यवृत्त पर उसी दिन जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त या उसके प्रतिनिधि द्वारा हस्ताक्षर किए जाएंगे तथा संबंधित राज्य प्रदूषण नियंत्रण बोर्ड / संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति को अग्रेषित किया जाएगा ।

6.5 जनता द्वारा उठाए गए मुद्दों का एक विवरण और आवेदक की टीका-टिप्पणियों को भी, यथास्थिति, स्थानीय भाषा या राज्य की राजभाषा में और अंग्रेजी भाषा में तैयार किया जाएगा तथा कार्यवाहियों के साथ संलग्न किया जाएगा ।

6.6 लोक सुनवाई की कार्यवाहियों को उस पंचायत घर के कार्यालय पर, जिसकी अधिकारिता में परियोजना अवस्थित है, संबंधित जिला परिषद्, जिला मजिस्ट्रेट/ जिला कलक्टर/उपायुक्त और राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति के कार्यालय में सहजदृश्य रूप से प्रदर्शित किया जाएगा । राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति

साधारण जानकारी के लिए अपने वेबसाइट पर कार्यवाहियों को प्रदर्शित भी करेगी। कार्यवाहियों पर टीका-टिप्पणियों को, यदि कोई हों, संबंधित विनियामक प्राधिकरणों और संबंधित आवेदक को प्रत्यक्षतः भेजी जा सकेगी।

### 7.0 लोक सुनवाई को पूरा करने के लिए कालावधि

7.1 लोक सुनवाई आवेदक से अनुरोध पत्र की प्राप्ति की तारीख से पैंतालीस दिन की अवधि के भीतर पूरी की जाएगी। इसके पश्चात् संबंधित राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति लोक सुनवाई के पूरा होने के आठ दिनों के भीतर संबंधित विनियामक प्राधिकरण को लोक सुनवाई की कार्यवाहियों को भेजेगी। उसी तरह एक प्रति परियोजना प्रस्तावक को भी भेजी जाएगी। आवेदक, उन समुत्थानों को संबोधित करते हुए कार्यवाही योजना और वित्तीय आबंटन मद्-वाद के साथ लोक सुनवाई में व्यक्त चिंताओं को सम्मिलित करते हुए लोक सुनवाई और लोक परामर्श के पश्चात् तैयार की गई अंतिम पर्यावरणीय समाघात रिपोर्ट या प्रारूप पर्यावरण समाघात निर्धारण रिपोर्ट पर अनुपूरक रिपोर्ट की प्रति के साथ संबंधित विनियामक प्राधिकरण की, अनुमोदित लोक सुनवाई कार्यवाहियों की एक प्रति प्रत्यक्षतः भी अग्रोषित करेगा।

7.2 यदि राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, नियत पैंतालीस दिनों के भीतर लोक सुनवाई करने में असफल रहती है तो केन्द्रीय सरकार, पर्यावरण और वन मंत्रालय, प्रवर्ग 'क' परियोजना या क्रियाकलाप के लिए और प्रवर्ग ख परियोजना या क्रियाकलाप के लिए और राज्य सरकार या संघ राज्यक्षेत्र प्रशासन, राज्य पर्यावरणीय समाघात निर्धारण प्राधिकरण के अनुरोध पर, किसी अन्य अभिकरण या प्राधिकरण को इस अधिसूचना में अधिकथित प्रक्रिया के अनुसार प्रक्रिया को पूरा करने के लिए नियोजित करेगी।”;

### VIII परिशिष्ट 5 के पैरा 3 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :--

“3. जहां कोई लोक परामर्श आज्ञापक नहीं है वहां आकलन अनुसूची की मद 8 के अलावा सभी परियोजनाओं और क्रियाकलापों की दशा में विहित आवेदन प्ररूप 1 और ईआईए रिपोर्ट के आधार पर किया जाएगा। अनुसूची की मद 8 की दशा में इसके विलक्षण परियोजना चक्र को ध्यान में रखते हुए संबद्ध पर्यावरणीय निर्धारण समिति या राज्य पर्यावरणीय निर्धारण समिति प्ररूप 1 प्ररूप - 1क और धारणा योजना के आधार पर सभी प्रवर्ग ख परियोजनाओं या क्रियाकलापों का आकलन करेगी और परियोजना के लिए पर्यावरणीय अनापत्ति देने या अन्यथा के अनुमोदन के बारे में सिफारिश करेगी और पर्यावरणीय अनापत्ति के लिए शर्तों का भी अनुबंध करेगी।”।

[सं. जे-11013/56/2004-1 ए, II(1)]

जी. के. पाण्डेय, सलाहकार

**टिप्पण :** मूल नियम भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और उनको का.आ. 1737 (अ) तारीख 11 अक्टूबर, 2007 द्वारा संशोधित किया गया।

## MINISTRY OF ENVIRONMENT AND FORESTS

## NOTIFICATION

New Delhi, the 1st December, 2009

S.O. 3067(E).— Whereas, 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), a draft notification for making certain amendments in the Environment Impact Assessment notification, 2006 issued vide no. S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, was published under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, vide number S.O. 195 (E), dated the 19<sup>th</sup> January, 2009, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of 60 days from the date of publication of the said notification in the Gazette of India;

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, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, -

**I in para 3, for sub-para (7), the following shall be substituted, namely:—**

"(7) 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."

**II in para 4, in sub-para (iii), for the words and letters "In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project", the words and letters "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" shall be substituted.**

**III in para 7(i), in sub-para III relating to Stage (3) - Public Consultation, in clause (i),—**

(i) after item (c), the following item shall be inserted, namely:—

“(cc) maintenance dredging provided the dredged material shall be disposed within port limits.”;

(ii) for item (d), the following item shall be substituted, namely:—

“(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).”.

**IV In para 10 relating to Post Environmental Clearance Monitoring,-**

(a) the existing sub-para (i) shall be renumbered as sub-para (ii) and before sub-para (ii) as so re-numbered, the following sub-para shall be inserted namely;

“(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.”;

(b) existing sub-para (ii) shall be renumbered as sub-para (iii).

**V in the Schedule,—**

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

(1)	(2)	(3)	(4)	(5)
"1(a)	(i) Mining minerals. of	<p>≥50 ha of mining lease area in respect of non-coal mine lease.</p> <p>&gt;150 ha of mining lease area in respect of coal mine lease.</p> <p>Asbestos mining irrespective of mining area.</p>	<p>&lt;50 ha ≥5 ha of mining lease area in respect of non-coal mine lease.</p> <p>≤150 ha ≥5 ha of mining lease area in respect of coal mine lease.</p>	<p>General Condition shall apply.</p> <p>Note: Mineral prospecting is exempted.";</p>
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks/ sanctuaries/ coral reefs, ecologically sensitive areas.	All projects.		

(ii) against item 1(c), for the entries in column (5), the following entries shall be substituted, namely:—

**"General Condition shall apply.**

Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category 'B' Projects.";

(iii) against item 1(d),—

(a) in column (3), for the entries, the following entries shall be substituted, namely—

- "≥ 500 MW (coal/lignite/naphtha and gas based);
- ≥ 50 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);

≥ 20 MW (based on biomass or non hazardous municipal solid waste as fuel).”;

**(b) in column (4), for the entries, the following entries shall be substituted, namely:—**

“<500MW (coal/lignite/naphtha and gas based);  
<50 MW ≥ 5 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);  
<20MW > 15MW (based on biomass or non hazardous municipal solid waste as fuel).”;

**(c) in column (5), for the entries, the following entries shall be substituted, namely:—**

“General Condition shall apply.

Note:

- (i) Power plants up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (ii) Power plants up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.”;

**(iv) against item 3(a), in column (5), for the entries, the following entries shall be substituted, namely:—**

“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.”.

- (v) against item 4(b), in column (5), for the entry, the following entry shall be substituted, namely:—**

“General conditions shall apply.”;

- (vi) against item 4(d),—**

- (a) in column (4), for the entry, the following entry shall be substituted, namely:—**

- “(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.”;

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

“General as well as specific conditions shall apply.

No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the notification.”;

- (vii) against item 4(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—**

“General as well as specific conditions shall apply.”;

- (viii) against item 5(a),—**

- (a) in column (3), for the existing entry, the following entry shall be substituted, namely:—**

“All projects except Single Super Phosphate.”;

- (b) in column (4), for the entry, the following entry shall be substituted, namely:—**

“Single Super Phosphate.”;

**(ix) against item 5(e), in column (5), for the existing entry, the following entry shall be substituted, namely:—**

“General as well as specific conditions shall apply.”;

**(x) against item 5(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—**

“General and specific conditions shall apply.” ;

**(xi) item 5(k) and the entries relating thereto shall be omitted;**

**(xii) against item 7(a),—**

**(a) in column (3), for the entry, the following entry shall be substituted, namely:—**

“All projects including airstrips, which are for commercial use.”;

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

“Note:

Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted.”;

**(xiii) against item 7(c), in column (5), for the entry, the following entry shall be substituted, namely:—**

“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 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.”;

**(xiv) against item 7(e),—**

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

“Ports, harbours, break waters, dredging.”

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

“General Condition shall apply.

Note:

1. Capital dredging inside and outside the ports or harbors and channels are included;
2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained.”;

**(xv) against item 7(f),**

**(a) in column (4), for the entry, the following entry shall be substituted namely:-**

- “(i) All State Highway Projects; and
- (ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas.”;

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

“General Condition shall apply.

Note:

Highways include expressways.”;

**(xvi) against item 7(g),—**

**(a) in column (3), for the entry, the following entry shall be substituted, namely:—**

- "(i) All projects located at altitude of 1,000 mtr. and above.  
(ii) All projects located in notified ecologically sensitive areas.";

**(b) in column (4), for the entry, the following entry shall be substituted, namely:—**

"All projects except those covered in column (3).";

**(xvii) after the Schedule, in the 'Note', for sub-heading relating to 'General Condition (GC)', the following shall be substituted, namely:—**

**"General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category 'A', if located in whole or in part within 10 km from the boundary of: (i) Protected areas notified under the Wildlife (Protection) Act, 1972; (ii) Critically polluted areas as identified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

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

**VI in the Appendix I, in Form I,—**

**(a) for item (I) relating to the Basic Information, the following shall be substituted, namely:—**

**"(I) Basic Information**

Serial Number	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.	
	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, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/relating to the site?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

**(b) the following shall be inserted at the end, namely:—**

"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 / Authorised 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 of 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-à-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."

**VII for Appendix IV, the following shall be substituted, namely:—**

**"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 (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the 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 Panchayats Union**

- (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 above-mentioned 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.

#### 6.0 **Proceedings**

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 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 Panchyats 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."

### VIII in Appendix V, for para 3, the following para shall be substituted, namely:—

"3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance."

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

G. K. PANDEY, Advisor

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 and amended vide S.O. 1737(E), dated the 11<sup>th</sup> October, 2007.

## ANNEXURE - 3



**ANDHRA PRADESH POLLUTION CONTROL BOARD**  
ZONAL OFFICE: HYDERABAD

A. ARUN KUMAR  
Joint Chief Environmental Engineer

4<sup>th</sup> Floor, PODUPU Bhavan,  
Hyderabad Collectorate Complex,  
Nampally, Hyderabad  
Phone: 23202495, Fax: 23202503

BY REGD. POST WITH ACK. DUE

CONSENT & HW AUTHORIZATION ORDER

Consent Order No: 184-MHB/APPCB/ZO-HYD/ 2009-829

Date: 03.10.2009

(Consent Order for Existing/New or altered discharge of sewage and/or trade effluents/outlet under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof and Operation of the plant under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof) and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management Handling and Transboundary Movement) Rules, 2008.

CONSENT is hereby granted under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act 1981 and Authorization under the provisions of HW (M&H) Rules (hereinafter referred to as 'the Acts', 'the Rules') and the rules and orders made thereunder to

M/s. Aurobindo Pharma Limited,  
Sy.Nos.411, 425, 434, 435 & 458,  
APIIC, Green Industrial Park,  
Polepally (V), Jedcharla (M), Mahaboobnagar District.

(hereinafter referred to as 'the Applicant') authorizing to operate the industrial plant, to discharge the effluents from the outlets and the quantity of Emissions per hour from the chimneys as detailed below.

i) Outlets for discharge of effluents:

Outlet No.	Outlet Description	Max Daily Discharge	Point of Disposal
1.	Process & Washings	10 KLD	After pretreatment, sent to M/s.PETL, Patancheru.
2.	Cooling, Hot water generation + water purification	23 KLD	
3.	Domestic	10 KLD	Septic tank followed by soak pit.

ii) Emissions from chimneys:

Chimney No.	Description of Chimney	Quantity of Emissions at peak flow
1.	Thermic fluid heater for hot water generation of capacity - 40 KLD	
2.	Attached to DG Set of capacity - 1000 KVA	---

iii) Hazardous Waste Authorization:

Form - II

Authorization No.184-MHB/PCB/ZOH/HWM/2009-

Date:03.10.2009

The authorization is granted to handle hazardous waste as specified below:

S.No.	Name and quantity of the Hazardous waste	Stream	Disposal option
1.	Empty HDPE Carboys (200 Nos/m)	33.3 of Sch-I	After complete detoxification, it is shall be disposed to the outside agencies.
2.	Package materials / Liners (100 kg/m)	33.3 of Sch-I	
3.	Off-specification products / expired formulations (10kg/m)	28.2 of Sch-I	To M/s HWM Project (TSDF), Dundigal (V), Rangareddy District
4.	ETP sludge (10 kg/m)	34.3 of Sch-I	District
5.	Waste Oils & Oil Emulsions (5 kg/m)	5.1 of Sch-I	Shall be sent to Authorized Re-Processing / Re - Cycling units of waste oil.

This order is subject to the provisions of 'the Acts' and 'the Rules' and orders made thereunder and further subject to the terms and conditions incorporated in the schedule A, B and C enclosed to this order.

This consent is valid for manufacture the following products along with quantities only

S.No.	Product & By product	Capacity
1	Tablets	4952 millions/annum
2	Capsules	330 million/annum
3	Ointments	12.5 million/annum
4	Liquid Orals	2.5 million/annum

This combined order of consent & Hazardous Waste Authorization shall be valid for a period ending with the 31.03.2010.



JOINT CHIEF ENVIRONMENTAL ENGINEER

Encl: Schedules A, B & C

To  
 M/s. Aurobindo Pharma Limited,  
 Sy.Nos.411, 425, 434, 435 & 458, O/C  
 APIIC, Green Industrial Park,  
 Polepally (V), Jeedcharla (M), Mahaboobnagar District.

Copy to the Environmental Engineer, APPCB, Regional Office, Hyderabad for information and necessary action.

SCHEDULE - A

1. The applicant shall make applications for renewal of consent (under Water and Air Acts) and Authorization under HWM Rules atleast 60 days before the date of expiry of this order, along with prescribed fee under Water and Air Acts for obtaining consent & HW Authorization of the Board.
2. The industry shall immediately submit the revised application for consent to this Board in the event of any change in the raw material used, processes employed, quantity of trade effluents & quantity of emissions etc.
3. a) All the fugitive emissions shall be controlled with proper measures.  
b) The applicant shall also install the equipment such as wind speed recorder and wind direction recorder.
4. The applicant shall not change or alter either the quality or the quantity or the rate of the discharge or the route of discharge and shall not change or alter either the prescribed quality or the rate of emission without the previous written permission of the Board.
5. The applicant shall, not later than 30 days from the date of issue of this consent order, certify in writing to the Board that the applicant has installed or provided for an alternative electric power source sufficient to operate all facilities installed by the applicant, to comply with the terms and conditions of this consent. In absence of alternative electric power source sufficient to operate all facilities installed by the applicant, to comply with the terms and conditions of this consent, production shall be stopped.
6. Any up-set condition in any plant/plants of the industry, which result in, increased effluent discharge and/ or violation of standards stipulated in this order or the emission of any Air Pollutant into the environment in excess of the standards laid down by the Board, occurs or is apprehended to occur due to accident, or other unforeseen act or event, the person-in-charge of the premises, from where such discharge / emission occurs or is apprehended to occur shall forthwith intimate the fact of such occurrence or the apprehension of such occurrence to this Board, by fax / email under intimation to the Collector and District Magistrate.
7. In case of such episodal discharges / emissions mentioned in item 6 above, the industry should take immediate action to bring down the discharge / emission below the limits prescribed in this order.
8. A good house keeping shall be maintained both within the factory and in the premises. All hoods, pipes, valves, sewers and drains shall be leak proof. Floor washings shall be admitted into the effluent collection system only and shall not be allowed to find their way into storm drains or open areas.
9. a) The industry shall carryout analysis of waste water discharges or emissions through chimneys, for the parameters mentioned in Schedule - B of this order at regular intervals.  
b) The industry shall maintain following records to accessible to the Board, whenever required.
  1. Analysis reports of waste water/ emissions.
  2. Log book for operation of pollution control systems.
  3. Inspection book
10. The applicant shall set up THREE Ambient Air Quality Monitoring Stations for continuous recording of relevant critical parameters mentioned in Schedule - B as per the CPCB guidelines and submit monthly reports.
11. Separate power connection with energy meter shall be provided for the Pollution Control Equipment and record of power consumption and chemicals consumption for the operation of pollution control equipment shall be maintained separately.
12. The applicant shall submit Environment statement in Form V before 30<sup>th</sup> September every year as per Rule No.14 of E (P) Rules, 1986 & its amendments thereof.
13. The applicant shall comply with the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. The applicant shall be liable for such legal action against him as per provisions of the Law/Act in case if non-compliance of any order/directive issued at any time and/or violation of the terms and conditions of this consent order.
14. The applicant shall furnish to the visiting officer and / or the Board any information regarding the construction, installation or operation of the effluent treatment system/ air pollution control equipment and such other particulars as may be pertinent for preventing and controlling pollution.
15. The industry is liable to pay compensation for any environmental damage caused by it, as fixed by the Collector and District Magistrate as Civil liability.
16. All the rules & regulations notified by Ministry of Environment and Forests, Government of India in respect of management, handling, transportation and storage of hazardous chemicals and wastes shall be followed.
17. All the rules & regulations notified by Ministry of Law and Justice, Government of India regarding Public Liability Insurance Act, 1991 shall be followed.

18. The occupier shall educate the workers and nearby public of possible accidents and remedial measures.
19. For any accident or spillage of hazardous wastes causing damage to the Environment, the occupier or the transporter as the case shall be held responsible.
20. In case of closure of industry, the un-used/not consumed raw materials falling under the category of Hazardous Chemicals and mentioned in Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and Amendment Rules, 2003 shall be removed and sold to other units within 90 days from the date of closure to prevent any possibility of occurrence of an accident. In case the above hazardous chemicals have lost their properties originally acquired, then they shall be treated as Hazardous Waste and they should be disposed off only to the authorized agencies of APPCB in a safe manner.
21. The occupier shall prepare / update an emergency preparedness plan for safe handling of hazardous waste from time to time and submit the same to APPCB. Emergency preparedness plan must be implemented immediately whenever there is fire, explosion or release of hazardous waste or hazardous waste constituents, which could endanger to human health or environment.
22. Packaging, labeling and transportation of Hazardous Wastes shall be in accordance with the provisions of the rules issued by the Central Govt. under the Motor Vehicles Act, 1988 and other guidelines issued from time to time. The packaging and labeling shall be based on the composition and hazardous constituent of the waste, however all Hazardous Waste containers should be provided with a general label.
23. The driver who transports Hazardous Waste should be well acquainted about the procedure to be followed in case of an emergency during transit. The transporter shall carry a Transport Emergency (TREM) card (as given in the guidelines for management and handling of hazardous wastes) duly filled by the Hazardous Waste generator.
24. Containers / Container Liners of Hazardous Chemicals and Hazardous Wastes should be thoroughly *detoxified before selling to agencies authorized by APPCB. Proper records, specific to each Hazardous Chemical / Hazardous Waste Containers / container Liners should be maintained in the following way:*
  - i. Number of containers received.
  - ii. Date and method of detoxification.
  - iii. Name of agencies to whom containers were sold with quantities.
  - iv. Transportation particulars.
25. No Hazardous Wastes shall be mixed with any other waste or shall be discharged to a common, other internal, external sewerage or other drainage system, without prior approval of APPCB.
26. If HDPE bags are used for storing Hazardous Wastes, it should be ensured that they are perfectly sealed mechanically or double hot sealed. If MS / HDPE bags or drums are used for Hazardous Wastes, these drums / bags should be ensured that they are perfectly sealed.
27. The person authorized shall not rent, lend, sell, transfer their industrial premises without obtaining prior permission of State Pollution Control Board.
28. Any Unauthorized change in personnel, equipment and working condition as mentioned in the application by the person authorized shall constitute a breach of this authorization.
29. The industry shall comply with the provisions of Batteries (Management and Handling) Rules, 2001.
30. The applicant shall put up two black boards of size 6 ft by 4 ft. at the main entrance to their plant. One board shall contain the specific CFE and CFO conditions, in sufficiently large font size so that it can be read easily from a distance of 10 ft to a normal eye, and other board shall carry, again in sufficiently large font size so as to be able to read from a distance of 10 ft, the latest Water, Air, Noise and solid waste monitoring data as well as the maximum vulnerable zone.
31. The applicant shall exhibit the Consent & HW Authorization order of the Board in the factory premises at a prominent place for the information of the inspecting officers of the different departments.
32. Notwithstanding anything contained in this conditional letter or consent, the Board hereby reserves to it the right and powers under Section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and its amendments thereof and under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and its amendments thereof to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Acts by the Board.
33. The authorization issued under Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, shall comply with the provision of the Environment (Protection) act, 1986.

**SCHEDULE - B****Special Conditions**

1. The industry shall take steps to reduce water consumption to the extent possible and consumption shall NOT exceed the quantities mentioned below

Sl No	Purpose	Quantity
1.	Process & Washings	20 KLD
2.	Cooling, Hot water generation + water purification	65 KLD
3.	Domestic & gardening	50 KLD
<b>TOTAL</b>		<b>135 KLD</b>

2. The industry shall file the water Cess returns in Form-I as required under section (5) of Water (Prevention and Control of Pollution) Cess Act, 1977 on or before the 5th of every calendar month, showing the quantity of water consumed in the previous month along with water meter readings. The industry shall remit water Cess as per the assessment orders as and when issued by Board.

3. The emissions shall not contain constituents in excess of the prescribed limits mentioned below.

Chimney No.	Parameter	Emission Standards (mg/NM <sup>3</sup> )
1	SPM	115
2	SPM	115

4. The industry shall comply with ambient air quality standards of TSPM - 500 µg/m<sup>3</sup>; RSPM - 150 µg/m<sup>3</sup>; SO<sub>2</sub> - 120 µg/m<sup>3</sup>; NO<sub>x</sub> - 120 µg/m<sup>3</sup>. Outside the factory premises at the periphery of the industry.

Noise Levels: Day time (6 AM to 10 PM) - 75 dB (A)  
Night time (10 PM to 6 AM) - 70 dB (A).

5. The industry shall not increase the capacity beyond the permitted capacity mentioned in this order, without obtaining CPE/CFO of the Board.
6. The applicant shall put up two black boards of size 6 ft by 4 ft. at the main entrance to their plant. One board shall contain the specific CPE and CFO conditions, in sufficiently large font size so that it can be read easily from a distance of 10 ft to a normal eye, and other board shall carry, again in sufficiently large font size so as to be able to read from a distance of 10 ft, the latest Water, Air, Noise and solid waste monitoring data as well as the maximum vulnerable zone.
7. The industry shall construct separate rain water drains / trenches.
8. The industry shall not carry out manufacture of the products other than the consented products mentioned in this order.
9. The industry shall maintain records pertaining to quantity of raw material consumption and production on daily basis.
10. The industry shall maintain records for
- Wastewater generation, characteristic of effluents, quantity of effluents treated in ETP.
  - Quantity of ETP sludge generated and sludge disposed to TSDF.
11. The industry shall not dispose any solid waste outside the factory premises and maintain records pertaining to solid waste generation & its disposal.
12. There shall not be any odour nuisance in the surroundings of the unit.
13. The industry shall not discharge effluents inside /outside of the factory premises under any circumstances.

**SCHEDULE - C**

(Conditions of Authorization for occupier or operator handling hazardous wastes)

- Industry shall give top priority for waste Minimization and cleaner production practices.
- Industry shall take practical steps for prevention of oil spillages and waste oils at all application handling and storage areas.
- Industry may send the waste oils to cement manufacturing units to be used as supplementary fuel in cement kilns, as an alternative option.
- Industry shall maintain good house keeping in the premises & maintain proper records for Hazardous wastes stated in Authorization (FORM - II).
- Industry shall maintain 6 copy manifest system for transportation of waste generated and a copy shall be submitted to Board Office and concerned Regional Office.

6. Industry shall dispose / sell the hazardous wastes to only industries / agencies authorized by State Pollution Control Boards. They shall verify the authorization of the Board given to the party before disposing their wastes to the external party.
7. The industry shall not store hazardous waste in their premises more than 90 days from the date of generation as per Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.
8. The industry shall store the disposable hazardous waste on a raised platform under a shed till it is lifted to TSDF, Dundigal, Rangareddy District.
9. Industry shall maintain the quantity of incinerable waste, land disposal waste and recyclable waste generated with in the premises and details of disposal of all the above waste. Industry shall also maintain records pertaining to disposal of recyclable waste with name of the agency to whom it is disposed.
10. The industry shall submit the condition wise compliance report of the conditions stipulated in Schedule B and Schedule C of this Authorization half yearly basis to Board Office, Hyderabad and concerned Regional Office.



JOINT CHIEF ENVIRONMENTAL ENGINEER

To  
M/s. Aurobindo Pharma Limited,  
Sy.Nos.411, 425, 434, 435 & 458,  
APIIC, Green Industrial Park,  
Polepally (V), Jedcharla (M), Mahaboobnagar District.

## ANNEXURE - 4



Lr. No. 175/CGM (P)/Formulations SEZ/06

Dated:26.06.2007

To  
M/s Aurobindo Pharma Ltd,  
Regd. Office: Plot No.2,  
Maitrivihar, Ameerpet,  
Hyderabad-500038,  
Fax. 040-23746833, Ph.66725000.

Sir,

Sub: APIIC – Allotment of 75.00 acres of land in Formulation SEZ, Jedcherla, Mahaboobnagar District to M/s Aurobindo Pharma Limited for establishing Formulation Plant - Letter of Allotment (LoA) Orders issued –Regarding.  
Ref: 1. Lr.No. NIL dated 20.06.07 of M/s M/s Aurobindo Pharma Ltd  
2. This office letter no.175/CGM (P)/Formulations SEZ/06 dated:17-11-2006.  
3. Gazette Notification of the SEZ area dated 13.06.2007

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We are pleased to inform that the Government of India has notified the Formulation SEZ area vide Gazette dated 13.06.2007.

With reference to the letter 1<sup>st</sup> cited and in continuation to this office letter vide reference cited, you are hereby allotted the land to an extent of 75.00 acres in Formulations SEZ, Jedcherla, Mahaboobnagar District on "as is where is basis" for setting up of Formulation Plant on Lease basis for a period of 35 (thirty five) years, subject to terms and conditions of Agreement and the following conditions:

1. You should pay up front payment of Rs.7.00 lakhs (Rupees Seven Lakhs only) per acre for the above extent within 30 days from the date of receipt of these orders EMD/Deposit already paid if any. Since paid.
2. You shall remit a sum of Rs.10,000/- towards a Processing fee by way of D.D in favour of APIIC, Hyderabad and Application Fee of Rs.1000/- while executing the Lease Deed.
3. You should pay annual lease rental @ 1% of the upfront payment which works out to Rs.7000 per acre, commencing from the date of Possession of the land.
4. The Annual Rent shall be payable in advance i.e., by 15<sup>th</sup> of April every year. The Rent will be charged with reference to the actual measurements of the area taken possession of by you.

Andhra Pradesh Industrial Infrastructure Corporation Ltd.,

(Govt. of Andhra Pradesh Undertaking)

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Regd. Office : "Parisrama Bhavan", 6th Floor 5-9-59/B, Fateh Maidan Road, Hyderabad - 500 004, AP., India.

Tel : +91-40-23237622, 24, 25, Fax : 040-23240205

E-mail : hyd1\_apiic@sancharnet.in, apiic@rediffmail.com

www.apiicLtd.com



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5. On request of the allottee, the Lease can be extended for a further period of 35 years on payment of yearly rent and charges as may be determined by APIIC (Developer).
6. On payment of upfront cost and one year advance lease rental you should enter in to "Lease Deed" on appropriate Stamp Duty as per the Stamps & Registration Act within one month period from the date of payment of upfront cost and take possession immediately.
7. You should start construction activity within 3 months of handing over possession of land commence the Production / manufacturing activity within 2 years.
8. The land shall be utilized for the purpose for which it was allotted, but not for any other activity. You should fulfill the Export obligations envisaged in the Letter of Approval accorded by the Development Commissioner of the SEZ. Failure on your part in this regard will entail cancellation of allotment and resumption of the area allotted to you.
9. You should bear the cost of sewer lines passing through the area and shall pay the Property Tax or any other statutory charges when demanded for the date of handing over possession of land.
10. Power is supplied to the Units by the Distribution **Authority concerned** at **their terms and conditions** and APIIC (Developer) of SEZ is not responsible in case of any power failure / outages.
11. You should obtain water connection to your unit from the APIIC Ltd/Local bodies, at approved terms and conditions and to pay the consumption charges accordingly.
12. You should make all arrangements for proper disposal of garbage/waste at regular intervals and keep the premises inside and outside clean and hygienic.
13. You should maintain Greenery/plantation as required under the provisions of MoEF, GoI.
14. Cancellation of Letter of Permission (LOP) by the Development Commissioner of SEZ for any reason whatsoever will entail for automatic cancellation of Letter of Allotment (LoA) or premises and vice versa.
15. You shall at your own risk, account and cost, apply for and obtain approval for your unit from the designated Authorities as laid down in this regard by the Govt. of India /State Government/Local Bodies.

Contd..3.

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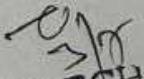
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16. You should file the application in prescribed form (Form F) as per the SEZ Act and to file with the Development Commissioner, VSEZ under copy to APIIC
17. All other terms and Conditions of SEZ Act 2005, Rules of 10<sup>th</sup> February 2006 and the Andhra Pradesh State SEZ Act (which is under assent of President of India) will be applicable from time to time.

Yours faithfully,

  
Chairman & Managing Director. 2/2

- ✓ Copy to the Development Commissioner, VSEZ, Visakhapatnam,  
Copy to Chief Engineer-II, HO, Hyderabad,  
Copy to Zonal Manager, Shamsabad Zone, RR Dist.

  
DESPATCH CLERK

Andhra Pradesh Industrial Infrastructure Corporation Ltd.,  
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