

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

Original Application No. 497 of 2024


News item titled "Impact of Pharmaceutical toxicity on the environment and its regulatory aspects" appearing in Current Science dated 25.02.2024

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Date: 17 August, 2024

Filed by:

  
**Dr. Parag Madhukar Dhakate**  
**Member Secretary**  
**Uttarakhand Pollution Control Board**

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 497 of 2024

In the matter of

News item titled "Impact of Pharmaceutical toxicity on the environment and its regulatory aspects" appearing in Current Science dated 25.02.2024

**Response on behalf of Uttarakhand Pollution Control Board  
(Respondent No. 44) in compliance of order dated 06.05.2024.**

1. That the above noted original application was listed for hearing on 06.05.2024, wherein the Hon'ble National Green Tribunal was pleased to implead the Member Secretary, Uttarakhand Pollution Control Board as Respondent No. 44 and issued *inter alia* following directions:

“.....

*11. Let notice be issued to the above respondents, except the CPCB who is already represented through the Counsel, for filing their response at least one week before the next date of hearing disclosing the compliance of the norms by pharmaceutical company, the regulatory guidelines in force, number of pharmaceutical companies in each of the State and number of such companies complying with norms and number of companies against whom action is taken for violation of the norms as also the proposed action for prevention of environment from pharmaceutical toxicity.*

.....”

2. That, in compliance of aforesaid directions, it is respectfully submit that the Ministry of Environment, Forests and Climate Change, Government of India has notified the discharge standards for pharmaceutical industries i.e. Bulk Drugs and Formulation (pharmaceutical) industries under the Environment (Protection) Rules, 1986 as amended from time to time. Compliance status of

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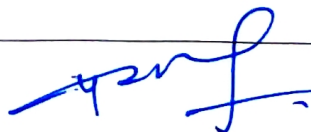
pharmaceutical industries is being monitored as per said notification. Copy of the notification dated 06.08.2021 is being filed and marked as **Annexure No. 1** with this response.

3. That the “Synthetic organic chemicals industry (dyes and dye intermediates; bulk drugs and intermediates excluding drug and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates” are listed in entry No. 5(f) of Schedule of the Environment Impact Assessment Notification, 2006 as amended and requires prior environmental clearance before establishment. Copy of the schedule of Environment Impact Assessment Notification, 2006 as amended is being filed and marked as **Annexure No. 2** with this response.
4. That the Consent to Establish (CTE) and Consolidated Consent & Authorization (CCA) is considered by the State Board after considering the provisions of suitable pollution control measures and their appropriate operation in order to meet the prescribed discharge norms given under the Environment (Protection) Rules, 1986 as amended.
5. That the compliance status of pharmaceutical industries located in the State of Uttarakhand is as under:

Sr. No.	Regional Office	Nos. of pharmaceutical units operating	Nos. of units complying with norms	Nos. of companies against whom action is taken for violation of the norms as also the proposed action for prevention of environment from pharmaceutical toxicity.
1.	Haldwani	04	04	-NA-
2.	Kashipur	32	31	Action is proposed against 01 unit. Action includes

				issuance of show cause notice and imposition of environmental compensation.
3.	Dehradun	80	78	Closure order against 01 Unit has been issued, while issuance of show cause notice and imposition of EC is under process against 01 Unit.
4.	Roorkee	127	115	Issuance of show cause notices and imposition of EC against 12 units is under process.
Total		243	228	--

6. That the State Pollution Control Board is monitoring all the pharmaceutical units in the State of Uttarakhand and ensuring the compliances of standards prescribed under the Environment (Protection) Rules, 1986 as amended from time to time. In case of Non-compliance is observed, action is taken under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 as amended which includes issuance of show cause notices and closure order along with directions for disconnection of power supply of the violating unit. Additionally environmental compensation are also being imposed against the violating units in compliance of order of the Hon'ble National Green Tribunal in the matter of Original Application No. 593 of 2017 and subsequent decision taken and procedure adopted by the State Board in its 23rd Board Meeting held on 29.11.2019.



7. That the State Board has also taken strict regulatory action in case of non-compliances in the past and imposed environmental compensation of Rs. 70,44,375.00 against the nine non-complying pharmaceutical units.
8. That the respondent Board is having the highest regards for the Hon'ble Tribunal and orders passed by them and has always made his sincerest efforts to carry out the orders passed in its letter and spirit and shall continue to do so in the future.
9. That the submissions made above may kindly be taken on record and the appropriate direction as the Hon'ble Tribunal deems fit may kindly passed in the interest of justice.

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टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में संख्यांक का. आ. 844(अ) तारीख 19 नवंबर, 1986 में प्रकाशित किए गए थे और अंतिम बार अधिसूचना संख्यांक सा.का.नि. 243(अ) तारीख 31 मार्च, 2021 द्वारा अंतिम रूप से संशोधित किया गया था।

Annexure No. 1

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

**NOTIFICATION**

New Delhi, the 6th August, 2021

**G.S.R. 541(E).**—Whereas, certain draft rules, namely the Environment (Protection) Amendment Rules, 2020 were published in the Gazette of India, Extraordinary, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, *vide* notification of the Government of India in the Ministry of Environment, Forest and Climate Change *vide* number G.S.R. 44 (E), dated the 23<sup>rd</sup> January, 2020, 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 the Gazette containing the said notification were made available to the public;

And Whereas, copies of the Gazette containing the aforesaid notification were made available to the public on the 23<sup>rd</sup> January, 2020;

And Whereas, objections and suggestions received from all persons and stakeholders in response to the aforesaid notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely: -

1. **Short title and commencement.** - (1) These rules may be called the Environment (Protection) Second Amendment Rules, 2021.

(2) They shall come into force after one year from the date of publication of this notification in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in Schedule-I, for serial number 73 and the entries relating thereto, the following serial number and entries shall be substituted, namely:-

S.No.	Industry	Parameters	Standard	
1	2	3	4	
“73.	<b>Bulk Drug and Formulation (Pharmaceutical)</b>	<b>A. EFFLUENT STANDARDS*</b>		
			Limiting value for concentration (in mg/l except for pH and Bio assay)	
		<b>(i) Compulsory Parameters</b>		
		pH		6.0 -8.5
		BOD (3 days 27°C)		30
		COD		250
		TSS		100
		Oil & Grease		10
		Ammonical Nitrogen		100
Bio - Assay Test**		90% Survival of Fish after first 96 hours in 100% effluent		

<b>(ii) Additional Parameters<sup>##</sup></b>	
***Benzene	0.1
***Xylene	0.12
***Methylene Chloride	0.9
***Chlorobenzene	0.2
Phosphates as P	5
Sulphides as S	2
Phenolic Compounds	1
Zinc	5
Copper	3
Total Chromium	2
Hexavalent Chromium (Cr <sup>6+</sup> )	0.1
Cyanide (as HCN)	0.1
Arsenic	0.2
Mercury	0.01
Lead	0.1
SAR	Less than 26 (applicable only for discharge on land)
<b>(iii) Industry connected with CETP</b>	
<ul style="list-style-type: none"> <li>The discharge norms for industry connected with CETP and of CETP shall be governed by Ministry of Environment, Forest &amp; Climate Change notification S.O. 4 (E), dated the 1<sup>st</sup> January, 2016.</li> <li>State Pollution Control Board shall prescribe additional relevant parameters as given at para A (ii) of this notification as per needs and discharge potential of member industries and specify the frequency of monitoring considering the receiving environment conditions.</li> </ul>	
<p><b>Note:</b></p> <p>The standards in para A is applicable to all discharges except to CETP.</p> <p>*Not applicable to industry discharging to CETP, and shall be applicable to all discharge to land and surface water bodies including use of treated wastewater for horticulture or irrigation purpose.</p> <p>** The Bio assay test shall be conducted as per IS : 6582-1971</p> <p>## Parameters listed as “<b>Additional Parameters</b>” shall be prescribed by SPCB depending on the process and product and its monitoring frequency shall be monthly/quarterly as decided by SPCBs</p> <p>***Limits shall be applicable to industries those are using Benzene, Xylene, Methylene Chloride, Chlorobenzene.</p>	

<b>B. EMISSION STANDARDS</b>	
<b>(Tank farm Vents)</b>	
<b>Parameter</b>	<b>Limiting value for concentration (mg/Nm<sup>3</sup>)</b>
Chlorine	15
Hydrochloric acid vapor	35
Ammonia	30
Benzene	5
Toluene	100
Acetonitrile	1000
Dichloromethane	200
Xylene	100
Acetone	2000
<i>C. The total cumulative losses of solvent should not be more than 5% of the solvent on annual basis from storage inventory</i>	
<p><b>D.</b> Chemical and Biological sludge or any residue, reject, concentrate generated from wastewater treatment or its management facility at Industry or CETP catering to industries engaged in manufacturing of bulk drug or formulation of Pharmaceuticals, shall be classified as Hazardous Waste as per the provision of clause 17 of sub-rule (i) of rule 3 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 and shall be subject to the provision made therein.</p>	

[F. No. Q-15017/12/2018-CPW]

NARESH PAL GANGWAR, Jt. Secy.

**Note :** The principle rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number S.O. 844(E), dated the 19th November, 1986 and lastly amended *vide* notification G.S.R. 243(E), dated the 31<sup>st</sup> March, 2021.

## SCHEDULE

## Annexure No. 2

(See paragraph 2 and 7)

## LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity	Category with threshold limit		Conditions if any	
	A	B		
<b>1</b>	<b>Mining, extraction of natural resources and power generation (for a specified production capacity)</b>			
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<sup>1</sup> [1(a)]	Mining of minerals	> 100 ha of mining lease area of non-coal mine lease.	≤ 100 ha of mining lease area in respect of non-coal mine lease.	General Condition shall Apply except: (i) For project or activity of mining of minor minerals of Category 'B2' (up to 25 ha of mining lease area); (ii) For project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area, and (iii) River bed mining projects on account of inter-state boundary.
		> 150 ha of mining lease area in respect of coal mine lease.	≤150 ha of mining lease area in respect of coal mine lease.	
		Asbestos mining irrespective of mining area		
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks/sanctuaries/coral reefs, ecologically sensitive areas.	All projects		<b>Note:</b> (1) Mineral prospecting is exempted; (2) The prescribed procedure for environmental clearance for mining of minor minerals including cluster situation is given in Appendix XI]; <sup>2</sup> [(3) The evacuation or removal and transportation of already mined out material lying within the mining leases expiring under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), by the previous lessee, after the expiry of the said lease, shall not form the part of the mining capacity so permitted to the successful bidder, selected through auction as per the procedure provided under that Act and the rules made thereunder.];

<sup>1</sup> Substituted by S.O. 3977 (E), dated 14th August, 2018.<sup>2</sup> Inserted by S.O. 1224 (E), dated 28th March, 2020

<sup>1</sup> 1(b)	Offshore and onshore oil and gas exploration, development and production	All projects in respect of off-shore and onshore oil and gas development and production except exploration		<p><b>Note 1:</b> Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey</p> <p><b>Note 2:</b> All project in respect of off-shore and onshore oil and gas exploration are categorized as 'B2' projects]</p>
<sup>2</sup> 1(c)	(i) River Valley Projects  (ii) Irrigation projects	(i) $\geq 50$ MW hydroelectric power generation.  (ii) $\geq 10,000$ ha, of culturable command area.	(i) $\geq 25$ MW and $< 50$ MW hydroelectric power generation; (ii) $> 2000$ ha and $< 10,000$ ha, of culturable command area	General condition shall apply,  <b>Note: -</b> (i) Category 'B' river valley projects falling in more than one state shall be appraised at the central Government Level.  (ii) Change in irrigation technology having environmental benefits (eg. From flood irrigation to Drip irrigation etc.) by an existing project, leading to increase in Culturable Command Area but without increase in dam height and submergence, will not require amendment/ revision of EC.]
		<b>Irrigation system</b>	<b>Requirement of EC</b>	
		(a) Minor Irrigation system ( $\leq 2000$ Ha)	Exempted	
		(b) Medium irrigation system ( $> 2000$ and $< 10,000$ ha.)	Required to prepare EMP and to be dealt at State Level (B2 category).	
		(c) Major irrigation system ( $\geq 10,000$ to $< 50,000$ ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B1 category).	

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

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

<b>1(d)</b>	<sup>1</sup> [Thermal Power Plants	<p>&gt; 500 MW (coal/lignite/naphtha and gas bases);</p> <p>&gt; 50 MW (all other fuels except biomass).</p> <p>&gt;20MW (using municipal solid non- hazardous waste, as fuel).</p>	<p><sup>2</sup>[&gt; 5MW] to &lt;500 MW (coal/lignite/naphtha and gas based);</p> <p>&lt; 50 MW and <math>\geq</math>5 MW (all other fuels except biomass and municipal solid non-hazardous waste).</p> <p>&lt; 20MW &gt; 15MW (using municipal solid non-hazardous waste, as fuel),</p> <p>&gt; 15 MW plants based on biomass fuel.</p>	<p>General condition shall apply</p> <p><b>Note: -</b></p> <p>a. Thermal Power plants up to 15 MW based on biomass or non-hazardous municipal solid waste using auxiliary fuel such as coal, lignite/ petroleum products up to 15 % are exempt.</p> <p>b. Thermal power plants using waste heat boilers without any auxiliary fuel are exempt.]</p>
<b>1(e)</b>	Nuclear power projects and processing of nuclear fuel	All projects	-	

<b>2 Primary Processing</b>				
<b>2(a)</b>	Coal washeries	<1million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
<b>2 (b)</b>	<sup>3</sup> [Mineral Beneficiation	> 0.5 million TPA through put	<0.5 Million TPA through put	General condition shall apply (Mining proposal with mineral beneficiation shall be appraised together for grant of clearance).]
<b>3. Material Production</b>				
<b>3(a)</b>	Metallurgical industries(ferrous & ferrous)	a) Primary metallurgical industry All projects	Sponge iron manufacturing <200TPD	<p><sup>4</sup>[General Condition shall apply</p> <p>Note:</p> <p>(i) The recycling industrial units registered under the HSM</p>
		b) Sponge iron manufacturing $\geq$	Secondary metallurgical processing	

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

<sup>2</sup> Substituted by S.O. 1834 (E), dated 6<sup>th</sup> July, 2015.

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

<sup>4</sup> Subs. by S.O.3067(E), dated 1st December, 2009

		200TPD	industry	Rules are exempted.
		c) Secondary metallurgical processing industry  All toxic and heavy metal producing units $\geq$ 20,000 tonnes/annum	i) All toxic and heavy metal producing units <20,000 tonnes/annum  ii) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum	(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]

<sup>1</sup> [3(b)]	Cement plants	$\geq$ 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Standalone grinding units	General Condition shall apply  <b>Note. -</b> 1. Fuel for cement industry may be coal, pet coke, mixture of coal and pet coke and co-processing of waste provided it meets the emission standards. 2. The manufacturing of composite cement by plants having environmental clearance for manufacturing Ordinary Portland Cement (OPC), Portland Pozzolana Cement (PPC) and Portland Slag Cement (PSC) shall be exempt provided the production is within sanctioned capacity.]
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4

**Materials Processing**

4(a)	Petroleum refining industry	All projects	-	-
<sup>2</sup> [4(b)]	(i) Coke oven plants (ii) Coal tar processing units	$\geq$ 2,50,000 tonnes/annum	<2,50,000 and $\geq$ 25,000 tonnes/annum  All projects	General condition shall apply.]
4(c)	Asbestos milling	All projects	-	-

<sup>1</sup> Subs. by S.O. 3518 (E) dated 23rd November, 2016

<sup>2</sup> Subs. by S.O. 1599 (E) dated 25th June, 2014

	and asbestos based products			
<b>4(d)</b>	Chlor-alkali industry	<sup>1</sup> [ $\geq 300$ TPD Production capacity if a unit located outside the notified industrial area/estate.]	<sup>2</sup> [(i) All projects irrespective of the size, if it is located in a notified Industrial area/ Estate. (ii) $< 300$ tonnes per day (TPD) and located outside	<sup>3</sup> [General as well as specific condition shall apply  No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the Notification]
<b>4(e)</b>	Soda ash Industry	All projects	-	-
<b>4(f)</b>	<sup>4</sup> [Skin/hide processing including tanning industry]	New projects outside the industrial area or expansion of Existing units outside the industrial area	All new or Expansion of Projects located within a notified industrial area/ estate	<sup>5</sup> [General as well as specific condition shall apply]
<b>5</b>	<b>Manufacturing/Fabrication</b>			
<b><sup>6</sup>5(a)</b>	Chemical fertilizers	All projects including all Single Super Phosphate With $H_2SO_4$ production except granulation of chemical fertilizers.	All single Super Phosphate without $H_2SO_4$ production and granulation of chemical fertilizers.	General condition shall apply. <b>Note:</b> <ul style="list-style-type: none"> <li>Granulation of single super phosphate powder is exempt.</li> <li>Neem coating of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the coating material used.</li> <li>Fortification of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the fortification material used.]</li> </ul>
<b>5(b)</b>	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
<b>5(c)</b>	Petro- chemical complexes	All projects -	-	-

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

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

<sup>3</sup> Substituted by S.O.3067(E), dated 1st December, 2009

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

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

<sup>6</sup> Subs. by S.O. 3518 (E), 23rd November, 2016

	(industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)			
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	<sup>1</sup> [Petroleum products and petro chemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking & reformation and not covered under the complexes]	Located outside the notified industrial area/ estate -	Located in a notified industrial area/ estate	<sup>1</sup> [General as well as specific condition shall apply.  <b>Note:</b> Manufacturing of products from polymer granules is exempt.;

5(f)	<sup>2</sup> [Synthetic organic chemicals industry (dyes and dye intermediates; bulk drugs and intermediates excluding drug and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/estate except small units as defined in column (5).	(i) Located in a notified industrial area/estate.  (ii) Small units as defined in column (5).	General as well as specific condition shall apply.  Small units: with water consumption, <math><25\text{m}^3/\text{day}</math>, fuel consumption <math><25\text{TPD}</math> and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989].  <sup>3</sup> [All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the <sup>4</sup> [30th March, 2021], shall be appraised, as Category 'B2' projects, provided that any subsequent amendment or expansion or change in product mix, after the <sup>2</sup> [30th March, 2021], shall be considered as per the provisions in force at
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<sup>1</sup> Subs. 1599 (E) dated 25th June, 2014.

<sup>2</sup> Subs. by S.O. 1599 (E), dated 25th June, 2014.

<sup>3</sup> Ins. by S.O.1223(E), dated 27th March, 2020

<sup>4</sup> Subs. the figures, letters and word "30th March, 2021" for the figures, letters and word "30th September, 2020", by S.O. 3636(E), dated 15th October, 2020

				that time.].
<sup>1</sup> <b>5(g)</b>	Distilleries	Molasses based distilleries > 100 KLD  Non-molasses based distilleries >200 KLD	Molasses based distilleries ≤ 100 KLD  Non-molasses based distilleries ≤ 200 KLD	General condition shall apply.]  <sup>2</sup> <b>[Note:</b> Expansion of sugar manufacturing units or distilleries, having Prior Environment Clearance and for production of ethanol, to be used as fuel for blending only as certified by the competent authority, shall be appraised as Category 'B2' projects.];
<b>5(h)</b>	Integrated industry	-	All projects	General condition shall apply
<b>5(i)</b>	<sup>3</sup> [Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing form waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General condition shall apply <b>Note:</b> Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and coloring is exempt.];
<b>5(j)</b>	Sugar Industry	-	≥5000 tcd cane crushing capacity	General condition shall apply
<sup>4</sup> <b>5(k)</b>	*.....]			
<b>6</b>	<b>Service Sectors</b>			
<b>6(a)</b>	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/ coral reefs/ecologically sensitive areas including LNG Terminal	<b>6(a)</b>	Oil & gas transportation on pipeline (crude and refinery/ petrochemical products), passing through national parks/sanctuaries/coral reefs/ecologically sensitive areas including LNG Terminal	<b>6(a)</b> Manufacturing of PU Foam is exempted from EC. O.M. dated 24.05.2022 of MoEF&CC
<sup>5</sup> <b>6(b)</b>	*.....]			
<b>7</b>	<b>Physical Infrastructure including Environmental Services</b>			
<b>7(a)</b>	Air ports	<sup>6</sup> [All projects including air strip, which are for commercial	-	<b>Note:</b> Air strips which do not involve bunkering/refueling facility and or Air Traffic

<sup>1</sup> Subs. by S.O.1960(E), dated 13th June, 2019

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

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

<sup>4</sup> Omitted by S.O. 3067(E), dated 1st December, 2009

<sup>5</sup> Omitted by S.O.1960(E), dated 13th June, 2019

<sup>6</sup> Substituted by S.O. 3067(E), dated 1.12.2009

		use		Control are exempted]
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/complexes/areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, 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.	<sup>1</sup> [General as well as Special conditions shall apply  <b>Note:</b> 1. Industrial Estate of area below 500 ha. and not housing any industry of category 'A' or 'Beddoes' not require clearance.  2. If the area is less than 500 ha but contains building and construction projects <u>less than 2000 sq. mtr.</u> and or development area more than 50 ha it will be treated as activity listed at Serial No.8(a) or 8(a) in the Schedule, as the case may be]
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply
<sup>2</sup> 7(da)	Bio-medical Waste Treatment Facilities	-	All Projects	-]
7(e)	<sup>3</sup> [Ports, Harbours, break waters, dredging]	< 5 million TPA of cargo handling capacity (excluding fishing harbours)	<5million TPA of cargo handling capacity and/or ports/ harbors <10,000TPA of fish handling capacity	<sup>3</sup> [General Condition shall apply.  <b>Note:</b> 1. Capital dredging inside and outside the ports or harbors and channels are included;  3. Maintenance dredging is exempt provided it formed part of the original proposal; for which Environmental Management Plan (EMP) was prepared and environmental Clearance obtained];

"B" does not require clearance

>2000 Sq, meter

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

<sup>2</sup> Inserted by S.O. No.1142(E), dated 17th April, 2015

<sup>3</sup> Subs. by S.O.3067(E), dated 1st December, 2009

7(f)	Highways	<sup>1</sup> [i] New National High ways; and  <sup>2</sup> [ii] Expansion of National Highways greater than 100 km, involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes.]	<sup>3</sup> <sup>4</sup> (i) All New State Highway Projects;]  State Highway expansion projects in hilly terrain (above 1,000m AMSL)and/or ecologically sensitive areas]	<sup>5</sup> [General Condition shall apply.  <b>Note:</b> Highways included expressways]
7(g)	Aerial ropeways	<sup>6</sup> <del>[(i) All projects located at altitude of 1,000 mtr. and above.  (ii) All projects located in notified ecologically sensitive areas.]</del>	<sup>7</sup> <del>[All projects except those covered in Column(3)]</del>	General Condition shall apply  Omitted 27.04.2022
<sup>8</sup> 7 (h)	Common Effluent Treatment Plants (CETPs)	-	All projects	General Condition shall apply  <b>Note:</b> Environmental clearance for CETPs setup for or within projects or activities which do not require environmental clearance are exempted, and if any of the existing or proposed member units of the said CETP produces or proposes to produce any product requiring environmental clearance, then the CETP shall need environmental clearance].

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

<sup>2</sup> Subs. by S.O. 2559 (E) dated 22nd August, 2013.

<sup>3</sup> Substituted by S.O.3067(E), dated 1st December, 2009

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

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

<sup>6</sup> Subs. by S.O.3067(E), dated 1st December, 2009

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

<sup>8</sup> Subs. by S.O. 6250 (E) dated 19th December, 2018

7(i)	Common Municipal Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
<b>1<sup>1</sup>8</b>	<b>Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions</b>			
8(a)	Building or Construction projects		>20000 sq.mtrs and < 1,50,000 sq. mtrs. of built up area	<p>The term “built up area” for the purpose of this notification the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building or construction projects.</p> <p><b>Note 1.-</b> The projects or activities shall not include industrial shed, school, college, hostel for educational institution, but such buildings shall ensure sustainable environmental management, solid and liquid waste management, rain water harvesting and may use recycled materials such as fly ash bricks.</p> <p><b>Note 2.-</b> “General Conditions” shall not apply.</p>
<b>8(b)</b>	Townships and Area Development Projects		Covering an area of > 50 ha and or built up area > 1,50,000 sq. mtrs	<p>A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category ‘B1’ Project.</p> <p><b>Note.-</b> General Conditions shall not apply.]</p>
<b>*2<sup>1</sup>8</b>	<b>Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions</b>			
8(a)	Building or Construction projects		≥50,000 sq. mtrs and <1,50,000 sq. mtrs. of built-up area	<p><b>Note 1.-</b> The term “built up area” for the purpose of this notification is the built up or covered area on all floors put together, including its basement and other service areas, which are proposed in the building and construction projects.</p>

<sup>1</sup> Subs. by S.O. (E) 3252 (E) dated 22nd December, 2014

<sup>2</sup> Subs. by S.O. 5736 (E) dated 15th November, 2018 (Notification is under Sub-judice before the Hon'ble Courts/Tribunal) \*.

				<p><b>Note 2.-</b> The projects or activities shall not include industrial shed, educational institutions, hospitals and hostels for educational institutions.</p> <p><b>Note 3.-</b> General conditions shall not apply.</p>
<b>8(b)</b>	Townships and Area Development projects as well as industrial sheds, educational institutions, hospitals and hostels for educational institutions		≥ 1,50,000 sq. mtrs and <3,00,000 sq. mtrs built up area or covering an area ≥50 ha	<p>A projects of Townships and Area Development Projects covered under this item shall require an Environmental Assessment Report and be appraised as Category 'B1' Project.</p> <p><b>Note.-</b> General Conditions shall not apply.]</p>

**Note: -**

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

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

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

**Specific Condition (SC):**

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

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