

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

I.A No 645 of 2024

IN

ORIGINAL APPLICATION NO. 646 OF 2023

IN THE MATTER OF: -

MANOJ KUMAR KAUSHAL

...PETITIONER

-Versus-

STATE OF HIMANCHAL PRADESH & ORS. ...RESPONDENTS

NDOH: 11.07.2025

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1799

	02.03.2022 granted in favour of M/s. Ian Macleod Distillers India Pvt. Ltd	
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Filed by:



[SUMIT TETERWAL]
Advocate for Respondent No. 9
LB-17, 5 Gauri Sadan,
Hailey Road New Delhi-110001
Mob. No. 9636661144
Email: sumit.teterwal@gmail.com

NEW DELHI
DATED: 10.07.2025

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, DELHI

I.A No 645 of 2024

In

ORIGINAL APPLICATION NO. 646 OF 2023

IN THE MATTER OF: -

MANOJ KUMAR KAUSHAL

...APPLICANT

VERSUS

STATE OF HIMANCHAL PRADESH & ORS

...RESPONDENT(S)

**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO.09, MINISTRY
OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

MOST RESPECTFULLY SHOWETH: -

I, Vimal Kumar Hatwal, working as Scientist "E" in the office of the Ministry of Environment, Forest & Climate Change, at Indira Paryavaran Bhavan Jor Bagh Road, Aliganj New Delhi-110003, the deponent herein does hereby solemnly affirm and state on oath as under: -

1. That I am duly authorized and competent to swear the present reply affidavit on behalf of Ministry of Environment, Forest and Climate Change (hereinafter referred as MoEFCC).
2. That the contents of the application, unless specifically admitted, are denied to the extent that they are inconsistent with submissions made hereinafter.
3. That the instant reply is being filed by the Answering Respondent without prejudice to his right to file a fuller and more detailed reply at a later stage, if so necessary.
4. That in consideration of the contents of the aforementioned letter petition, this Hon'ble Tribunal, by order dated 08.01.2024, was pleased to take *suo motu* cognizance of the said letter dated 10.07.2023, and the same was duly registered under Section 14 of the National Green Tribunal Act, 2010 (8NGT Act) as Original Application No. 646 of 2023.



5. That based on the I.A no. 646 of 2025 in the present matter filed by the Applicant i.e., M/s Ian Macleod Distillers India Pvt. Ltd., this Hon'ble Tribunal vide order dated 05.03.2025 impleaded the MoEFCC as Respondent no. 09.
6. It is humbly submitted that the Answering Respondent in the exercise of the powers conferred by 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, has notified the Environment Impact Assessment (hereinafter referred as EIA) Notification, 2006 on 14.09.2006. **A copy of S.O.1533 (E) dated 14.09.2006 is annexed as Annexure R9/1.**
7. That, the EIA Notification, 2006 in Paragraph 7, stipulates four stages in the process of obtaining Environmental Clearance. Stage (1) is screening wherein the Expert Appraisal Committee (hereinafter referred as EAC) or the State Expert Appraisal Committee (hereinafter referred as SEAC) takes the decision on whether or not the Environmental Impact Assessment (hereinafter referred as EIA) Report has to be prepared for the proposed projects. Stage (2) is Scoping wherein the EAC for category 'A' projects and the SEAC for category 'B' projects determines detailed and comprehensive Terms of Reference (hereinafter referred as ToR) addressing all relevant environmental concerns for the preparation of an EIA Report in respect of the proposed project or activity for which the prior environmental clearance is sought. Stage (3) relates to Public Consultation and has two components- (i) a public hearing, which is conducted by the concerned State Pollution Control Board at the project site or in its close proximity, explaining all possible environment impacts and measures proposed in EMP and (ii) obtaining written responses from other concerned persons who have a plausible stake in the environment aspects of the project or activity. Lastly, Stage (4) relates to the Appraisal of the Project wherein the detailed scrutiny by the EAC or the SEAC of the application and other documents like the Final EIA Report and outcome of public consultations relating including public hearing proceedings, submitted by the Project Proponent to the regulatory authority concerned for grant of environment clearance is conducted.



8. It is respectfully submitted that the EIA Notification of 2006 has decentralized the EC projects by categorizing the developmental projects into two categories, i.e., Category 'A' project and Category 'B'. The 'Category 'A' projects are appraised at the Central level by the EAC and Category 'B' projects are appraised at SEAC.

9. It is most humbly submitted that the distilleries Plant have been listed in the Schedule of the EIA Notification, 2006.

Project or Activity		Category with threshold limit		Conditions if any
(1)	(2)	A (3)	B (4)	
5(g)	Distilleries	Molasses based Distilleries > 100 KLD Non-molasses based distilleries >200 KLD	Molasses based Distilleries < 100 KLD Non-molasses based Distilleries < 200 KLD	a. Except for the projects falling in item 5(ga) of this Schedule; b. Expansion of sugar manufacturing units or distilleries for production of ethanol, having Prior Environment Clearance (EC) for existing unit, to be used completely for Ethanol Blended Petrol (EBP) Programme only, as per self-certification in form of an affidavit by the Project Proponent, shall be appraised as category 'B2' projects. Provided that subsequently if it is found that the ethanol, produced based on the EC granted as per this dispensation, is not being used completely for EBP Programme, or if ethanol is not being produced, or if the said distillery is



				not fulfilling the requirements based on which the project has been appraised as category B2 project, the EC shall stand cancelled”;
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10. That the answering Respondent respectfully submits that the proposal for establishment of a 5 KLPD Malt Spirit Distillery by M/s. Ian Macleod Distillers India Pvt. Ltd., situated at Plot Nos. A2, A3 & A4, Industrial Area Pandoga, District Una, Himachal Pradesh, has been duly examined by the MoEFCC. It is submitted that as per the Schedule to the EIA Notification, 2006, as amended from time to time, non-molasses-based distilleries having a capacity up to 200 KLPD are covered under Item 5(g) and fall under Category ‘B’, and are ordinarily required to be appraised at the State level by the SEAC. However, in the present case, since the project site is located within a distance of 5 kilometers from an inter-State boundary, the General Condition stipulated under the said Notification becomes applicable, thereby necessitating appraisal of the project at the Central level by the EAC constituted by this Ministry.

11. It is further submitted that the Standard Terms of Reference were granted vide F. No. IA-J-11011/201/2021 IA-II(I) dated 20th May 2021. **A copy of Standard Terms of Reference dated 20.05.2021 granted in favour of M/s. Ian Macleod Distillers India Pvt. Ltd. has been annexed herewith as Annexure R9/2.**

12. It is submitted that the proposal was considered by the EAC (Ind-2) in its 49th Meeting held during 27th -28th January 2022 at its Agenda No 49.4., wherein EAC duly deliberated on the aspect of Public Hearing for the proposed project, that has been conducted by HPPCB, Una on 28.10.2021 at Common Facility Centre, Industrial Area Pandoga, Una and chaired by Additional Deputy Commissioner, Una. As submitted by PP it was informed that there are No national parks, wildlife sanctuaries, Biosphere Reserves, Tiger / Elephant Reserves, Wildlife Corridors etc., within 10 km distance from the project site, However, Reserved Forest is at 500 m in North Direction. The proposal was considered by the EAC in its 49th meeting held on 27th - 28th January, 2022 in the Ministry, wherein the Committee



recommended the project for grant of environmental clearance dated 02.03.2022. A copy of MOM of 49th meeting held on 27th - 28th January, 2022 has been annexed herewith as AnnexureR9/3.

13. That the answering Respondent respectfully submits that the EAC, constituted under the EIA Notification, 2006 and comprising domain experts, examined the proposal submitted by the Project Proponent along with the EIA/EMP report prepared by a QCI/NABET-accredited Consultant. The EAC noted the undertaking given by the Project Proponent affirming that the information furnished in the application and enclosures is true to the best of his knowledge and that no material facts have been suppressed. It was further recorded that if any part of the data/information is found to be false or misleading at any stage, the project shall be liable for rejection and any Environmental Clearance granted shall be revoked at the risk and cost of the Project Proponent. A copy of Environmental Clearance dated 02.03.2022 granted in favour of M/s. Ian Macleod Distillers India Pvt. Ltd. has been annexed herewith as AnnexureR9/4.

14. Therefore, it is respectfully submitted that the present counter affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.



DEPONENT

डॉ. विमल कुमार हटवाल/Dr. Vimal Kumar Hatwal
सदस्य सचिव वैज्ञानिक 'ई'
Member Secretary, Scientist-'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

VERIFICATION

Verified at 6 on JUN 2025 this day of _____, 2025 that the contents of the above affidavit are correct to my knowledge and belief based on official records and nothing material has been concealed there from.

solemnly affirmed before me, read over & explained to the deponent

Notary Public, DELHI

6 JUN 2025

DEPONENT

डॉ. विमल कुमार हटवाल/Dr. Vimal Kumar Hatwal
सदस्य सचिव वैज्ञानिक 'ई'
Member Secretary, Scientist-'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi



भारत सरकार
Government of India



Aadhaar no. is sued: 27/11/2015



विमल कुमार हटवाल
Vimal Kumar Hatwal
जन्म तिथि/DOB: 06/06/1979
पुरुष/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/
ऑफलाइन एक्सएमएल की स्कैनिंग) के साथ किया जाना चाहिए।
**Aadhaar is proof of identity, not of citizenship
or date of birth. It should be used with verification (online
authentication, or scanning of QR code / offline XML).**

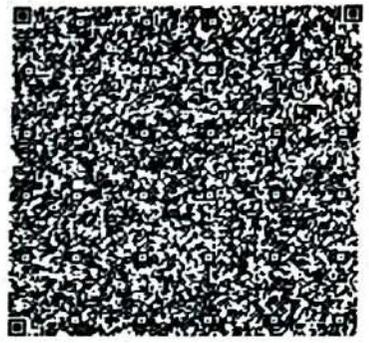


भारतीय विशिष्ट पहचान प्राधिकरण
भारत सरकार, नई दिल्ली
Ministry of India



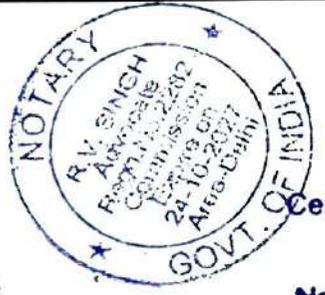
पता:
आत्मज: डा अनंत राम हटवाल, हाउस न-105 लेन न-1,
लोवर नथनपुर, जोगीवाला, ई.ई.पी., ई. ई. पी., देहरादून,
उत्तराखंड - 248005
Address:
S/O: Dr Anant Ram Hatwal, House No-105
lane No-1, Lower Nathanpur, Jogiwala, I.I.P.,
PO: I.I.P., DIST: Dehradun,
Uttarakhand - 248005

Details as on: 20/03/2024



मेरा आधार, मेरी पहचान

1947 | help@uidai.gov.in | www.uidai.gov.in



Certified true copy of original

Notary Public, Delhi (India)

For the legal purposes
[Signature]

डॉ. विमल कुमार हटवाल/Dr. Vimal Kumar Hatwal
सदस्य सचिव वैज्ञानिक 'ई'
Member Secretary, Scientist-'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

6 JUN 2025

**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 2006

S.O. 1533(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1324(B), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

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

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

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

¹Includes 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;


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 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
 M/o Environment, Forest and Climate Change
 भारत सरकार, नई दिल्ली
 Govt. of India, New Delhi

(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, constitute 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 I annexed herewith and Supplementary Form IA, 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 I and the Supplementary Form IA, 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

1. 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 I 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 Form I/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 I/ 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 I. 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 I, 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 I and Form IA 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 I and Form IA, 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 I, and Supplementary Form IA, 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 1st June and 1st 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 27th 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.

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	
I		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
I(a)	Mining of minerals	<p>≥ 50 ha. of mining lease area</p> <p>Asbestos mining irrespective of mining area</p>	<p><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>
I(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>
I(c)	River Valley projects	<p>(i) ≥ 50 MW hydroelectric power generation;</p> <p>(ii) ≥ 10,000 ha. of culturable command area</p>	<p>(i) < 50 MW ≥ 25 MW hydroelectric power generation;</p> <p>(ii) < 10,000 ha. of culturable command area</p>	General Condition shall apply
I(d)	Thermal Power Plants	<p>≥ 500 MW (coal/lignite/naphtha & gas based);</p> <p>≥ 50 MW (Pet coke diesel and all other fuels -)</p>	<p>< 500 MW (coal/lignite/naphtha & gas based);</p> <p><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		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million 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	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

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

4				
Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	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
4(e)	Soda ash Industry	All projects	-	-
4(f)	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
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	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
5(f)	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
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/ non-molasses based distilleries - < 30 KLD	General Condition shall apply
5(h)	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		Service Sectors		
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)
6(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
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	All projects	-	-
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.	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.
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

(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)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	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)
8(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).

[No. J-11013/56/2004-IA-II(I)]
R. CHANDRAMOHAN, Jt. Secy.

APPENDIX I

(See paragraph - 6)

FORM I**(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):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		

2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material - stone, aggregates, 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)

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

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

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

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

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

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

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

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

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<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"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

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

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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 (discharge 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"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • 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"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout)

		<ul style="list-style-type: none"> • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure
3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • 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 • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative

6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential –skilled; semi-skilled and unskilled. • Other tangible benefits
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7).

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

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

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

APPENDIX IV
(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

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

2.0 The Process:

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

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

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

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

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

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

3.0 Notice of Public Hearing:

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

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

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

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

4.0 The Panel

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

5.0 Videography

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

6.0 Proceedings

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

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

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

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

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

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

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

7.0 Time period for completion of public hearing

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

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

APPENDIX -V (See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

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

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

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC

/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -I or 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 I 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 I, 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.

No.IA-J-11011/201/2021-IA-II(I)

Government of India

Minister of Environment, Forest and Climate Change

Impact Assessment Division

Indira Paryavaran Bhavan,
Vayu Wing, 3rd Floor, Aliganj,
Jor Bagh Road, New Delhi-110003
20 May 2021

To,

M/s IAN MACLEOD DISTILLERS INDIA PRIVATE LIMITED
Pandoga Industrial area, Village Pandoga, Tal. Haroli, Dist. Una, Himachal Pradesh,
Una-110001
Himachal Pradesh

Tel.No.011-23323156; Email:rv.subramanian@ianmacleod.com

Sir/Madam,

This has reference to the proposal submitted in the Ministry of Environment, Forest and Climate Change to prescribe the Terms of Reference (TOR) for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of the EIA Notification, 2006. For this purpose, the proponent had submitted online information in the prescribed format (Form-1) along with a Pre-feasibility Report. The details of the proposal are given below:

- | | |
|----------------------------------|--|
| 1. Proposal No.: | IA/HP/IND2/212301/2021 |
| 2. Name of the Proposal: | Proposed 5 KLPD Malt Spirit Distillery |
| 3. Category of the Proposal: | Industrial Projects - 2 |
| 4. Project/Activity applied for: | 5(g) Distilleries |
| 5. Date of submission for TOR: | 18 May 2021 |

In this regard, under the provisions of the EIA Notification 2006 as amended, the Standard TOR for the purpose of preparing environment impact assessment report and environment management plan for obtaining prior environment clearance is prescribed with public consultation as follows:

डॉ. विमल कुमार हटवाल/Dr. Vimal Kumar Hatwal
सदस्य सचिव वैज्ञानिक 'ई'
Member Secretary, Scientist-'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi



**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

**5(g): STANDARD TERMS OF REFERENCE FOR CONDUCTING
ENVIRONMENT IMPACT ASSESSMENT STUDY FOR
DISTILLERIES AND INFORMATION TO BE INCLUDED IN EIA/EMP
REPORT**

A. STANDARD TERMS OF REFERENCE

1) Executive Summary

2) Introduction

- i. Details of the EIA Consultant including NABET accreditation
- ii. Information about the project proponent
- iii. Importance and benefits of the project

3) Project Description

- i. Cost of project and time of completion.
- ii. Products with capacities for the proposed project.
- iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
- iv. List of raw materials required and their source along with mode of transportation.
- v. Other chemicals and materials required with quantities and storage capacities
- vi. Details of Emission, effluents, hazardous waste generation and their management.
- vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
- viii. Process description along with major equipments and machineries, process flow sheet (quantative) from raw material to products to be provided
- ix. Hazard identification and details of proposed safety systems.
- x. Expansion/modernization proposals:
 - a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MOEF/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment and Forests as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing Iexisting operation of the project from SPCB shall be attached with the EIA-EMP report.
 - b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification

STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/ ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE

2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.

4) Site Details

- i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
- ii. A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
- iii. Details w.r.t. option analysis for selection of site
- iv. Co-ordinates (lat-long) of all four corners of the site.
- v. Google map-Earth downloaded of the project site.
- vi. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.
- vii. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- viii. Landuse break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc shall be included. (not required for industrial area)
- ix. A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- x. Geological features and Geo-hydrological status of the study area shall be included.
- xi. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xii. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xiii. R&R details in respect of land in line with state Government policy

5) Forest and wildlife related issues (if applicable):

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable)

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

- ii. Landuse map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (*in case of projects involving forest land more than 40 ha*)
 - iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
 - iv. 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
 - v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area
 - vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife
- 6) Environmental Status**
- i. Determination of atmospheric inversion level at the project site and site-specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
 - ii. AAQ data (except monsoon) at 8 locations for PM10, PM2.5, SO2, NOX, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
 - iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
 - iv. Surface water quality of nearby River (100m upstream and downstream of discharge point) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
 - v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC, if yes give details.
 - vi. Ground water monitoring at minimum at 8 locations shall be included.
 - vii. Noise levels monitoring at 8 locations within the study area.
 - viii. Soil Characteristic as per CPCB guidelines.
 - ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
 - x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
 - xi. Socio-economic status of the study area.

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/
ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

7) Impact and Environment Management Plan

- i. Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- ii. Water Quality modelling - in case of discharge in water body
- iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyor-cum-rail transport shall be examined.
- iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
- v. Details of stack emission and action plan for control of emissions to meet standards.
- vi. Measures for fugitive emission control
- vii. Details of hazardous waste generation and their storage, utilization and management. Copies of MOU regarding utilization of solid and hazardous waste in cement plant shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
- x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
- xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
- xii. Action plan for post-project environmental monitoring shall be submitted.

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR
PROJECTS/ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

- xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.
- 8) Occupational health**
- i. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers
 - ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre placement and periodical examinations give the details of the same. Details regarding last month analyzed data of above mentioned parameters as per age, sex, duration of exposure and department wise.
 - iii. Details of existing Occupational & Safety Hazards. What are the exposure levels of hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,
 - iv. Annual report of health status of workers with special reference to Occupational Health and Safety.
- 9) Corporate Environment Policy**
- i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
 - ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
 - iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
 - iv. Does the company have system of reporting of non compliances / violations of environmental norms to the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism shall be detailed in the EIA report
- 10) Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.**
- 11) Enterprise Social Commitment (ESC)**
- i. Adequate funds (at least 2.5 % of the project cost) shall be earmarked towards the Enterprise Social Commitment based on Public Hearing issues and item-wise details along with time

**STANDARD TERMS OF REFERENCE (TOR) FOR EIA/EMP REPORT FOR PROJECTS/
ACTIVITIES REQUIRING ENVIRONMENT CLEARANCE**

bound action plan shall be included. Socio-economic development activities need to be elaborated upon.

- 12) Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.
- 13) 'A tabular chart with index for point wise compliance of above TOR.

B. SPECIFIC TERMS OF REFERENCE FOR EIA STUDIES FOR DISTILLERIES

1. List of existing distillery units in the study area along with their capacity and sourcing of raw material.
2. Number of working days of the distillery unit.
3. Details of raw materials such as molasses/grains, their source with availability.
4. Details of the use of steam from the boiler.
5. Surface and Ground water quality around proposed spent wash storage lagoon, and compost yard.
6. Plan to reduce spent wash generation within 6-8 KL/KL of alcohol produced.
7. Proposed effluent treatment system for molasses/grain based distillery (spent wash, spent lees, condensate and utilities) as well as domestic sewage and scheme for achieving zero effluent discharge (ZLD).
8. Proposed action to restrict fresh water consumption within 10 KL/KL of alcohol production.
9. Details about capacity of spent wash holding tank, material used, design consideration. No. of piezometers to be proposed around spent wash holding tank.
10. Action plan to control ground water pollution.
11. Details of solid waste management including management of boiler ash, yeast, etc. Details of incinerated spent wash ash generation and its disposal.
12. Details of bio-composting yard (if applicable).
13. Action plan to control odour pollution.
14. Arrangements for installation of continuous online monitoring system (24x7 monitoring device)

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(IA DIVISION-INDUSTRY-2 SECTOR)**

Dated: 07.02.2022

**MINUTES OF THE 49th MEETING OF THE EXPERT APPRAISAL
COMMITTEE**

(INDUSTRY-2 SECTOR PROJECTS)

HELD ON 27th-28th January, 2022

**Venue: Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-
110003 through Video Conferencing (VC)**

(i) Opening Remarks by the Chairman: The Chairman made hearty welcome to the Committee members and appreciated the efforts of the Committee. After opening remarks, the Chairman opened the EAC meeting for further deliberations.

(ii) Confirmation of minutes: The EAC, having taken note that final minutes were issued after incorporating comments received from the EAC members on the minutes of its 48th Meeting of the EAC (Industry-2) held during 06-07th January, 2022 conducted through Video Conferencing (VC), confirmed the same.

After welcoming the Committee Members, discussion on each of the agenda items was taken up ad-seriatim.

Details of the proposals considered during the meeting **conducted through Video Conferencing (VC)**, deliberations made and the recommendations of the Committee are explained in the respective agenda items as under: -

27th January, 2022 (Thursday)

Agenda No. 49.1

Proposed 150 KLPD Grain based Ethanol Plant along with 3.5 MW Cogeneration power plant at Plot No. 4, Growth Centre Begusarai Industrial Area, Village Asurari, Tehsil Barauni, District Begusarai, Bihar by M/s. New Way Homes Private Limited - Consideration of Environment Clearance.

[IA/BR/IND2/249521/2022, J-11011/1/2022-IA-ET(1)]

डॉ. विमल कुमार हटवाल/Dr. Vimal Kumar Hatwal
सदस्य सचिव
पर्यावरण, वन एवं जल
M/o Environment, Forest & Climate Change
भारत सरकार
Govt. of India

Page 1 of 100



	Belt Development:3.0KLD, Total: 3.3KLD, Source: Nearby Municipal Source	Total: 0.2KLD	municipal Drain
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0.55 m³/day waste water generated which will be disposed off soak pit via septic tank.

- Waste Water will be generated during the construction phase of pipeline to the tune of 0.55 KLD from washing and cleaning which will be Disposed through Sock Pit via Septic Tank.
- No need of Industrial Water requirement during operation phase of proposed Natural Gas Pipeline project.
- In view of the above, No need to carry - out: Any Additional Measures, for the W. P. C. (Water Pollution Control).

Required power for SV / TOP / IP / Dispatch / Receiving stations shall be drawn from nearest local power source of the state Electricity Boards. However, for SVs & control stations, 40 KVA DG sets will be kept as stand by for backup power at each Station. Stack (height 6m) will be provided as per GPCB norms to the proposed DG sets.

Proposed pipeline route passes through Eco-Sensitive Zone of Gir Wild Life Sanctuary for around 25.816 km and at a nearest distance of 4.815 km away from the boundary of Gir Wild Life Sanctuary in Gir Somnath District. As the proposed pipeline passes through ESZ but not passing through any core areas of National parks /Sanctuaries/ Coral reefs / Ecological Sensitive Areas, EAC opined that the proposal may be referred to IA-Policy Division of the ministry for further clarification regarding applicability of EC in the instant proposal.

Accordingly, the project was **recommended** by the committee subject to clarifications from IA-Policy division of the Ministry.

Agenda No. 49.4

Proposed 5 KLPD Malt Spirit Distillery by M/s. Ian Macleod Distillers India Pvt. Ltd. located at Plot No. A2, A3 & A4, Industrial Area Pandoga, District- Una, Himachal Pradesh - Consideration of Environment Clearance.

[IA/HP/IND2/212301/2021, J-11011/201/2021-IA-II(I)]

The Project Proponent and the accredited Consultant M/s. MITCON Consultancy and Engineering Services Ltd., made a detailed presentation on the salient features of the project and informed that:

The proposal is for environmental clearance to the project for Proposed 5 KLPD Malt Spirit Distillery by M/s. Ian Macleod Distillers India Pvt. Ltd.

located at Plot No. A2, A3 & A4, Industrial Area Pandoga, District- Una, Himachal Pradesh.

All non molasses based distilleries up to 200 KLPD are listed at S.N. 5(g) of Schedule of Environment Impact Assessment (EIA) Notification under category 'B' and are appraised at State Level by Expert Appraisal Committee (SEAC). Due to applicability of General Condition i.e the Interstate boundary within 5 km, the project is appraised at Central Level by Expert Appraisal Committee (EAC).

The ToR has been issued by Ministry vide letter No. IA-J-11011/201/2021-IA-II(I) dated 20.05.2021. Public Hearing for the proposed project has been conducted by HPPCB, Una on 28.10.2021 at Common Facility Centre, Industrial Area Pandoga, Una and chaired by Additional Deputy Commissioner, Una. There were no major issues raised during the public hearing. It was requested that the priority in employment should be given to the unemployed people of the village in the proposed unit. It was informed that no litigation is pending against the project.

The details of products and capacity are as under:

Sr. No.	Particulars	Capacity
Products		
1.	Malt Spirit	5 KLPD
2.	IMFL	1000 Cases
3.	DWGS	13 TPD

Proposed land area available for the project is 43699 m². Industry will develop greenbelt in an area of 34.64 % i.e., 15141 m² out of total area of the project. The estimated project cost is Rs. 50.8 Cr. Total capital cost earmarked towards environmental pollution control measures is Rs. 3.0 Cr. and the recurring cost (operation and maintenance) will be about Rs. 34.5 lakhs per annum. Total employment will be 77 persons as direct & indirect. Industry proposes to allocate Rs. 1.0 Cr. @ 2.0% of Total Project Cost (Rs. 50.5 Cr.) towards Corporate Environment Responsibility.

There are No national parks, wildlife sanctuaries, Biosphere Reserves, Tiger / Elephant Reserves, Wildlife Corridors etc., within 10 km distance from the project site, However, Reserved Forest is at 500 m in North Direction. River Swan is flowing at a distance of 5.76 km in ESE direction.

Ambient air quality monitoring was carried out at 9 locations during March to May 2021 and the baseline data indicates the ranges of concentrations as: PM₁₀ 27.2 to 58.2 µg/m³, PM_{2.5} 14.9 to 22.8, SO₂ 6.1 to 14.8 µg/m³, NO_x 9.6 to 18.1 µg/m³. AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the

proposed project would be $3.22 \mu\text{g}/\text{m}^3$, $0.355 \mu\text{g}/\text{m}^3$ and $2.42 \mu\text{g}/\text{m}^3$ with respect to SPM, SO_2 and NO_x . The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).

Total water requirement is $162 \text{ m}^3/\text{day}$ of which fresh water requirement of $102 \text{ m}^3/\text{day}$ will be met from Overhead Water Tank- DIC, Una. (In principal approval No. CAF/12/03/21657/112 dtd. 21.01.2021). Distillery effluent of $71 \text{ m}^3/\text{day}$ * quantity will be treated through $75 \text{ m}^3/\text{day}$ ETP. The plant will be based on Zero Liquid Discharge (ZLD) system. (*Conc. Spent Wash Slops (approx. 7 to 8 % w/w solids) is initially settled in settling tank and mixed with other non-process effluent. Other effluent like DM plant washing & boiler blow down, Fermenter washings, Spent- lees will be neutralized in neutralization tanks and mixed with spent wash and then treated in Primary & Secondary Effluent treatment plant. The treated effluent is then passed through RO to get clean water for reuse in the cooling towers and gardening. Industry is based on zero liquid discharge (ZLD) scheme).

Power requirement will be 650 KWH and will be met from Industrial Area, Una. Proposed unit will have 750 KVA (1 No. 500 & 1 No. 250 KVA each) DG sets will be used only as standby during power failures. Stack height $>11 \text{ m}$ will be provided as per CPCB norms to the proposed DG sets. Proposed 6 TPH boiler based on wood chips/briquettes will be installed for proposed Distillery. Multicyclone with 30 m stack will be installed for proposed boiler for controlling of particulate emission within statutory limit of $115 \text{ mg}/\text{Nm}^3$ for the proposed boiler.

Details of process emissions generation and its management:

Project Activity	Anticipated pollutant	Management
Process emissions	CO_2 and Negligible VOCs	Minor CO_2 generation (1.368 TPD).
Stack, Fugitive emissions, material handling	PM_{10} , $\text{PM}_{2.5}$, NO_x , SO_2 , CO_2	Multicyclone with 30 m stack

Details of Solid waste/Hazardous waste generation and its management:

Sr. No.	Type of waste	Quantity	Final Disposal
1.	DWGS	13 TPD	DWGS is the by-product and will be sold to cattle/poultry feed.
2.	Fly Ash	1.5 TPD	Coal ash will be sold to brick manufacturers.
3.	ETP Sludge	0.5-0.6 TPD	ETP sludge will be Partly recirculate

			and remaining will be used in composting.
4.	Spent oil (5.1)	Negligible	Quantity of Spent oil will be negligible and shall be sent to authorized recycler

During deliberations EAC sought the following information/commitments from PP:

- Entire project shall be ZLD and no single drop of water shall be discharged outside the plant premises.
- PP shall allocate at least Rs. 35 Lakhs/year for Occupational Health Safety.
- Company to construct a storage pond of 60 days capacity and the accumulated water to be used as fresh water thereby reducing fresh water consumption.
- PP shall utilize 10% (65 KW) of the total power requirement from solar power.
- PP proposed a budget allocation of Rs. 1.0 Crores towards CER and it shall be used for construction/up-gradation of school building with provision of facilities e.g. Toilets, Drinking Water Facilities, Computers/Laptops and Solar light etc. Further, the works under CER Plan shall be implemented in consultation with District Collector and the CER plan shall be completed in two years as planned.

PP has submitted the desired information as sought above.

The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data is within NAAQ standards. The Committee has deliberated the action plan proposed by the project proponent to arrest the incremental GLC due to the project. The Committee has also deliberated on the CER plan and found to be addressing the issues in the study area. The EAC has deliberated the proposal and has made due diligence in the process as notified under the

provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have **recommended** for grant of environmental clearance.

The environmental clearance granted to the project/activity is strictly under the provisions of the EIA Notification 2006 and its amendments. It does not tantamount/construe to approvals/consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

The EAC, after detailed deliberations, **recommended** the project for grant of environmental clearance, subject to compliance of terms and conditions as under, and general terms of conditions at Annexure: -

- (i). The company shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- (ii). The project proponent will treat and reuse the treated water within the factory and no waste or treated water shall be discharged outside the premises.
- (iii). Total fresh water requirement shall not exceed 102 m³/day and will be met from Overhead Water Tank- DIC, Una. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard, and renewed from time to time. No ground water recharge shall be permitted within the premises. Company to construct a storage pond of 60 days capacity and the accumulated water to be used as fresh water thereby reducing fresh water consumption.
- (iv). The spent wash shall be concentrated and dried to form DDGS to be used as cattle feed. PP shall utilize 10% (65 KW) of the total power requirement from solar power.
- (v). CO₂ generated from the process shall be bottled/made solid ice and utilized/sold to authorized vendors.
- (vi). PP shall allocate at least Rs. 35 Lakhs/year for Occupational Health Safety. Occupational Health Centre for surveillance of the worker's health shall be set up. The health data shall be used in deploying the

duties of the workers. All workers & employees shall be provided with required safety kits/mask for personal protection.

- (vii). Training shall be imparted to all employees on safety and health aspects of chemicals handling. Safety and visual reality training shall be provided to employees.
- (viii). The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Firefighting system shall be as per the norms. PESO certificate shall be obtained.
- (ix). Process organic residue and spent carbon, if any, shall be sent to Cement and other suitable industries for its incinerations. ETP sludge, process inorganic & evaporation salt shall be disposed of to the TSDF.
- (x). The company shall undertake waste minimization measures as below (a) Metering and control of quantities of active ingredients to minimize waste; (b) Reuse of by-products from the process as raw materials or as raw material substitutes in other processes. (c) Use of automated filling to minimize spillage. (d) Use of Close Feed system into batch reactors. (e) Venting equipment through vapour recovery system. (f) Use of high pressure hoses for equipment clearing to reduce wastewater generation.
- (xi). The green belt of at least 5-10 m width shall be developed in nearly 33% of the total project area, mainly along the plant periphery. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department. Records of tree canopy shall be monitored through remote sensing map.
- (xii). PP proposed to allocate Rs. 1.0 Crores towards CER and it shall be used for construction/up-gradation of school building with provision of facilities e.g. Toilets, Drinking Water Facilities, Computers/Laptops and Solar light etc. Further, the works under CER Plan shall be implemented in consultation with District Collector and the CER plan shall be completed in two years as planned.
- (xiii). There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products and no parking to be allowed outside on public places.
- (xiv). Storage of raw materials shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
- (xv). Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB server. For online continuous monitoring of effluent, the unit shall

install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises.

- (xvi). A separate Environmental Management Cell (having qualified person with Environmental Science/Environmental Engineering/specialization in the project area) equipped with full-fledged laboratory facilities shall be set up to carry out the Environmental Management and Monitoring functions.

Agenda No. 49.5

Proposed 50 KLPD Molasses/Sugar cane Juice based Distillery/Ethanol plant by M/s. Sri Basaveshwara Sugars Ltd. located at Survey No. 362/1, 362/2 and 366/P1 of Village Balligeri, Tal. Athani, Dist. Belgaum, Karnataka - Consideration of Environment Clearance.

[IA/KA/IND2/244694/2021, J-11011/67/2021-IA-II(I)]

The Project Proponent and the accredited Consultant M/s. MITCON Consultancy and Engineering Services Ltd., made a detailed presentation on the salient features of the project and informed that:

The proposal is for environmental clearance to the project for Proposed 50 KLPD Molasses/Sugar cane Juice based Distillery/Ethanol plant by M/s. Sri Basaveshwara Sugars Ltd. located at Survey No. 362/1, 362/2 and 366/P1 of Village Balligeri, Tal. Athani, Dist. Belgaum, Karnataka.

All molasses based distilleries up to 100 KLPD are listed at S.N. 5(g) of Schedule of Environment Impact Assessment (EIA) Notification under category 'B' and are appraised at State Level by Expert Appraisal Committee (SEAC). Due to applicability of General Condition i.e the Interstate boundary within 5 km, the project is appraised at Central Level by Expert Appraisal Committee (EAC)

The ToR has been issued by Ministry vide letter NO. IA-J-11011/67/2021-IA-II (I)] dated 02.03.2021. Public Hearing for the proposed project has been conducted by the Karnataka State Pollution Control Board on 15th September, 2021 on site at Sri Basaveshwara Sugars Ltd., Belgaum and chaired by Additional Deputy Commissioner, Belgaum. The main issues raised during the public hearing are related to queries on employment, odor and effluent management. It was informed that no litigation is pending against the project.

The details of products and capacity are as under:

Sr. No.	Particulates	Capacity
1.	Distillery/ Ethanol plant- RS/ ENA/AA/Ethanol (One at a time or in combination)	50 KLPD

The land area available for the project is 176900.0 m². Industry will develop greenbelt in an area of 33 % i.e., 58378 m² out of total area of the project. The estimated project cost is Rs. 21.13 Cr. Total capital cost earmarked towards environmental pollution control measures is Rs. 2.23 Cr and the recurring cost (operation and maintenance) will be about Rs. 32.0 lakhs per annum. Total employment will be 100 persons as direct & indirect (Construction & Operation Phase). Industry proposes to allocate Rs. 0.43 Cr. @ 2.0% of Total Project Cost (Rs. 21.13 Cr.) towards Corporate Environment Responsibility.

There are No national parks, wildlife sanctuaries, biosphere reserves, Tiger / Elephant reserves, Wildlife Corridors etc., within 10 km distance from the project site. River Krishna is flowing at a distance of 24 km towards South direction.

Ambient air quality monitoring was carried out at nine locations during Dec 2020 to Feb 2021 and the baseline data indicates the ranges of concentrations as, PM₁₀ (40.6 to 63.1 µg/m³), PM_{2.5} (15.1 to 25.7 µg/m³), SO₂ (7.2 to 14.9 µg/m³) and NO_x (10.2 to 18.6 µg/m³). AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the proposed project would be 6.74 µg/m³, 1.11 µg/m³, 1.67 µg/m³ and 0.50 µg/m³ with respect to PM₁₀, PM_{2.5}, SO₂ and NO_x. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).

Total water requirement is 583 m³/day of which fresh water requirement of 205 m³/day will be met from Krishna River. (Water drawl permission application to water resources department dated 22.02.2021). Distillery effluent of 386 m³/day* quantity will be treated through 430 CMD Condensate treatment Plant. The plant will be based on Zero Liquid discharge system. (*Conc. Spent wash 64 CMD will be through Multi effect evaporator (MEE) followed by spent wash dryer to produce spent wash powder).

Power requirement will be 2 MW and will be met from own 2 MW captive generation. Proposed integrated unit will have five D.G. sets of capacities 350 kVA x 1. All DG sets will be used only as standby during power failures. Stack height >11 m will be provided as per CPCB norms to the proposed DG sets. Existing Sugar Boiler 20 TPH will be utilized for 50 KLPD proposed Distillery. Stack height of 40 m with Wet scrubber will be provided with proposed distillery boiler, for controlling of particulate emission within statutory limit of 115 mg/Nm³ for the proposed boilers.

Details of process emissions generation and its management:

Project Activity	Anticipated pollutant	Management
Process emissions	CO ₂ and Negligible VOCs	CO ₂ shall not be release in the air. CO ₂ will be either Bottling/

		dry ice.
Stack, fugitive emissions, material handling.	PM ₁₀ , PM _{2.5} , NO _x and SO ₂ .	Wet Scrubber with 40 m stack

Details of Solid waste/Hazardous waste generation and its management:

Sr. No.	Type of waste	Quantity	Final Disposal
1.	Bagasse Ash	4.4 TPD	It is rich in potash hence, it will sold to farmer as manure.
2.	CPU Sludge	7.7 TPD	Will be mix with press mud for use as manure.
3.	Spent oil (5.1)	0.025 KL/M	Hazardous waste will be given to authorized recycler
4.	Oil soaked cotton waste	10 kg/M	
5.	Discarded Containers	15 no. /M	

During the deliberations, PP has informed that the Balligeri canal is under construction phase and the canal is 300 m distance of the project site. In this regard, PP has submitted NOC from Karnataka Neeravari Nigam Limited. EAC found the NOC satisfactory.

The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data is within NAAQ standards. The Committee has deliberated the action plan proposed by the project proponent to arrest the incremental GLC due to the project. The Committee has also deliberated on the CER plan and found to be addressing the issues in the study area. The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time

and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have **recommended** for grant of environmental clearance.

The environmental clearance granted to the project/activity is strictly under the provisions of the EIA Notification 2006 and its amendments. It does not tantamount/construe to approvals/consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

The EAC, after detailed deliberations, **recommended** the project for grant of environmental clearance, subject to compliance of terms and conditions as under, and general terms of conditions at Annexure: -

- (i). The company shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- (ii). The project proponent will treat and reuse the treated water within the factory and no waste or treated water shall be discharged outside the premises.
- (iii). Total fresh water requirement shall not exceed 4 KL/KL and will be met from Krishna River. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard, and renewed from time to time. No ground water recharge shall be permitted within the premises. Company to construct a storage pond of 60 days capacity and the accumulated water to be used as fresh water thereby reducing fresh water consumption.
- (iv). The spent wash/other concentrates shall be treated through spent wash dryer to produce spent wash powder. PP shall utilize 10% of the total power requirement from solar power
- (v). CO₂ bottling plant shall be installed within plant premises.
- (vi). PP shall allocate at least Rs. 30 Lakhs/year for Occupational Health Safety. Occupational Health Centre for surveillance of the worker's health shall be set up. The health data shall be used in deploying the duties of the workers. All workers & employees shall be provided with required safety kits/mask for personal protection.

- (vii). Training shall be imparted to all employees on safety and health aspects of chemicals handling. Safety and visual reality training shall be provided to employees.
- (viii). The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Firefighting system shall be as per the norms. PESO certificate shall be obtained.
- (ix). Process organic residue and spent carbon, if any, shall be sent to Cement and other suitable industries for its incinerations. ETP sludge, process inorganic & evaporation salt shall be disposed of to the TSDF.
- (x). The company shall undertake waste minimization measures as below
(a) Metering and control of quantities of active ingredients to minimize waste; (b) Reuse of by-products from the process as raw materials or as raw material substitutes in other processes. (c) Use of automated filling to minimize spillage. (d) Use of Close Feed system into batch reactors. (e) Venting equipment through vapour recovery system. (f) Use of high pressure hoses for equipment clearing to reduce wastewater generation.
- (xi). The green belt of at least 5-10 m width shall be developed in nearly 33% of the total project area, mainly along the plant periphery. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department. Records of tree canopy shall be monitored through remote sensing map.
- (xii). PP proposed to allocate Rs. 0.43 Crores towards CER and it shall be used for construction/up-gradation of school building with provision of facilities e.g. Toilets, Drinking Water Facilities, Computers/Laptops and Solar light etc. Further, the works under CER Plan shall be implemented in consultation with District Collector.
- (xiii). There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products and no parking to be allowed outside on public places. Out of the total project area, 15% shall be allotted solely for parking purposes.
- (xiv). Storage of raw materials shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
- (xv). Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB server. For online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises.

- (xvi). A separate Environmental Management Cell (having qualified person with Environmental Science/Environmental Engineering/specialization in the project area) equipped with full-fledged laboratory facilities shall be set up to carry out the Environmental Management and Monitoring functions.

Agenda No. 49.6

Proposed establishment of new grain based 210 KLPD Ethanol Distillery Unit At Village D-3, MIDC, Deori, Taluka - Deori, District - Gondia, Maharashtra State by M/s. Sufalam Industries Limited - Consideration of Environment Clearance.

[IA/MH/IND2/246505/2021, J-11011/528/2021-IA-II(I)]

The Project Proponent and the accredited Consultant M/s Ampl Environ Pvt. Ltd., made a detailed presentation on the salient features of the project and informed that:

The proposal is for environmental clearance to the project proposed establishment of new grain based 210 KLPD Ethanol Distillery Unit At Village D-3, MIDC, Deori, Taluka - Deori, District - Gondia, Maharashtra State by M/s. Sufalam Industries Limited.

All grain based distilleries producing ethanol, solely to be used for Ethanol Blended Petrol Programme of the Government of India are listed at S.N. 5(ga) of Schedule of Environmental Impact Assessment (EIA) Notification, 2006 amendment vide S.O 2339 dated 16th June 2021 under category 'B-2' and are appraised at Central Level by Expert Appraisal Committee (EAC).

The project proposal is exempted from obtaining ToR& conducting Public Hearing as per EIA notification, 2006 amendment vide S.O 2339 dated 16th June 2021. It was informed that no litigation is pending against the project.

The details of products and capacity are as under:

Description	Unit	Total
Distillery Unit	KLPD	210
Anhydrous Alcohol (Fuel Ethanol)	KLPD	210
Impure Spirit	KLPD	6.6

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

To,

The Director
IAN MACLEOD DISTILLERS INDIA PRIVATE LIMITED
Pandoga Industrial area, Village Pandoga, Tal.Haroli, Dist. Una, Himachal Pradesh,,Una,Himachal Pradesh-110001

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the Ministry vide proposal number IA/HP/IND2/212301/2021 dated 04 Jan 2022. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|--|
| 1. EC Identification No. | EC22A022HP156935 |
| 2. File No. | IA-J-11011/201/2021-IA-II(I) |
| 3. Project Type | New |
| 4. Category | A |
| 5. Project/Activity including Schedule No. | 5(g) Distilleries |
| 6. Name of Project | Proposed 5 KLPD Malt Spirit Distillery |
| 7. Name of Company/Organization | IAN MACLEOD DISTILLERS INDIA PRIVATE LIMITED |
| 8. Location of Project | Himachal Pradesh |
| 9. TOR Date | 20 May 2021 |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

(e-signed)
A.K Pateshwary
Director

Date: 02/03/2022

IA - (Industrial Projects - 2 sector)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

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This has reference to your online proposal no. IA/HP/IND2/212301/2021, dated 04th January, 2022 for environmental clearance to the above mentioned project.

2. The Ministry of Environment, Forest and Climate Change has examined the Proposed 5 KLPD Malt Spirit Distillery by M/s. Ian Macleod Distillers India Pvt. Ltd. located at Plot No. A2, A3 & A4, Industrial Area Pandoga, District- Una, Himachal Pradesh.

3. All non molasses based distilleries up to 200 KLPD are listed at S.N. 5(g) of Schedule of Environment Impact Assessment (EIA) Notification under category 'B' and are appraised at State Level by Expert Appraisal Committee (SEAC). Due to applicability of General Condition i.e. the Interstate boundary within 5 km, the project is appraised at Central Level by Expert Appraisal Committee (EAC).

4. The ToR has been issued by Ministry vide letter No. IA-J-11011/201/2021-IA-II(I) dated 20.05.2021. Public Hearing for the proposed project has been conducted by HPPCB, Una on 28.10.2021 at Common Facility Centre, Industrial Area Pandoga, Una and chaired by Additional Deputy Commissioner, Una. There were no major issues raised during the public hearing. It was requested that the priority in employment should be given to the unemployed people of the village in the proposed unit. It was informed that no litigation is pending against the project.

5. **The details of products and capacity are as under: -**

Sr. No.	Particulars	Capacity
Products		
1.	Malt Spirit	5 KLPD
2.	IMFL	1000 Cases
3.	DWGS	13 TPD

6. Proposed land area available for the project is 43699 m². Industry will develop greenbelt in an area of 34.64 % i.e., 15141 m² out of total area of the project. The estimated project cost is Rs.50.8 Cr. Total capital cost earmarked towards environmental pollution control measures is Rs. 3.0 Cr. and the recurring cost (operation and maintenance) will be about Rs. 34.5 lakhs per annum. Total employment will be 77 persons as direct & indirect. Industry proposes to allocate Rs. 1.0 Cr. @ 2.0% of Total Project Cost (Rs. 50.5 Cr.) towards Corporate Environment Responsibility.

7. There are No national parks, wildlife sanctuaries, Biosphere Reserves, Tiger / Elephant Reserves, Wildlife Corridors etc., within 10 km distance from the project site, However, Reserved Forest is at 500 m in North Direction. River Swan is flowing at a distance of 5.76 km in ESE direction.

8. Ambient air quality monitoring was carried out at 9 locations during March to May 2021 and the baseline data indicates the ranges of concentrations as: PM₁₀ 27.2 to 58.2 µg/m³, PM_{2.5} 14.9 to 22.8, SO₂ 6.1 to 14.8 µg/m³, NO_x 9.6 to 18.1

$\mu\text{g}/\text{m}^3$. AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the proposed project would be $3.22 \mu\text{g}/\text{m}^3$, $0.355 \mu\text{g}/\text{m}^3$ and $2.42 \mu\text{g}/\text{m}^3$ with respect to SPM, SO_2 and NO_x . The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).

9. Total water requirement is $162 \text{ m}^3/\text{day}$ of which fresh water requirement of $102 \text{ m}^3/\text{day}$ will be met from Overhead Water Tank- DIC, Una. (In principal approval No.CAF/12/03/21657/112 dtd. 21.01.2021). Distillery effluent of $71 \text{ m}^3/\text{day}$ * quantity will be treated through $75 \text{ m}^3/\text{day}$ ETP. The plant will be based on Zero Liquid Discharge (ZLD) system. (*Conc. Spent Wash Slops (approx. 7 to 8 % w/w solids) is initially settled in settling tank and mixed with other non-process effluent. Other effluent like DM plant washing & boiler blow down, Fermenter washings, Spent-lees will be neutralized in neutralization tanks and mixed with spent wash and then treated in Primary & Secondary Effluent treatment plant. The treated effluent is then passed through RO to get clean water for reuse in the cooling towers and gardening. Industry is based on zero liquid discharge (ZLD) scheme).

10. Power requirement will be 650 KWH and will be met from Industrial Area, Una. Proposed unit will have 750 KVA (1 No. 500 & 1 No. 250 KVA each) DG sets will be used only as standby during power failures. Stack height $>11 \text{ m}$ will be provided as per CPCB norms to the proposed DG sets. Proposed 6 TPH boiler based on wood chips/briquettes will be installed for proposed Distillery. Multi cyclone with 30 m stack will be installed for proposed boiler for controlling of particulate emission within statutory limit of $115 \text{ mg}/\text{Nm}^3$ for the proposed boiler.

11. Details of process emissions generation and its management:

Project Activity	Anticipated pollutant	Management
Process emissions	CO_2 and Negligible VOCs	Minor CO_2 generation (1.368 TPD).
Stack, Fugitive emissions, material handling	PM_{10} , $\text{PM}_{2.5}$, NO_x , SO_2 , CO_2	Multi cyclone with 30 m stack

12. Details of Solid waste/ Hazardous waste generation and its management:

Sr. No.	Type of waste	Quantity	Final Disposal
1.	DWGS	13 TPD	DWGS is the by-product and will be sold to cattle/poultry feed.
2.	Fly Ash	1.5 TPD	Coal ash will be sold to brick manufacturers.
3.	ETP Sludge	0.5-0.6 TPD	ETP sludge will be Partly recirculate and remaining will be used in composting.
4.	Spent oil	Negligible	Quantity of Spent oil will be negligible and

	(5.1)	shall be sent to authorized recycler
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13. During deliberations EAC sought the following information/commitments from PP:

- Entire project shall be ZLD and no single drop of water shall be discharged outside the plant premises.
- PP shall allocate at least Rs. 35 Lakhs/year for Occupational Health Safety.
- Company to construct a storage pond of 60 days capacity and the accumulated water to be used as fresh water thereby reducing fresh water consumption.
- PP shall utilize 10% (65 KW) of the total power requirement from solar power.
- PP proposed a budget allocation of Rs. 1.0 Crores towards CER and it shall be used for construction/up-gradation of school building with provision of facilities e.g. Toilets, Drinking Water Facilities, Computers/Laptops and Solar light etc. Further, the works under CER Plan shall be implemented in consultation with District Collector and the CER plan shall be completed in two years as planned.

PP has submitted the desired information as sought above.

14. The proposal was considered by the EAC in its 49th meeting held on 27th - 28th January, 2022 in the Ministry, wherein the project proponent and their consultant M/s. MITCON Consultancy and Engineering Services Ltd., presented the case. The Committee **recommended** the project for grant of environmental clearance.

15. The EAC constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

16. The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data is within NAAQ standards. The Committee has deliberated the action plan proposed by the project proponent to arrest the incremental GLC due to the project. The Committee has also deliberated on the CER plan and found to be addressing the issues in the study area. The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and

accordingly made the recommendations to the proposal. The Experts Members of, the EAC have found the proposal in order and have **recommended** for grant of environmental clearance.

17. The environmental clearance granted to the project/activity is strictly under the provisions of the EIA Notification 2006 and its amendments. It does not tantamount/construe to approvals/consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

18. Based on the proposal submitted by the project proponent and recommendations of the EAC (Industry-2), Ministry of Environment, Forest and Climate Change hereby accords environmental clearance to the project for **Proposed 5 KLPD Malt Spirit Distillery by M/s. Ian Macleod Distillers India Pvt. Ltd. located at Plot No. A2, A3 & A4, Industrial Area Pandoga, District- Una, Himachal Pradesh**, under the provisions of the EIA Notification, 2006, and the amendments therein, subject to compliance of the terms and conditions as under:-

A. Specific Condition:

- (i). The company shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- (ii). The project proponent will treat and reuse the treated water within the factory and no waste or treated water shall be discharged outside the premises.
- (iii). Total fresh water requirement shall not exceed 102 m³/day and will be met from Overhead Water Tank- DIC, Una. Prior permission shall be obtained from the concerned regulatory authority/CGWA in this regard, and renewed from time to time. No ground water recharge shall be permitted within the premises. Company to construct a storage pond of 60 days capacity and the accumulated water to be used as fresh water thereby reducing fresh water consumption.
- (iv). The spent wash shall be utilized as DWGS to be used as cattle feed. PP shall utilize 10% (65 KW) of the total power requirement from solar power.
- (v). CO₂ generated from the process shall be bottled/made solid ice and utilized/sold to authorized vendors.

- (vi). PP shall allocate at least Rs. 35 Lakhs/year for Occupational Health Safety. Occupational Health Centre for surveillance of the worker's health shall be set up. The health data shall be used in deploying the duties of the workers. All workers & employees shall be provided with required safety kits/mask for personal protection.
- (vii). Training shall be imparted to all employees on safety and health aspects of chemicals handling. Safety and visual reality training shall be provided to employees.
- (viii). The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Firefighting system shall be as per the norms. PESO certificate shall be obtained.
- (ix). Process organic residue and spent carbon, if any, shall be sent to Cement and other suitable industries for its incinerations. ETP sludge, process inorganic & evaporation salt shall be disposed of to the TSDF.
- (x). The company shall undertake waste minimization measures as below (a) Metering and control of quantities of active ingredients to minimize waste; (b) Reuse of by-products from the process as raw materials or as raw material substitutes in other processes. (c) Use of automated filling to minimize spillage. (d) Use of Close Feed system into batch reactors. (e) Venting equipment through vapour recovery system. (f) Use of high pressure hoses for equipment clearing to reduce wastewater generation.
- (xi). The green belt of at least 5-10 m width shall be developed in nearly 33% of the total project area, mainly along the plant periphery. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department. Records of tree canopy shall be monitored through remote sensing map.
- (xii). PP proposed to allocate Rs. 1.0 Crores towards CER and it shall be used for construction/up-gradation of school building with provision of facilities e.g. Toilets, Drinking Water Facilities, Computers/Laptops and Solar light etc. Further, the works under CER Plan shall be implemented in consultation with District Collector and the CER plan shall be completed in two years as planned.
- (xiii). There shall be adequate space inside the plant premises earmarked for parking of vehicles for raw materials and finished products and no parking to be allowed outside on public places.
- (xiv). Storage of raw materials shall be either stored in silos or in covered areas to prevent dust pollution and other fugitive emissions.
- (xv). Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB

server. For online continuous monitoring of effluent, the unit shall install, web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises.

- (xvi). A separate Environmental Management Cell (having qualified person with Environmental Science/Environmental Engineering/specialization in the project area) equipped with full-fledged laboratory facilities shall be set up to carry out the Environmental Management and Monitoring functions.

B. General Condition:

- (i) No further expansion or modifications in the plant, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the Ministry of Environment, Forest and Climate Change/SEIAA, as applicable. In case of deviations or alterations in the project proposal from those submitted to this Ministry for clearance, a fresh reference shall be made to the Ministry/SEIAA, as applicable, to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- (ii) The energy source for lighting purpose shall be preferably LED based, or advanced having preference in energy conservation and environment betterment.
- (iii) The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall conform to the standards prescribed under the Environment (Protection) Act, 1986 Rules, 1989 viz. 75 dBA (day time) and 70 dBA (night time).
- (iv) The company shall undertake all relevant measures for improving the socio-economic conditions of the surrounding area. CER activities shall be undertaken by involving local villages and administration and shall be implemented. The company shall undertake eco-developmental measures including community welfare measures in the project area for the overall improvement of the environment.
- (v) The company shall earmark sufficient funds towards capital cost and recurring cost per annum to implement the conditions stipulated by the Ministry of Environment, Forest and Climate Change as well as the State Government along with the implementation schedule for all the conditions stipulated herein. The funds so earmarked for environment management/pollution control measures shall not be diverted for any other purpose.
- (vi) A copy of the clearance letter shall be sent by the project proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban local Body and the local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal.

- (vii) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Environmental Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF&CC, the respective Zonal Office of CPCB and SPCB. A copy of Environmental Clearance and six monthly compliance status report shall be posted on the website of the company.
- (viii) The environmental statement for each financial year ending 31st March in Form-V as is mandated shall be submitted to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
- (ix) The project proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB/Committee and may also be seen at Website of the Ministry and at <https://parivesh.nic.in/>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the concerned Regional Office of the Ministry.
- (x) The project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
- (xi) This Environmental clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project.

19. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the environmental clearance, if implementation of any of the above conditions is not found satisfactory.

20. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

21. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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22. The above conditions will be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 read with subsequent amendments therein.

23. This issues with the approval of the competent authority.

(Ashok Kr. Pateshwary)
Director

Copy to: -

1. The Additional Chief Secretary, Department of Forests, Government of Himachal Pradesh, Secretariat, Shimla-171001
2. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Shimla 1st & 2nd Floor, C.G.O. Complex, Longwood, Shimla - 171001
3. The Member Secretary, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi -32
4. The Member Secretary, Himachal Pradesh State Pollution Control Board, Him Parivesh, Phase 3, New Shimla, Shimla, Himachal Pradesh 171009
5. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi
6. District Magistrate/ Collector, Una, Himachal Pradesh
7. Guard File/Monitoring File/Parivesh portal/Record File

(Ashok Kr. Pateshwary)
Director
E-mail: ak.pateshwary@gov.in
Tel. No. 24695290

डॉ. विमल कुमार हटवाल / Dr. Vimal Kumar Hatwal
सदस्य सचिव वैज्ञानिक 'ई'
Member Secretary, Scientist-'E'
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi
Digitally signed by A.K Pateshwary
Director
Date: 3/2/2022 6:24 PM