

(To be published in the Gazette of India, Part-II, Section 3, Sub-section (ii))

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 15th September, 2005

S. O. 1324(E) The following draft notification which the Central Government proposes to issue, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) for imposing certain restrictions and prohibitions on the undertaking of some projects or activities or the expansion or modernization of such existing projects or activities entailing capacity addition, in any part of India¹, in supersession of the Environment Impact Assessment Notification requiring prior environmental clearance on certain projects or activities (number S.O. 60 (E) dated the 27th January, 1994) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby and notice is hereby given that the said draft notification will be taken into consideration by the Central Government on or after the expiry of sixty days from the date of publication of said notification in the Official Gazette;

Any person interested in making any objections or suggestions on the proposals contained in the draft notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO complex, Lodi Road, New Delhi – 110 003, or electronically at e-mail address: secy menf@nic.in

Draft Notification

Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O. 60 (E), dated 27th January 1994 (hereinafter referred to as the said notification), the Central Government imposed certain restrictions and prohibitions on the expansion or modernization of any activity or new projects, listed in Schedule I to the said notification unless prior Environmental Clearance (EC) has been accorded by the Central Government or the State Government in accordance with the procedure specified in the said notification;

And whereas, the said notification has succeeded in realizing necessary environmental safeguards by assessing the environmental impacts due to the proposed projects or activities that require prior environmental clearance at the

¹ Includes the territorial waters of India and the Exclusive Economic Zone.

planning stage itself through a transparent process involving consultations with public and relevant experts;

And whereas, the Central Government has reviewed the existing restrictions imposed on undertaking projects or activities and the procedures and practices of environmental clearance to include only projects and activities with significant environmental impacts, and also to identify problems, constraints and measures required to be addressed for making the Environmental Impact Assessment (EIA) and prior environmental clearance processes more transparent, efficient, and effective;

And whereas, as a result of the review a revised list of projects and activities which would require prior Environmental Clearance and a revised Environmental Clearance process has been formulated by the Central Government after consultations with various stakeholders including Central Ministries, State Governments or the Union Territory Administrations, Industry Associations, Institutions and Voluntary Organizations;

And whereas, the Central Government considers, it is necessary in the public interest to impose certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities, as indicated in the Schedule to this notification, being undertaken in any part of India, unless prior environmental clearance has been accorded in accordance with the procedure specified in this 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 section 3 of the Environment (Protection) Act, 1986, for the purpose of this notification;

Now, therefore, the following draft notification which the Central Government proposes to issue 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 publishes this draft notification as required under sub rule (3) of rule 5 of the Environment (Protection) Rules, 1986, which shall on and from the date of its final publication require new projects or activities or the expansion or modernization of existing projects or activities entailing capacity addition listed in the Schedule to this notification, to be undertaken in any part of India only after the same has been accorded prior environmental clearance by the Central Government or the State level Environment Impact Assessment Authority concerned, as the case may be in accordance with the requirements and procedure specified hereinafter in this notification.

2. Requirements of prior Environmental Clearance (EC):

The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter refer to 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)², for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management, is started on the project or activity:

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

3. Categorization of projects and activities:

- (i) 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;
- (ii) 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 will base its decision on the recommendations of a State/Union Territory level Expert Appraisal Committee (SEAC) to be constituted by the State Government /Union Territory Administration concerned, as provided for in this notification;

² In case of coastal States or the Union territories, the seaward jurisdiction of the SEIAA concerned will extend to a distance of 04 nautical miles measured from the low-tide line.

(iii) All projects or activities included as Category 'A/B' in the Schedule, including Category 'B' projects or activities which fulfill the General Conditions (GC) stipulated in the Schedule, will be screened by the Expert Appraisal Committee (EAC) of the Central Government in the Ministry of Environment and Forests and re-categorized as either Category 'A' or Category 'B' based on their potential for adverse third party environmental impacts in their specific location, and prior environmental clearance may be granted by the concerned regulatory authority as indicated in sub paragraphs (i) and (ii) above.

4. Screening, Scoping and Appraisal Committees:

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs at the State or the Union Territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively.

(a) The composition of the EAC at the level of the Central Government is given in Appendix VI. The SEACs 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 a SEAC for more than one State or the Union Territory for reasons of administrative efficiency and cost.

(c) The EAC and SEAC shall be constituted for period of 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.

(f) In the absence of a duly constituted State or the Union Territory level SEAC, the concerned SEIAA may refer an application for a project or activity in Category 'B' to the Central Government with a request for conduct of screening, scoping and appraisal by the EAC. In such cases, the EAC will send its recommendations directly to the SEIAA concerned. The final decision on such application shall remain with the SEIAA concerned.

5. Application for Prior Environmental Clearance (EC):

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

6. Stages in the Prior Environmental Clearance (EC) Process:

The environmental clearance process 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 (except for Category 'A' projects and activities)
- stage 2: Scoping
- Stage 3: Public Consultation
- Stage 4: Appraisal

I. Stage 1: Screening:

(i) "Screening" refers to the definite assignment of environmental Category to projects or activities in respect of which an application is made for prior Environmental Clearance, where the same is not completely specified in the Schedule.

(ii) In case of Category 'A'/'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1, by the Expert Appraisal Committee in the Central Government for categorizing the project or activity as either Category 'A' or Category 'B' depending upon the anticipated potential for adverse third party environmental impacts of the concerned project or activity. In order to consider the views of the State Government or the Union Territory Administration concerned on the project, a representative of the State Government or the Union Territory Administration shall be an invitee to the Expert Appraisal Committee meeting in all cases of Screening of Category 'A'/'B' projects or activities.

(iii) In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of

an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance. 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 EIA report.

(iv) In case of an application for prior environmental clearance for expansion and/or modernization and/or for change in the product mix of an existing project or activity, the same shall be screened by the Expert Appraisal Committee or the State level Expert Appraisal Committee concerned, depending upon the category of the project or activity resulting from the proposed expansion and/or modernization and/or change in the product mix, as for a greenfield project of the same category.

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 screened 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 TOR on the basis of Form I, and if considered necessary by the EAC or SEAC concerned, a site visit by the relevant member(s) of the EAC or SEAC concerned, and other information that may be available with the EAC or SEAC concerned, in the prescribed format given in Appendix II. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction) shall not require Scoping³.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the EAC or SEAC as concerned within sixty days of the receipt of Form 1. The TOR shall also be displayed on the website of the Ministry of Environment and Forests and the concerned SEIAA. 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 itself⁴. 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.

³ In other words, they will be appraised on the basis of Form 1 and Form 1A, and the conceptual plan.

⁴ The consideration of the application for prior EC must be in accordance with the Objectives and Principles of the National Environment Policy. Reasons outside these Objectives and Principles are not to constitute a ground for acceptance or rejection of the application.

III. Stage 3: Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local people and other concerned persons with respect to the potential adverse environmental impacts of the proposed project or activity are ascertained with a view to addressing the material concerns in the EIA and the Environment Management Plan (EMP). All Category 'A' and Category B1 projects or activities shall undertake Public Consultation⁵, 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) Construction projects with built up area less than 1,00,000 (1 lakh) square metres (Category 'B' of Item 8 (a) of the Schedule).
- (e) All Category 'B2' projects and activities.
- (f) All projects or activities concerning national defence and security as determined by the Central Government.

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

(a) Public Hearing at the site or in its close proximity, district wise, for ascertaining the concerns of the local persons who have a plausible material stake in the environmental impacts of the project. The Public Hearing shall be carried out in the manner prescribed in Appendix IV.

(b) Responses by concerned persons in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity. The responses by the concerned persons shall be carried out in the following manner :

(i) The regulatory authority concerned, shall invite responses by concerned persons through their websites by placing on their website the summary EIA report in the format given in Appendix III A prepared by the applicant within seven days of the receipt of a written request to the effect from the applicant, together with the summary EIA report, and the draft EIA report for a period of sixty days. The regulatory authority concerned may also use other appropriate media for ensuring

⁵ The Public Consultation is intended to ascertain, with a view to taking into account in the project/activity design as appropriate, the concerns of the local affected persons, and others who have a plausible stake in the environmental impacts of the project/activity.

wide publicity about the project or activity. The draft EIA report shall be made available by the regulatory authority concerned promptly to persons who request the same in writing within the period of sixty days. The regulatory authority concerned shall send copies of all the responses received to the applicant within seven days of expiry of the said period for receipt of responses from concerned persons.

(ii) 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 within sixty days of receipt of a request to the effect from the applicant. It shall send the proceedings of the public hearing within fifteen days thereafter directly to the applicant, the EAC or the SEAC concerned, and the regulatory authority concerned.

(iii) In case the State Pollution Control Board or the Union Territory Pollution Control Committee concerned does not undertake 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 applicant, the EAC or SEAC concerned, and the regulatory authority concerned, 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, including communication of the proceedings of the public hearing, directly to the applicant, the EAC or SEAC concerned, and the regulatory authority concerned.

(iv) If the public agency or authority nominated under the sub paragraphs (ii) and (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.

(v) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed in the process of public consultation, 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.

IV. Stage 4: Appraisal:

(i) "Appraisal" means the detailed scrutiny of the application and the EIA report submitted by the applicant to the regulatory authority concerned, by the EAC or SEAC concerned. The appraisal shall be made by EAC or SEAC concerned in proceedings at which the applicant, at his option, may be heard in person or through his authorized representative. On conclusion of these proceedings, the EAC or SEAC 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 EIA report, shall be carried out on the basis of Forms 1 or 1A as applicable, visit to the site(s) of the project or activity by the relevant member(s) of the EAC or SEAC concerned as duly authorized by the EAC or SEAC concerned, and other relevant information which is available to the EAC or SEAC concerned.

(iii) The appraisal shall be strictly in terms of the TOR finalized at the scoping stage and the concerns expressed during public consultation, and shall be completed within sixty days of the receipt of the EIA report where required, and otherwise the application in Form 1 or 1A. The procedure for appraisal is given in Appendix V.

7. 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 one hundred and twenty days of the receipt of the final EIA Report, and where EIA is not required, within one hundred and twenty days of the receipt of the complete application with relevant specified documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the EAC or SEAC concerned. In cases where it disagrees with the recommendations of the EAC or SEAC concerned, the regulatory authority shall request reconsideration by the EAC or SEAC concerned within sixty days of the receipt of the recommendations of the EAC or SEAC concerned, together with its reasons for the disagreement, under intimation to the applicant. The EAC or SEAC 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 EAC or SEAC concerned shall be final and conveyed to the applicant by the regulatory authority concerned within thirty days of receipt of these views of the EAC or SEAC concerned

(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 EAC or SEAC 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 EAC or SEAC 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 /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, may be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

8. Validity of Environmental Clearance (EC):

By “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)⁶, 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) and five years in the case of all other projects and activities. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (Item 8 of the Schedule). In this regard the regulatory authority may also consult the EAC or SEAC as the case may be. No extension for the validity period shall be granted beyond a total of fifteen years in the case of River Valley projects and a total of ten years in the case of all other projects and activities.

9. 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.

⁶ The period of validity does not refer to any requirement of renewal of obtaining a fresh environmental clearance during the operational lifetime of a project or activity.

(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.

10. 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 EAC or SEAC concerned is necessary in such cases.

11. Operation of EIA Notification, 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 as amended from time to time, shall stand superceded, except 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, 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 the aforesaid notification.

[No. J-11013/56/2004-IA-II (I)]
(R.CHANDRAMOHAN)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

SCHEDULE
LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR
ENVIRONMENTAL CLEARANCE

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
1				Mining, extraction of natural resources and power generation (for a specified production capacity)			
(a)	Mining of minerals	101excluding 10103, 102 excluding 10203, 120, 131, 132, 141, 142		≥ 50 ha. of mining lease area	< 50ha. > 15ha. of mining lease area	≤ 15 ha ≥ 5 ha .of mining lease area.	General Condition (GC-1)
(b)	Offshore and onshore oil and gas exploration, development & production	1110, 1120		All projects	-	-	-
©	River Valley projects	40101,45205, 45206		(i) ≥ 20 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	-	(i) < 20 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	GC-1
(d)	Thermal Power Plants	40102, 40103, 45207		≥ 500 MW (coal & gas based); ≥ 50 MW (diesel based)	-	< 500 MW (coal & gas based); <50 MW (diesel based)	GC-1

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any	
				A	A/B	B		
	(e)	Nuclear power projects and processing of nuclear fuel	40104, 45207, 23300		All projects	-		
2				Primary Processing				
	(a)	Coal washeries	10103, 10203		≥ 1 million ton/annum throughput of coal	-	<1million ton/annum throughput of coal	GC-1
	(b)	Mineral beneficiation			≥ 0.1million ton/annum mineral throughput	-	< 0.1million ton/annum mineral throughput	GC-1
3				Materials Production				
	(a)	Primary metallurgical industries (ferrous & non ferrous)	271 excluding 27120, 272		All projects	-	-	-
	(b)	Sponge iron industry	27120		-	-	All projects	GC-1
	©	Cement plants	26941,26942, 26949		≥ 1.0 million tonnes/annum production capacity	-	<1.0 million tonnes/annum production capacity	GC-1
	(d).	Manufacture of lead acid batteries			All projects	-	-	-
4				Materials Processing				
	(a)	Petroleum refining industry	2320		All projects	-	-	-

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(b)	Coke oven plants	231		All projects	-	-	-
©	Asbestos based products	-		All projects	-	-	-
(d)	Chlor-alkali industry, soda ash industry	24117*		≥ 100 TPD production capacity or located outside the notified industrial area/ estate	-	<100 TPD production capacity and located within a notified industrial area/ estate	GC-1 (No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification)
(e)	Leather/skin/hide processing industry	1911 excluding 19116		-		Located within a notified industrial area/ estate	Specific condition (SC) (No new unit and expansion of an existing unit will be permitted outside a notified industrial area/estate)
5				Manufacturing/Fabrication			

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(a)	Chemical fertilizers	2412		All projects	-	-	-
(b)	Pesticides & Pesticides intermediates (excluding formulations)	2421*		All projects	-	-	-
©	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)			All projects	-	-	-
(d)	Manmade fibres manufacturing	2430		Rayon	-	Others	GC-1
(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)			Located outside the notified industrial area/ estate	-	Located in a notified industrial area/ estate	GC-1
(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates; Synthetic rubbers; basic organic chemicals)	2411 excluding 24117*2423 excluding 24236*; 2413*		Located outside the notified industrial area/ estate		Located in a notified industrial area/ estate	SC

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(g)	Distilleries	1551,		(i)All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥30 KLD		All Cane juice/non-molasses based distilleries – <30 KLD	GC-1
(h)	Integrated paint industry	24222		-	-	All projects	GC-1
(i)	Pulp & paper industry	2101		Pulp manufacturing and Pulp& Paper manufacturing industry	-	(Paper manufacturing industry without pulp manufacturing)	GC-1
(j)	Sugar Industry	1542 excluding (gur & boora) 15422&23, 15426 & 27		-	-	≥ 2500 tcd cane crushing capacity	GC-1
(k)	Induction/arc furnaces			-	-	All projects	GC-1 & SC

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
	(l) Automobile manufacturing units (Scooters, motorcycles, cars, trucks and other heavy duty vehicles)	3410		-	All projects	-	-
6				Service Sectors			
	(a) Oil & gas transportation pipe line (crude and refinery/ petrochemical products)	60300		All projects passing through more than one State/UT	-	All projects within a State or UT	-
	(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)	63023*			-	All projects -	GC-1
7				Physical Infrastructure including Environmental Services			
	(a) Air ports			All projects	-	-	-

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(b)	All ship breaking yards including ship breaking units	35117		All projects	-	-	-
©	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes ,having projects or activities which require EC as per Schedule	-		All projects covering an area >50 ha.	All projects covering an area of <50 ha -		
(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	-	3712, 3722, 3800	All projects	-	-	-
(e)	Ports, Harbours	45203*		≥ 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	GC-1

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(f)	Roads Highways	45203*		All new National Highways, Express ways and bypasses ≥ 30 km length or All National Highways, Express way expansion projects ≥ 30 km length and additional right of way of more than 20 m	-	All State Highway projects ≥ 30 km length or All State Highway expansion projects ≥ 30 km length and additional right of way of more than 20 m	GC-1
(g)	Aerial passengers ropeways ≥ 1000 metre above the sea level	45203*			All projects		
(h)	Common Effluent Treatment Plants (CETPs)	-		-	All projects		

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(i)	Common Biomedical Waste Management Facility (CBMWF)	-		-	-	All projects	GC-1
(j)	Common Municipal Solid Waste Management Facility (CMSWMF)	90001		-	-	All projects	GC-1
(k)	Mass Rapid Transport Systems in Metro Cities	60212		All projects			
(l)	Flyovers, Bridges, Tunnels in urban areas	45203				All projects	GC-1
8				Construction/Town(ship)/Commercial Complexes/Housing			
(a)	Construction of all projects (Residential and Non Residential)	45201, 45202, 85110, 55101 including 4510, 4530, 4540,		≥1,00,000 sq.mtrs of built-up area		≥20000 sq.mtrs and <1,00,000 sq.mtrs. of built-up area#	GC-2 built up area for covered construction; in the case of facilities open to the sky, it will be the activity area

S.No.	Project or Activity	NIC code (2004)	ISIC Code	Category			Conditions if any
				A	A/B	B	
(b)	New Towns, townships and settlement colonies.	7010		Covering an area ≥ 100 ha.		Located in an area ≥ 50 ha and < 100 ha	GC-2

Note:

- Code applicable only to the extent specified.

Conditions:

General Conditions (GC):

GC-1

Any project or activity specified in category 'B' will be treated as category 'A/B', 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 identified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, and (iv) inter-State boundaries.

GC-2:

Projects or activities specified in category 'B' in Sl. 8(a) or 8(b) of the Schedule shall be treated as "A/B" if located in whole or in part in the cities with population greater than three million as per the latest Census.

Specific Conditions (SC):

If any industrial estate/complex with homogeneous type of industries such as Items 3(b), 4(e), 5(f), 5(k) obtains prior environmental clearance, individual industries within such complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial complex/estate are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

APPENDIX I

FORM 1

(I) **Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for*

mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)

(II) Activity

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

S.No.	Information/Checklist confirmation	Yes/No?	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore holes, 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, sand / soil (expected source - MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

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

S.No.	Information/Checklist confirmation	Yes/No?	Details thereof (with approximate quantities/rates,
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			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
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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?		
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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.) <ul style="list-style-type: none"> • 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 25 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, overwintering, 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>)		

APPENDIX II

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

CHECKLIST 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 & 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.

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

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

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

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

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

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

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

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

2. WATER ENVIRONMENT

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

2.2. What is the capacity (dependable flow or yield) of the proposed source of water?

2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)

2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)

2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)

2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)

2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.

2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term

basis? Would it aggravate the problems of flooding or water logging in any way?

2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)

2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)

2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)

2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)

2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)

2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

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

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

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

4. FAUNA

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

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

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

5. AIR ENVIRONMENT

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

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

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

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

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

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

6. AESTHETICS

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

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

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

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

7. SOCIO-ECONOMIC ASPECTS

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

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

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

8. BUILDING MATERIALS

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

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

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

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

9. ENERGY CONSERVATION

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

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

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

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

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

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

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

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

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

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

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

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

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

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimise 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

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) • 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)

		<ul style="list-style-type: none"> • 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

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

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 or Union Territory Pollution Control Committee.

2.0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the State Pollution Control Board 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 State Pollution Control Board or Union Territory Pollution Control Committee 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 including the Summary Environment Impact Assessment report in English and in the local language) with the generic structure given in Appendix III, prepared strictly in accordance with on the basis of 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 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 Consultation are 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 in Ministry's Library at New Delhi for reference.

2.4 The State Pollution Control Board or Union Territory Pollution Control Committee 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 State Pollution Control Board or Union Territory Pollution Control Committee shall finalise the date, time and exact venue for the conduct of public hearing within 30 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 days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the composition of the panel constituted for conducting the public hearing and the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report .

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 be prominently displayed at all the identified offices;

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 State Pollution Control Board or Union Territory Pollution Control Committee only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 A panel under the Chairmanship of the District Magistrate or his or her representative not below the rank of an Additional District Magistrate, shall supervise and preside over the entire public hearing process. The other members of the Panel shall be:

- (i) Local MLA
- (ii) Three representatives of the local bodies such as Municipalities or Panchayats nominated by the State or Union Territory Environment Department with at least one woman and one member from the SC/ST;
- (iii) Three prominent citizens of the area nominated by the District Magistrate with at least one woman and one person belonging to the SC/ST
- (iv) Representative of State Pollution Control Board or Union Territory Pollution Control Committee
- (v) Three Sectoral Experts nominated by the State Pollution Control Board or Union Territory Pollution Control Committee

5.0 Videography

5.1 The State Pollution Control Board or Union Territory Pollution Control Committee 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 but at least half the number of the panelists and the District Magistrate or his representative should be present.

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 and the panel members. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed

shall be recorded by the representative of the State Pollution Control Board or Union Territory Pollution Control Committee and read over to the audience at the end of the proceedings explaining the contents in the vernacular language. All the members of the panel present shall then sign the proceedings.

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 conspicuously be displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the State Pollution Control Board or Union Territory Pollution Control Committee for a period of 30 days. The State Pollution Control Board or Union Territory Pollution Control Committee shall also display the proceedings on its website for general information. Comments, if any, on the proceedings may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 60 days from date of receipt of the request letter from the Applicant and the proceedings shall be sent to the concerned regulatory authority within an additional period of 30 days. 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.

7.2 If the State Pollution Control Board or Union Territory Pollution Control Committee fails to hold the public hearing within the stipulated sixty 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

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents: -
 - Final EIA 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 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 and copy of FORM -1.
3. Where a formal EIA study is not required, the applicant shall apply enclosing the additional clarifications sought by the EAC /SEAC at the scoping stage. These clarifications shall be scrutinized within 30 days of its receipt and forwarded to all the Members of the EAC /SEAC along with the comments and a copy of FORM-1. No application requesting for the appraisal of the project is required to be made by the Applicant to the concerned Regulatory Authority if no additional clarifications have been sought by the EAC /SEAC at the scoping stage.
4. A copy of all above communications addressed to the Members of the EAC or SEAC concerned shall also be endorsed to the Applicant
5. Every project proposal shall be placed before the EAC /SEAC and its appraisal completed within 60 days of the receipt of the above application with requisite documents / details from the project proponent.
6. 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.

7. The EAC /SEAC shall appraise the final Environmental Impact Assessment report only with reference to the TOR's.

8.. 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

COMPOSITION OF THE SECTOR SPECIFIC ENVIRONMENTAL APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s)) 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 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.