

J-11013/56/2004-IA.II(I)
Government of India
Ministry of Environment & Forests

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Dated the 11th November, 2009

OFFICE MEMORANDUM

Sub: Committee constituted under the Chairmanship of Shri J.M. Mauskar, Additional Secretary, to examine the comments received on the proposed draft amendments issued vide S.O. 195(E) dated 19.1.2009 to EIA Notification, 2006 – submission of report of the Committee.

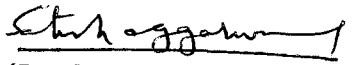
The Ministry of Environment & Forests had constituted a Committee under the Chairmanship of Shri J.M. Mauskar, Additional Secretary to examine the comments or suggestions received on the proposed draft amendments issued vide S.O. 195(E) dated 19.1.2009 to EIA Notification, 2006 and to give its recommendations. The tenure of the Committee was upto 31st October, 2009. The Committee has submitted its report with recommendations on 30th October, 2009, which is annexed. The recommendations made by the Committee have since been accepted by the Ministry of Environment & Forests, and are summarized as under:-

Sl. No.	Proposed Amendment in Brief	Recommendations of the Committee
1	Modernization or Expansion Proposals without increase in pollution load to be exempt from EIA Notification, based on self certification.	Status quo to be maintained at present.
2	Decisions of SEIAA to be taken by majority instead of unanimous.	Recommended; however, it would need to be recorded in the minutes and a copy thereof sent to MoEF.
3	(i) In the absence of duly constituted SEIAA / SEAC, Category 'B' project to be considered at the Centre as Category 'B' project only instead of considering it as Category 'A' project. (ii) Exemption from scoping for three years for Category 'B' projects.	Recommended. Not recommended.

4	(i) Dredging activity to be exempt from public hearing if the dredged material is disposed within port limits. (ii) Construction projects or area development projects not containing any Category 'A' project to be exempt from public hearing.	Recommended only for maintenance dredging. Recommended.
5	Expansion projects involving production enhancement by more than 50% to have mandatory public consultation.	Status quo to be maintained.
6	To put the information regarding grant of environmental clearance along with conditions in public domain through newspaper advertisement.	Recommended only for Category 'A' projects; however for Category 'B' projects, a short advertisement shall do.
7.1	(i) Different threshold limits for coal and non coal mining projects. (ii) Mineral prospecting to be exempt from EIA Notification. (iii) Inclusion of slurry pipeline passing through ecologically sensitive area within the ambit of EIA Notification.	Recommended. Recommended. Recommended.
7.2	Irrigation projects not involving submergence or inter-state domain to be appraised by SEIAA.	Recommended.
7.3	(i) Power plants upto 50 MW based on biomass and non hazardous municipal wastes to be exempt from EIA. (ii) Power plants using waste heat boiler without auxillary fuel to be exempt from EIA.	Recommended upto 15 MW. Recommended.
7.4	(i) Recycling industrial units covered under HSM Rules to be exempt from EIA. (ii) Secondary metallurgical processing units using furnace upto 5 tonnes per heat to be exempt from EIA. (iii) Plants / units based on non hazardous municipal solid wastes to be exempt from EIA.	Recommended. Metallurgical processing involving operation of furnaces only with capacity up to 30,000 TPA to be exempt. Recommended.
7.5	Applicability of general condition in respect of item 4(b) in the schedule.	Recommended.

7.6	(i) Chlor Alkali projects located in notified industrial area to be treated as Category 'B' irrespective of capacity. (ii) Chlor Alkali projects less than 300 TPD located outside notified industrial area to be treated as Category 'B'. (iii) Applicability of general condition.	Recommended. Recommended. Recommended.
7.7	Applicability of general condition to item 4(f), Leather Processing Industry.	Recommended.
7.8	Single super phosphate projects to be categorized as Category 'B' instead of Category 'A'.	Recommended.
7.9	Applicability of general conditions to item 5(e), petrochemical based processing.	Recommended.
7.10	Applicability of general conditions to item 5(f), sythetic organic chemicals industry.	Recommended.
7.11	Omission of entries against item 5(k), i.e. induction / arc furnace etc.	Recommended.
7.12	(i) Inclusion of air stripes for commercial use. (ii) Modernisation of airport to be exempt if no increase in pollution load.	Recommended. Not recommended.
7.13	(i) Applicability of general condition to item 7(c), Industrial Estates / Parks. (ii) Construction projects more than 50,000 sq.mtrs. and or development area more than 100 ha to be treated as activity 8(a) or 8(b), i.e. require environmental clearance even if, the area of industrial estate less than 500 ha.	Recommended. Recommended subject to modification that area be 20,000 sq.mtrs. instead of 50,000 sq. mtrs. and or area development limit of 50 ha instead of 100 ha.
7.14	Inclusion of break water and dredging within EIA.	Recommended with slight modification relating to dredging.
7.15	Exemption of State highway projects not passing through hilly terrains.	Recommended with some modification and clarification that highways include expressways.
7.16	Arial ropeway projects in ecologically sensitive areas and above 1,000 mtr altitude to be treated as Category 'A' instead of Category 'B'	Recommended.
7.17 & 18	Increase in threshold limit for construction projects from 20,000 sq. mtr to 50,000 sq. mtr and area development projects from 50 ha to 100 ha.	Not recommended status quo to be maintained.

7.19	The general conditions modified to provide for change in distance from inter-state boundary for deciding Category 'A' projects with mutual consent of the States.	Recommended with slight modification.
8	Modification in basic information in Form-I.	Recommended with slight modification.
9.	Modification in Appendix IV regarding procedure for conduct of public hearing.	Recommended with slight modification.
10.	Modification in para 3 of Appendix V relating to procedure for appraisal.	Recommended.


(Dr. S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:

1. PS to MEF
2. PPS to Secretary (E&F)
3. PS to AS(JMM)
4. Website of MoEF