

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

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Office Memorandum

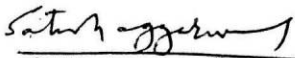
Sub: Consideration of Projects under Clause 7(ii) of the EIA Notification, 2006 – Exemption of Public Hearing - Instructions Regarding.

The EIA Notification, 2006, in Para 7 (i), sub-section III relating to public consultation unambiguously specifies the projects / activities exempted from undertaking public hearing. Para 7 (ii) relating to prior environmental clearance process for expansion or modernization or change of product mix in existing projects prescribes that the EAC / SEAC will decide on the due diligence necessary, including preparation of EIA and public consultations, for grant of environmental clearance.

2. Instances have been brought to the notice of the Ministry of Environment & Forests where public consultations have been exempted by invoking the provisions of para 7 (ii) of the EIA Notification, 2006 without giving detailed justification, in terms of increase in pollution load, requirement of additional land / water etc. for the expansion projects, stating sometimes that the project is small and pollution load may not be significant.

3. In order to enhance the transparency in decision making when the provisions of para 7 (ii) of EIA Notification, 2006 are invoked for exempting Public Hearing for any project, it is requested that this exemption should be applied judiciously, based on the available data on incremental pollution load and use of additional natural resources vis-à-vis sustainable development without compromising on environmental integrity. The reasons for invoking clause 7 (ii) while granting exemption from public hearing should also be appropriately recorded in the minutes of the EAC Meeting.

This issues with the approval of the Competent Authority.


(S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Member Secretaries of all the SEIAAs/SEACs

Copy to:-

1. PPS to AS(JMM)
2. Advisor (GKP)
3. Advisor (NB)