

Dated: 28th May, 2013

OFFICE MEMORANDUM

Subject: Streamlining of process of Environment Clearance (EC) and Forest Clearance (FC) cases by Expert Appraisal Committee (EAC) & Forest Advisory Committee (FAC) respectively for Hydropower and River Valley Projects (HEP & RVP)-regarding.

This Ministry has reviewed the issues which are normally considered by the EAC and FAC while examining the EC and FC cases respectively in respect of hydropower and river valley projects with a view to streamlining the processes and avoiding duplication of efforts by two Committees.

2. EAC and FAC function under two different statuses. However, there are certain issues which may need attention and consideration of both the Committees. It is felt that once an issue has been examined and looked into by one Committee, the details and findings could be shared with the other Committee to avoid duplication of efforts. It has been further noted that between the two processes, i.e. for EC and FC, generally processing of EC is quicker, largely on account of the fact that the project proponents submit their applications for EC directly to MoEF whereas in case of FC, the application is initially processed through various levels in the State Government.

3. Taking into account the composition of Committees and subject/domain expertise available in both EAC and FAC, the following has been decided on the issues relating to environmental flow, bio-diversity component, cumulative impact study and carrying capacity study in respect of hydropower and river valley projects.

(i) Environmental Flow:

As EAC has got requisite expertise, this aspect may be considered by EAC alone and outcome be shared with FAC.

(ii) Bio-diversity Component:

Examination of bio-diversity issues is a highly specialized task and the consultants involved in preparation of EIA/EMP report may not be equipped to do full justice to this subject. Some institutes in the country are well equipped with expertise and resources with regard to examination of bio-diversity issues. Therefore, their knowledge

and expertise may be harnessed on Bio-diversity aspect for ensuring a sound assessment of this cardinal component in EIA Studies and preparing an effective EMP. It has been decided that WII and ICFRE, Dehradun will provide a State-wise list of such institutes and based on their inputs, MoEF would finalize a list of institutes which would be displayed on MoEF's website. The developers would then choose from amongst such institute to conduct such a study. The standard ToRs for a bio-diversity study for a hydro power project may be prepared by EAC and shared with FAC for modifications, if any. The same template be then used by EAC/FAC (taking into account which Committee considers the project first) with suitable project specific modifications, if required. Once the bio-diversity study report is ready, the same could then be shared between EAC and FAC.

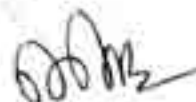
(iii) Cumulative Impact Study :

Cumulative Impact study of a basin would reflect the cumulative impact of commissioned/up-coming hydro-power projects in the basin on environmental flow, bio-diversity, muck disposal sites, traffic flow in the region, R&R issues, etc. While, the first project in a basin could come up without insisting on cumulative study, for all subsequent hydro-power projects in the basin, it should be incumbent on the developer of the second/other project(s) to incorporate all possible and potential impact of other project(s) in the basin to get a cumulative impact assessment done. This condition shall be stipulated at the ToRs stage itself during the EC process. Once such a cumulative impact study has been done, the same could be shared by EAC with FAC. The Cumulative impact study in respect of bio-diversity component may be separately got done by one of the specialized institutes as stated at (ii) above. While making recommendation on EC/FC for such projects, the EAC/FAC will take into account the results of such cumulative studies.

(iv) Carrying Capacity Study:

The carrying capacity study of a river basin is important to plan optimal number of power projects in a basin. All State Governments will be required to get such studies done for river basins in their State. The process may be initiated in the next three months and completed within a period of two years, after which the carrying capacity study report would be made a pre-requisite for considering EC/FC cases of projects of any basin. All State Governments will send the details of river basins where such studies are to be done and confirm initiation of studies to MoEF within 3 months of issuance of this OM. The institutes for such studies may be settled by the State Government in consultation with the EAC.

4. This issues with the approval of MoS (I/C) for Environment & Forests.



(B. B. Barman)
Director

Copy to :

- 11/6/15*
- 11/6/15*
- (i) PS to Minister (E&F) *11/6/15*
- (ii) PS to Secretary (E&F) /DG (Forests/ JS (AT)/IG (F) *11/6/15*
- (iii) Chief Secretaries of all States *11/6/15*
- (iv) Additional Secretary, Ministry of Power, Sharam Shakti Bhawan, New Delhi-110001, Fax: 23350780
- (v) Environment & Forests Secretaries/ Principal Secretaries of all States
- (vi) Joint Secretary, Ministry of Power, Sharam Shakti Bhawan, New Delhi-110001, Fax: 23350780
- (vii) WII, Dehradun and ICFRE, Dehradun
- (viii) All SEIAAs/all Directors in IA Division
- (ix) Website of MoEF