

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

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 4th November, 2008

CIRCULAR

Sub: Instructions for maintenance of transparency and streamlining of procedure for disposal of EC cases in IA Division - Regarding.

The Impact Assessment (IA) Division in the Ministry of Environment & Forests has been entrusted with the responsibility of appraisal of developmental projects in terms of the provisions of the EIA Notification, 2006 and CRZ Notification, 1991. As part of the process, interaction with various stake holders including project authorities, their authorized officials, NGOs and the Consultants, who prepare the EIA Report for their clients becomes unavoidable. Instructions have already been issued for submission of all the documents by the project proponent in the Central Registry (CR) Section and from where it will internally reach IA Section. The status of various projects thus received in the IA Section will be displayed on Ministry's website. It has, however, been observed that the project authorities and other persons continue to come to IA Division and interact with various Officers and staff members to enquire about the status of their project and also to expedite clearances at all levels.

2. Recognizing the sensitivity involved in dealing with the various stakeholders including the representative of the project proponent, it has been decided that unnecessary public interaction by various officials and staff members of IA Division should be avoided to ensure transparency in its functioning. In case where meeting is unavoidable and absolutely necessary, it would only be done at the level of the concerned Member Secretaries / Directors dealing with the particular Sector or the Advisors.

3. The following guidelines will be noted for immediate compliance by all concerned:

- (1) All the projects documents would be submitted in the Central Registry (CR) Section and no individual officer or staff of IA Division would receive them. On receipt of the project documents from CR Section, the Member Secretaries would take up the projects in chronological order of their receipt, except in case of certain public sector projects and others with prior approval of the Competent Authority.
- (2) All the project authorities shall be requested to provide mail ID and various communications should be through e-mail in addition to the conventional system of postal dispatch of TORs, clearance letter and queries etc.
- (3) Only the Member Secretaries/Director level Officers dealing with the concerned Sectors or the Advisors should interact with project proponents. The other Officers and staff of IA Division should avoid any public interaction.

- (4) All the receipts received in the section should be submitted within five days to the respective officers for their consideration.
- (5) The EAC would follow the Guidelines issued from time to time and particularly that the cases would be either recommended for approval or rejection. If additional information is sought by the Committee, the case would be deferred; however, the time frame for its submission would be clearly indicated. The file examination of supplementary information submitted by the proponent should be avoided to the maximum possible extent.
- (6) Any queries, as raised by Expert Appraisal Committees (EACs), would be communicated by the Member Secretaries of respective EACs and it would be clearly indicated in the letter that responses would be addressed only to the Member Secretaries with proper reference Number.
- (7) For deferred cases, time limit for submission of additional information / clarification will be indicated and project would de-listed in case information is not submitted within the stipulated time.
- (8) The present practice of uploading Minutes would be further streamlined and copies would be mailed to Advisor concerned.
- (9) For maintaining transparency, the list of projects, minutes of the meeting and environmental clearances shall be reviewed and uploaded on a regular basis.
- (10) The procedure for submission of files and the level of the decision-making shall be as per the enclosed circular of 31st July, 2008.

This issues with the approval of the Competent Authority.

(Dr. S.K. Aggarwal)
Director

To

1. All Officers of IA Division.
2. Section Officer (IA.I) / IA.II / IA.III)

Copy for information:-

PPS to Secretary (E&F), PPS to AS(JMM), Adviser (GKP), Adviser (NB).

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Dated the 31st July, 2008

CIRCULAR

Sub: Environmental Clearance of Projects under the EIA Notification, 2006 and related matters - Procedure for submissions of files and level of decision making – Regarding.

It has been decided that the present system for submission of files and levels of decision making relating to grant of Environmental Clearance under the EIA Notification, 2006 and the related matters, as given hereunder, shall continue to be followed.

S.No	Activity	Route of Submission	Level of Decision Making
1.	Constitution of State Level Environment Impact Assessment Authorities (SEIAA) and State Expert Appraisal Committee (SEAC)	Director →Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
2.	Notifications and their amendments	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.) →MEF(PM)	MEF(PM)
3.	Category 'A' projects, EIA, 2006	AD→Director→Adviser →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/ rejection by MOS(Env.)
4.	Category 'B' Projects, EIA, 2006	AD→Director→Adviser →AS(JMM) → MOS(Env.)	Approval/ rejection by MOS(Env.)

5.	Clearance under CRZ Notification, 1991	AD→Adviser(NB) →AS(JMM) →Secretary(E&F) →MOS(Env.)	Approval/ rejection by MOS(Env.)
6.	Amendments to the environmental clearance letters issued to the projects	(a) : Amendments for corrections relating to factual information and if there is no change in project capacity : AD→Director→Adviser →AS(JMM) (b) : Amendments of technical nature, change of scope etc. after approval by sector specific EACs : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
7.	Consideration of projects out of turn	(a) Projects of PSUs and Defence related activities : AD→Director→Adviser →AS(JMM) (b) Other projects : AD→Director→Adviser →AS(JMM) →MOS(Env.)	AS(JMM) MOS(Env.)
8.	Transfer of environmental clearance	AD→Director→Adviser →AS(JMM)	AS(JMM)
9.	Terms of Reference (TOR) for projects	AD→Director→Adviser	Adviser
10.	Changes in TOR	AD→Director→Adviser	Adviser
11.	De-listing of projects from pendency list due to non-submission of information	AD→Director→Adviser →AS(JMM)	AS(JMM)
12.	Monitoring of approved projects	(a) Routine matters : Director→Adviser (b) Directions and Policy	Adviser AS(JMM)

		matter : Director→Adviser → AS(JMM)	
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This issues with the approval of the Competent Authority.

(S.K. Aggarwal)
Director

To

All Officers of IA Division.

Copy to:-

PS to MOS (E), PPS to Secretary (E&F), PPS to AS(JMM), Adviser (GKP), Adviser (NB).