



23rd June, 2020/૨૫૪૭

To,

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Secretary
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Pathik S. Patwari
Treasurer

Sub: Concerns/Suggestions of Gujarat Chamber of Commerce and Industries (GCCI) with reference to Draft EIA Notification 2020

Greetings from Gujarat Chamber of Commerce and Industry (GCCI).

Gujarat Chamber of Commerce and Industries (GCCI), on behalf of its member Industries Associations, welcomes the long-awaited Draft EIA Notification, 2020 which has been drafted incorporating @ 350 Office Memorandums/Amendments/Circulars made earlier in connection with present EIA Notification - 2006. However, there are certain provisions need either to be removed or reviewed compared to EIA Notification - 2006.

To understand the provisions and impact on the industrial growth, GCCI organized two webinars during lockdown period with office bearers of Industrial Associations and one webinar during Unlock-1 with all stakeholders on 12th June 2020, wherein Shri Sharath Kumar Pallerla, Director, MoEF&CC and Member Secretary GPCB has also participated.

As outcome of this exercise, it was realized that out of the total applications made for Environmental Clearance in the country, @68% applications are from Gujarat State only and for any concerns in this matter, GCCI should play an important role for the sustainable industrial development and 'Ease of Doing Business'.

Therefore, after long deliberation with all the member associations, GCCI received many concerns/comment/objections which restrict the sustainable growth of the nation due to various administrative procedural requirement and delay in disposal of EC Applications.



The following major concerns are raised:

- i) After analyzing the data available on MoEF&CC & SEIAA website, it was realized that disposal of applications takes much time than specified in the notification as below:
 - a) As per the data of MoEF&CC for the period April-2019 to March-2020 out of 184 projects, only 71 projects were disposed within 200 days for obtaining EC while 72 projects were disposed within 300 - 1000 days and 21 projects were disposed in about 1000 days. Almost similar scenario was observed for last three years. That is @ 38% of the applications was disposed within 200 days.
 - b) Similarly as per the data of SEIAA of 20 states for the period April-2019 to March-2020 considering the date of application shows that, out of 358 projects, 122 projects were disposed within 200 days while 180 projects were disposed within 200 to 600 days and 49 projects were disposed within 600 to 1000 days. That is @ 34% of the applications were disposed within 200 days.
- ii) Now, in the Draft EIA Notification it is proposed that EC committees will not only deal with Prior EC but also with Post EC Amendment, EC Violation cases, EC non-compliance cases, imposing penalty, Modernization cases (Change in Product Mix with or without increase in production/pollution load). But we are afraid that increasing the work load of the committee will not work. It seems that it will curtail the power of SPCBs which has been delegated under provisions of various environment laws and another parallel body will be emerged who is not having adequate infrastructure or power.

More over the SPCBs have got huge experience since so many years to deal with the legal cases and have a strong legal cell having well qualified and experienced legal officers. The SPCBs have also the advantage of consultation of Advocate Generals of the High court's to defend their cases. The legal cell personal regularly attends the Courts and submits the papers from time to time as required by the courts. None of these advantages will be available to the committees which will result into weakening of the cases ultimately defeating the purpose of legal cases.

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In nutshell, we can say that considering last 14 years of experience, the committees are unable to dispose the applications as specified in the notification and therefore, it is matter of concern that whether the additional work load as suggested in the notification would be productive or not.

- iii) In this notification, the new provision for penalty is proposed for violation/non-compliance of EC conditions cases. But, it is not advisable to incorporate this provision in the notification as enough provisions are already provided under the Water Act-1974, Air Act-1981 and EPA Act, 1986.
- iv) The basic concept of introducing EIA notification - 1994 was for Site Clearance only which was based on total project cost. It is unfortunate that now an investor in chemical field investing even ten lakhs or more than thousands of crores of rupees; has to undergo a long procedure for EC. All chemical industries are considered as polluting without considering the pollution load. Not only that, but EC is the only permission required for which project proponent have to face the prime committee, otherwise all other permissions required under the various laws are issued by respective Government Department.
- v) The common environmental infrastructure like CETPs, TSDFs are brought under the purview of this notification, which are meant for pollution control only, **so these shall be exempted.**
- vi) The selection of the committee is not transparent and expertise of the member in the field other than environment is raising other issues which are not related to environment.
- vii) The application form is so complicated that project proponent always needs to depend on consultant. In fact, this notification itself is consultant oriented.
- viii) In some categories, ZLD concept is encouraged, but it is always associated with generation of hazardous wastes, air emission (Greenhouse Gases), disposal of rejected water, high energy consumption and complexity in operations of equipments like MEEs, Incinerators, Spray Dryers, RO Plants, etc. to achieve ZLD. In addition to this, highly skilled manpower to run this system leading to increased cost of M&O. All these factors shall lead to

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unauthorized untreated effluent for cost cutting purpose severely affecting the environment. The technocrats strongly opined that wherever CETP is available, ZLD should not be insisted. It may be applicable wherever unit is established in land-locked area.

- ix) It is the great concern that 'the provision made in Zero Draft EIA notification dated 03.05.2019 that MSMEs would not require EC, is now changed and included in the schedule of the notification-2020.
- x) There are more than 100 conditions in EC but many conditions are stereotype and not applicable to MSMEs. But non-compliance of such conditions will simply raise other legal issues. Also, all applications forms are needs to be simplified.

In view of all above concerns, GCCI suggests for long term solution and sustainable industrial growth, that after 14 years of Experience, it is required to rethink about the concept of EC. It may be made applicable based on project cost i.e. For the projects having investment less than 50 crores, may be exempted from the requirement of environment clearance and projects having investment of more than 50 crores may be dealt by SEIAA while more than 500 crores may be dealt by MoEF&CC in Post COVID Scenario. **Or Otherwise**, the Environment Clearance may not be made applicable to MSMEs in all sectors of industries. It shall be only for red categories of industries in large scale.

However, as now draft EIA Notification 2020 is already published, the suggestions received from various associations are incorporated para-wise as **Annexure-1**. Please note that most of the suggestions shall boost the concept of Ease of Doing Business.

With warm regards,

Sincerely,

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President

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PARA-WISE SUGGESTIONS ON THE PROPOSAL OF DRAFT EIA NOTIFICATION, 23rd MARCH 2020 – REGARDING.

1. Definition (Point No. 3)

Suggestion:

- Following terms are required to be defined for further clarification.

(A) Prior Environmental Clearance (sub point no. 40)

In sub point no. (40), in Category-B2, the terms “projects that are required to be placed before appraisal committee” may be specifically clarified that which types of projects/activities are covered under this provision and may be incorporated in Schedule instead of mentioning in the footnote.

(B) Prior Environmental Permission (sub point no. 41)

In sub point no. (41), the terms “Projects that are not required to be placed before appraisal committee” may be specifically clarified that which types of projects/activities are covered under this provision and may be incorporated in Schedule instead of mentioning in the footnote.

(C) Violation (sub point no. 60)- Definition may be amended

In sub point No. (60), in the term “Violation”, construction work for Office Building, ETP, EMS Buildings, Labs & other activity not related to production may be allowed and not be considered as violation specifically in Notified Area. But, if there is production without EC, environmental/ecological damage is noticed/observed may only be considered as “Violation”.

Justification:

- *This can specifically apply in case of proposal which is to be set up in notified industrial area, PCPIR and SEZ area. The construction permissions for ETP, EMS Buildings and Labs will save the precious time and face the market fluctuations of the products of the project proponents and they will be able to go to production. Any construction as suggested is the risk for the project proponent, if EC is not granted.*

2. Requirement of Prior Environment Clearance or Prior Environment Permission (Point no. 4)

Suggestion:

- As mentioned in Zero draft of EIA notification dated 03.05.2019, Category B2 projects may be exempted from requirement of EC and such applications should be made to respective SPCBs for CTE/CC&A/CTO.
- The respective SPCBs may only be considered as regulatory authority instead of SEIAA for the projects/activities covered under Category B2 as per prevailing procedure of SPCBs for CTE/CC&A/CTO.

Justification:

- *SPCBs is competent enough and having engineers/scientists in various environmental fields with adequate infrastructures. SPCB's have been granting CTE's since beginning and have all necessary data to ascertain the information submitted by the applicants. They are also aware of ground reality and having well set criteria for permissions under various Environmental Acts. GPCB has also made mandatory to visit the site before granting CTE.*
- *More over the SPCBs have got huge experience since so many years to deal with the legal cases and have a strong legal cell having well qualified and experienced legal officers. The SPCBs have also the advantage of consultation of Advocate Generals of the High courts defend their cases. The legal cell personal regularly attends the Courts and submits the papers from time to time as required by the courts. None of these advantages will be available to the committees which will result into weakening of the cases ultimately defeating the purpose of legal cases.*

3. Expert Appraisal Committee (EAC) (Point No. 6)

Suggestion:

- The scope of work of each committee members may be specified with specific accountability that they may be responsible for timely disposal of application.
- As mentioned in sub Point No. 6 (1) (a), One of the optional criteria for qualification for member of EC committee is made eligible for degree in commerce or arts or law or business administration or economics or architecture from any recognized universities. Such faculty members may not be enrolled in EAC/SEAC.
- As mentioned in sub Point No. (8), more than one expert appraisal committee can be considered as deemed fit by the State Govt./Forest & Environment Department, in case of SEIAA and State Govt. may be empowered to constitute such committees.

- In case of any litigation in the court respective EC Committee may empower for follow-up court cases instead of MoEF&CC, CPCB or SPCB.

Justification:

- *Such faculty may have no domain knowledge to contribute in the field of environment. Involvement of non-technical members will only increase the size of committee in terms of nos. of members. There are other Govt. departments which supervise their commercial aspect. Inclusion of non-technical experts will further increase the financial burden of SPCB's due to DA and the travel cost of such experts.*

4. Procedure for grant of prior EC for modernization (Point no. 16)- Definition may be amended

“Modernization” is any change in the process or technology or change in the raw material mix or product mix or de-bottlenecking or increase in the number of working days or increase in the capacity utilization of plant and machinery in the project including increase in the rate of excavation in the existing mine lease area, etc., for which prior-EC or prior-EP, as the case may be, granted by the Regulatory Authority.

Suggestion

- In the definition of modernization, the words ‘Change in Raw Material Mix’, ‘Increase in the number of working days’, ‘increase in the capacity utilization of plant and machinery’ may be removed.
- In case of modernization, if production capacity and pollution load increase, the provisions may be applied.
- Industries shall be allowed to apply for the change in product mix without impacting the overall pollution load through a simple application process.

Justification

- *In most of cases there are many raw materials which need to change depending on R&D work, de-bottlenecking, increasing no. of working days etc. without increase in production.*

Matrix- in column 10 Suggestions are mentioned which will boost up the concept of Ease of Doing Business.

Slabs	Intended increase in production capacity through modernization	Application in form through online portal	Requirement of Scoping (ToR)	Requirement of revised EIA report	Requirement of revised EMP	Whether refer to Appraisal Committee	Requirement of Public Consultation	Proposed Authority as per Draft Notification,2020	Suggestions
1	2	3	4	5	6	7	8	9	10
I	Modernization without increase in the production capacity	Form-2	No	No	No	No	No	SEIAA (To be issued online within 15 days)	This may be removed. There may be non-compliance in respect of EC condition.
II	Up to 10 Per cent	Form-2	No	No	Yes	No	No	Online Application and granted by regulatory authorities, i.e. MoEF&CC/SEIAA	Direct amendment into CC&A/CTO by SPCB
III	More than 10 and up to 25 Per cent	Form-2	No	No	Yes	Yes	No	Appraisal Committee within 40 - 45 days	May be dealt at SPCB as per procedure adopted by GPCB. (TCM)
IV	More than 25 and up to 50 Per cent	Form-2	No	Yes	Yes	Yes	No		Such cases may be dealt at State Level.
V	More than 50 Per cent	Form-I	Yes	Yes	Yes	Yes	Yes (as per clause 14)		OK

- All applications seeking increase in production through modernization as per the matrix, project proponent may allow to apply directly for amendment in CC&A/CTO to the respective SPCBs instead of applying to EAC or SEIAA. For this process, “No Increase in Pollution Load” certificate may be obtained from Technical Committee constituted under the Air Act or Water Act by respective SPCBs.

Justification:

- The Environmental Clearance is basically a “Site Clearance” and is granted after scrutinizing thoroughly all technical aspects, proposal of Environmental Management System and following the specific siting criteria. The Application form itself covers all the environmental aspects and related details. Therefore, environmental clearance may be required only once and after that if any changes are there in respect of expansion or modernization or any change in product-mix or any change in process of existing projects or activities may left to respective State Pollution Control Board/Pollution Control Committee for its approval under the provisions of various Environmental Acts.*

- *In other words, amendment in EC is required only if production is increased more than 50 %. In other all modernization projects, Project Proponent may apply to respective SPCBs for amendment in CC&A/CTO directly.*
- *In a continuous/batch operating plant, up to 20% increase in production capacity is easily achieved through process optimization adopting Best Conventional Pollution Control Technology (BCT) and through a change in operating parameters, etc. without the necessity of equipment change, etc.*
- *Increase in production capacities to the tune of 30% is generally achieved with variation in product slate, in-house debottlenecking studies, using inbuilt capacity margins of the equipment provided by the designer and minor up-gradations/ modifications.*
- *In the matrix table, modernization without increase in the production capacity without increase in pollution load is also required to be applied in Form-2 to respective EC committee. This should be removed and Project Proponent may be allowed to inform respective SPCBs for minor changes or may be asked to apply for amendment in CC&A/CTO directly.*
- *The authorities while granting EC may stipulate required conditions but shall not insist for fresh EC.*

Note

- In a volatile global market to capitalize on the change in market scenario industries should have the flexibility of going for product mix in the same category without following the lengthy approval process wherein industries lose the advantage over the global players and hence shall be made very simple.

5. Amendment in Prior-EC or Prior-EP (Point No. 18)

Suggestion:

- Once EC is granted to the project, all amendments regarding any change in the terms and conditions of Prior-EC and Prior-EP, the respective SPCBs may be empowered to amend the CC&A/CTO making online application in Form-4.
- In following cases, instead of amendment in prior EC, respective State Pollution Control Board may be empowered to amend the Consent to Operate (CTO)/Consolidated Consents and Authorization (CC&A) or **may be incorporated in Environment Permission.**
 - a) Change of Ownership / Name of the unit.
 - b) Amalgamation of adjacent plot without increase in production capacity.
 - c) Increase in water consumption/wastewater discharge without increase in production capacity.

- d) Change of mode of disposal of effluent, i.e. from one common facility to other or ZLD or vice versa or any other final disposal point.
- e) Change in Effluent Treatment Scheme, Air Pollution Control Measures without changing specified parameters. Increase in Hazardous Waste quantity (without increase in production quantity)
- f) Other minor changes without increase in production/pollution load.

Justification:

- *Generally, there are more than 100 conditions including sub conditions in the EC and there may be frequent minor changes in the condition for which the process of EC amendment may not be insisted.*

6. Monitoring of post project Prior-EC and Prior-EP (Point No. 20)

Suggestion:

- The “Environment Audit Model” of GPCB may be adopted clubbing the compliance report of EC condition, to avoid nos. of monitoring and red tapism and financial burden.
- The provision of penalty in form of late fees may be deleted.
- In case of failure to submit yearly compliance reports, Show Cause Notices may be issued first with fifteen days of notice period. It should be made applicable after two months.
- It is suggested that once a plant is set up and CC&A is issued by SPCB, Yearly compliance on the current CCA condition compliance report shall be submitted by the project proponent to both SPCB and CPCB.

Justification:

- *EC Compliance Report is tedious and outlays additional time and cost.*
- *The SPCB is monitoring and regulating the EC Conditions by Regular Site Visit, Inspection and Monitoring, Environment Statement (Form V), Environment Audit (Schedule -1 & 2 Auditor) depending upon the category, Monthly Reports by the industries.*
- *The industries are monitored by SPCB as per monitoring criteria of CPCB, by environmental auditors, surprise checking by appropriate mechanism. Unit is also uploading production data every month on the SPCB portal.*
- *There are adequate provisions of legal actions in respective Environment Laws for any non-compliance and as a principle of natural justice issuance of Show cause Notice is required before any penalty*
- *It is proposed to impose high penalty which is in terms of Thousands of Rs. per Day for non-compliance cases. In future, somebody may approach Hon’ble Court that Similar or more*

penalties per day may be imposed to responsible officer for delay in disposing EC applications.

- *There are EC amendment issued to project proponent from time to time and hence it becomes a very lengthy process for submission of all old EC conditions which are issued several years back and not even implemented in totality.*
- *The proponent shall submit the yearly compliance report only on the current consent condition for which authorization is received to both SPCB and CPCB and not on EC conditions.*

7. Transferability of Prior-EC and Prior-EP (Point No. 21)

Suggestion:

- Respective SPCBs may be empowered for necessary amendment in CC&A/CTO directly. PP has to apply in Form-5 to the respective SPCBs and CC&A/CTO may be amended accordingly.

Justification:

- *This requires only legal verification of the documents, which may also require site visit and actual status of the project. Respective SPCBs will perform this more precisely as they are having various monitoring reports and well conversant with the environment laws.*
- *After amendment in EC, it will further required to amend in CTE / CC&A / CTO.*

8. Dealing of Violation cases: (Point no. 22)

Suggestion:

- In the term “Violation”, construction work for Office Building, ETP, EMS Buildings, Labs other activity not related to production may allowed and not be considered as violation specifically in Notified Area. But, if there is production without EC, environmental/ecological damage is noticed/observed may only be considered as “Violation”.
- The penalty provision may be removed and Bank Guarantee may be imposed as per the defined criteria of GPCB.

Justification:

- *The involvement of “Appraisal Committee” in case of violation will increase the work load of the committee and may not be able to justify without site visit. The respective SPCBs are performing and assessing ecological damage, rehabilitation plan, etc. they also take appropriate actions for violation including closure of the industry and filing the cases under EP Act. The assessment through committee or other agency will not justify as they are not*

having more expertise than SPCBs. Involvements of ACOs or NABL accredited laboratories may require more expense than actual damage occurred.

- *The construction permissions will save the precious time and face the market fluctuations of the products of the project proponents and they will be able to go to production. Any construction as suggested is the risk for the project proponent, if EC is not granted.*
- *The Water Act, Air Act and EP Act have already various provisions for legal actions including closure directions to industries, filing a case in the respective courts, provision for imprisonment, etc. These are enough, if implemented in letter and spirit instead of imposing high penalty in form of late fee. Also, it is very difficult to assess the ecological damage made due to any violation even scientifically.*

9. Dealing of non-compliance (Point no. 23)

Suggestion:

- The provision may be deleted. The prevailing procedure for dealing for non-compliance of EC may be dealt by respective SPCBs as per the provisions of the Water Act, 1974, Air Act, 1981 and EP Act, 1986 wherein it is very precisely mentioned the legal provisions for such cases.

Justification:

- *The involvement of SEAC/SEIAA/Expert Committee for actions against non-compliance of EC conditions will again raise other issues. It seems that SPCBs have to report SEAC/SEIAA for non-compliance cases as the committees have no power to take legal actions against defaulters. This will be very long procedure and appropriate actions against defaulters will be delayed. Only SPCBs are delegated certain powers under various environmental laws which may not be enforced by the committee.*
- *More over the SPCBs have got huge experience since so many years to deal with the legal cases and have a strong legal cell having well qualified and experienced legal officers. The SPCBs have also the advantage of consultation of Advocate Generals of the High courts defend their cases. The legal cell personal regularly attends the Courts and submits the papers from time to time as required by the courts. None of these advantages will be available to the committees which will result into weakening of the cases ultimately defeating the purpose of legal cases.*

10. Baseline Data for EIA report (Point No. 13)

Suggestion:

Baseline Data (sub point no. 5)

- Company should be allowed to use the common data if located in the Notified Industrial Park by the government to avoid the delay of EIA report preparation.

Justification:

- *Common Baseline study for a cluster will save time & money which can be invested for better waste management.*

11. Exemption of Environmental Clearance for Common Infrastructures (Point No. 26)

Suggestion:

- Common Infrastructure like CETPs MEEs, Spray Dryers, Incinerators, TSDFs etc. should be exempted from Environmental Clearance via MoEF&CC and instead should be given by SPCB directly.

Justification:

- *Such Infrastructures are for betterment of the environment and hence Environment Clearance may not be insisted.*
- *Hence, for development of common environmental infrastructures, respective State Govt. should allot the land within the estate or any other appropriate location which may be notified by the State Govt.*

12. Exemption of Projects from Prior-EC/EP (Point No. 26)

Suggestion:

- In item (15), R&D activities, laboratory scale operations as well as pilot plant operations may be allowed.

Justification:

- *Exemption of pilot plant operations from Prior EC/EP will help to arrive the actual feasibility evaluation, cost aspects, adverse events; thus improving the design prior to Large scale. Eventually speeding up the implementation of the project.*

13. Exemption of Projects from Prior-EC/EP (Schedule – Item No. 20 (2))

Suggestion:

- Standalone Sulphuric acid included under item no. 20(2) of the schedule - Manufacturing of Acids, should be exempted from prior EC.

Justification:

- Standalone Sulphuric acid unit is not listed in the present EIA notification-2006 and it is completely Inorganic.

14. Exemption from ZLD Compulsion (Schedule – Item No. 25)

Suggestion:

- The liquid effluent discharge norms should be relaxed and permitted for the water intensive industries. The compulsion on ZLD should be avoided for the industries located in designated industrial belt.
- However, industries voluntarily accepting/proposing ZLD should be acceptable.

Justification:

- *In item No. 25 of the Schedule, ZLD concept is encouraged, but it is always associated with generation of hazardous wastes, air emission (Greenhouse Gases), disposal of rejected water, high energy consumption and complexity in operations of equipments like MEEs, Incinerators, Spray Dryers, RO Plants, etc. to achieve ZLD. In addition to this, highly skilled manpower to run this system leading to increased cost of M&O. All this factors shall lead to unauthorized untreated effluent for cost cutting purpose severely affecting the environment. The technocrats strongly opined that wherever CETP is available, ZLD should not be insisted. It may be applicable wherever unit is established in land-locked area.*

15. Exemption of Public Consultation for Power Plant up to 20 MW (Schedule – Item No. 5)

Suggestions:

- One more type of fuel shall be considered in item “5” & project “thermal Power” column “5” ie B2 -Thermal /Captive power plant up to 20 megawatts with additional fuel coal /lignite/naphtha to be considered in category B2 without EIA and PH.
- We should consider one more category in item ” 5” -Captive power plant (CPP - cogeneration) up to 20 megawatts (backpressure cum extraction turbine) to be considered in category B2 without EIA and PH.
- Thermal Power Plant up to 20 MW should also be exempted from Public Consultation.

Justification:

- *The large quantity of steam with pressure variation from 3 to 15 bar is required for the distillation/crystallization process of the isomers mainly covered in 5(g) and 5(f) industries. In order to meet these requirement options available with industries is the installation of process boilers with the import of power from the grid OR installation of captive cogeneration power plants.*

- *Installation of a captive cogeneration power plant is more environmentally friendly w.r.t reduction of a carbon footprint as the waste heat from the power plant is recovered in terms of utilization as process steam which otherwise in TPP goes as waste to cooling towers.*
- *Captive cogeneration power plant (power plant + steam for the process) although it invites higher Capex it gives lower carbon footprint compared to steam boiler OR TPP as standalone and industries shall be encouraged with ease of approval process for such installations. Presently industries are not inclined to cogeneration plants primarily due to very high lead time requirements involved in its approval and hence are opting for installation of standalone small process boilers. Ease of approval w/o PH for small cogeneration plants (e.g. 10 MW with 150 MT/Hr of steam) will help the country in an overall reduction of carbon footprints w.r.t coal requirement or carbon emission by 27%.*

SCHEDULE

(SEE PARAGRAPH 2 AND 7)

LIST OF PROJECTS REQUIRING PRIOR ENVIRONMENT CLEARANCE OR PRIOR ENVIRONMENT PERMISSION, AS THE CASE MAY BE

For better understanding, various provisions in Draft EIA Notification 2020 are **yellow highlighted** which are not added in Schedule but appears either at footnote or in concerned paragraphs while suggestions are incorporated with **red color fonts**.

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
1	(a) Mining of Minor Minerals	>100 hectare of mining lease area	> 5 hectares and ≤ 100 hectares of mining lease area	< 5 hectares of mining lease area	Note: (1) Mining of minor mineral projects with mine lease area more than 2 hectare and up to 5 Ha shall be referred to Distract Level Expert Appraisal Committee	
	(b) Mining of Major Minerals including Coal	>100 hectare of mining lease area	≤ 100 hectares of mining lease area	Dump mining (excavation or handling of dump or overburden or waste material)		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
					(2) Mining lease area includes cluster situation	
2	Offshore and Onshore Oil & Gas including CBM and Shale Gas					
	a) Exploration	--	--	All projects		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	b) Development and Production (including infrastructure facilities e.g. Gas Collecting or Gathering Station, Early production Systems, pipelines, etc.).	All projects	--	--		
3	River Valley	> 75 megawatts hydroelectric power generation;	≤ 75 megawatts > 25 megawatts hydroelectric power generation;	Up to 25 megawatts hydroelectric power generation	Note: Category 'B1' river valley projects falling in more than one State or Union Territory shall be appraised at the	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
					Central Government Level.	
4	Irrigation	≥ 50,000 hectares of culturable command area	> 10,000 hectares and <50,000 hectares of culturable command area.	> 2000 hectare and < 10,000 hectares of culturable command area.	Public Consultation is exempted.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
5	Thermal Power	<p>≥ 500 megawatts (coal/lignite/naphtha & gas based);</p> <p>≥100 megawatts (all other fuels).</p>	<p>> 5 megawatts and < 500 megawatts (coal / lignite / naphtha & gas based);</p> <p>≥5 megawatts and <100 megawatts (all other fuels except biomass and municipal solid non-hazardous waste);</p> <p>>15 megawatts</p>	<p>> 5 megawatts and < 15 megawatts, based on biomass or non-hazardous municipal solid waste using auxiliary fuel such as coal, lignite / petroleum products up to 15%.</p>		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
			and <100 megawatts (using municipal solid non-hazardous waste / biomass as fuel).			
6	Nuclear Power or processing of nuclear fuel	All projects	--	--		
7	Coal washeries	≥ 1 million ton per annum	<1million ton per annum	--	Note:	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
		throughput of coal	throughput of coal		If Coal washery is located within mining lease area, the proposal shall be appraised together with the mining proposal.	
8	(a) Mineral Beneficiation involving physical process and physico-chemical processes	--	All projects	Small and Medium enterprises	Note: If Mineral Beneficiation plant located within mining lease area the proposal shall be appraised together with the mining proposal. Micro enterprises	
	(b) Chemical processing of ores/ concentrate	≥ 1.0 million ton per annum throughput	<1.0 million ton per annum throughput			

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
					are exempted from taking Prior EC & Prior-EP.	
9	Pellet plants or agglomeration plants	--	All Projects	Small and Medium enterprises	General Condition shall not apply. Micro enterprises are exempted from taking Prior EC & Prior-EP.	
10	Metallurgical industries (ferrous & non-ferrous) (a) Integrated Steel Plants	> 1 million ton per annum of crude steel	< 1 million ton per annum of crude steel	--		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	(b) Sponge Iron Plants	>0.5million ton per annum	< 0.5million ton per annum	--		
	(c) Non-ferrous smelting and refining	All projects	--	--		
	(d) Ferro Alloy Plants	>1.5 Lakh ton per annum	≤1.5 Lakh ton per annum	--		
	(e) Secondary metallurgical industry (Toxic metals)	≥20,000 ton per annum	<20,000 ton per annum	--		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	(f) Secondary metallurgical industry (Non- toxic metals)	--	(i) Foundries involving furnaces such as Induction Furnace or Electric Arc Furnace or submerged arc furnace or other gas-based furnaces with capacity more than 1,50,000 ton per annum. (ii) Foundries involving furnaces such as cupola	(i) Foundries involving furnaces such as Induction Furnace or Electric Arc Furnace or Submerged arc furnace or other gas-based furnaces, with capacity more than 1,00,000 ton per annum to 1,50,000 ton per annum (ii) Foundries involving furnaces such as cupola or other furnaces using coal with capacity more than 60, 000 ton per annum to 1,00,000 ton per annum (iii) Standalone re-rolling mills involving pickling with a capacity	Public Consultation is exempted for the units located in Notified Industrial Estates. Micro & Small enterprises are exempted from taking Prior EC & Prior-EP.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
			and other furnaces with capacity more than 1,00,000 ton per annum	more than 1, 00, 000 ton per annum. (iv) Standalone re-rolling mills not involving pickling with a capacity more than 2, 00, 000 ton per annum. (v) Medium enterprises		
11	(a) Cement Plants	>= 1.0 million ton per annum production capacity except plants with vertical shaft kiln.	(i) <1.0 million ton per annum production capacity (ii) All cement	Small and Medium enterprises.	Note: Fuel for cement industry may be coal, petcoke, mixture of coal and petcoke and co-	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
			plants with vertical shaft kiln.		processing of waste provided it meets the emission standards. Micro enterprises are exempted from taking Prior EC & Prior-EP.	
	(b) Standalone clinker grinding units	--	>= 1.0 million ton per annum production capacity	(i) Stand-alone grinding units up to 1 million ton per annum (ii) All standalone grinding units in case of transportation of	General Condition shall not apply. Micro enterprises are exempted from taking Prior EC & Prior-EP.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
				<p>clinker and finished product proposed through rail / sea mode.</p> <p>(iii) Small and Medium enterprises.</p>		
12	Lead acid battery manufacturing (excluding assembling and charging of lead acid battery)	--	All projects	--		
13	Petroleum refining industry	All projects	--	--		
14	(a) Coke oven plants	>= 0.8 million ton per annum	< 0.8 million ton	--		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
			per annum			
	(b) Coal Tar processing units or Calcination plants	--	All projects	--		
15	Asbestos milling and asbestos based products	All projects	--	--		
16	Chlor-alkali industry or Production of Halogens	>= 300 ton per day production capacity if a unit located outside the notified industrial estates.	(i) >= 300 ton per day production capacity if a unit located within the notified industrial estates. (ii) <300 ton per day and located outside the notified industrial	<300 ton per day production capacity if a unit located within the notified industrial estates.	Note: No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from the Notification if provided there is no	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
			estates.		increase in the production capacity. Public Consultation is exempted for the units located in Notified Industrial Estates.	
17	Soda ash Industry	All projects	--	--	Public Consultation is exempted for the units located in Notified Industrial Estates.	
18	Skin/hide processing including tanning industry	All projects located outside the notified industrial estates.	All projects located within notified industrial estates.	All projects of leather production without tanning and located within the notified industrial		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
				estates.		
19	Chemical fertilizers and standalone ammonia plants.	(i) All projects except Single Super Phosphate including Sulphuric acid. (ii) Standalone ammonia plants	Single Super Phosphate including sulphuric acid production.	--	Public Consultation is exempted for the units located in Notified Industrial Estates.	
20	Manufacturing of Acids	Stand-alone phosphoric acid or ammonia.	Stand-alone sulphuric acid	All other acids	Public Consultation is exempted for the units located in Notified Industrial Estates. Micro enterprises are exempted from taking Prior EC &	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
					Prior-EP.	
21	Pesticides including insecticides; herbicides; weedicides; pest control; etc., and their specific intermediates (excluding formulations)	All projects located outside the notified industrial estates.	All large scale projects located within the notified industrial estates.	Small and Medium enterprises located in Notified Industrial Estate	Public Consultation is exempted for the units located in Notified Industrial Estates.	
22	Petro-chemical complexes (industries based on processing of petroleum fractions, natural gas, production of carbon black)	All projects	--	--		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
23	Manmade fibers manufacturing	Viscose Staple Fiber (VSF); Viscose Filament Yarn (VFY); and Rayon.	Nylon and Others (?)	--	Public Consultation is exempted for the units located in Notified Industrial Estates.	
24	Petroleum products and petrochemical based processing including production of carbon black and electrode grade graphite (processes other than cracking & reformation and not covered under the complexes)	All projects located outside the notified industrial estates.	All projects located within the notified industrial estates.	Medium enterprises	Public Consultation is exempted for the units located in Notified Industrial Estates. Micro & Small enterprises are exempted from taking Prior EC & Prior-EP.	Small scale enterprises exempted from taking EC as per Clause 26 of 40.
25	Synthetic Organic					

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	Chemicals					
	a) Dyes & dye intermediates	--	<p>All projects except column (5)</p> <p>All projects located outside the notified industrial estates.</p>	<p>Large scale Projects proposed with zero liquid discharge and located within the notified industrial estates.</p> <p>All micro, small and medium enterprises.</p>	<p>General Condition not applied.</p> <p>Public Consultation is exempted for the units located in Notified Industrial Estates.</p>	<p>All micro, small and medium enterprises exempted from taking EC.</p> <p>The concept of ZLD may not be insisted. Justification is being sent separately.</p>

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	b) Bulk drugs and intermediates excluding drug formulations	--	All projects except column (5)	(i) Projects proposed with zero liquid discharge and located within the notified industrial estates. (ii) All micro, small and medium enterprises.	General Condition not applied. Public Consultation is exempted for the units located in Notified Industrial Estates.	All micro, small and medium enterprises exempted from taking EC.
	c) Synthetic rubbers	All projects located outside the notified industrial estates.	All projects located within the notified industrial estates.	All micro, small and medium enterprises.	General Condition not applied. Public Consultation is exempted for the units located in Notified Industrial Estates.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	d) Basic organic chemicals, other synthetic organic chemicals, chemical intermediates, synthetic resins and synthetic adhesives	All projects located outside the notified industrial estates.	All large projects located within the notified industrial estates.	All small and medium enterprises. Manufacturing of synthetic resins / adhesives up to 1000 ton per annum.	General Condition not applied. Public Consultation is exempted for the units located in Notified Industrial Estates. Micro enterprises are exempted from taking Prior EC & Prior-EP.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
26	Distilleries and molasses-based manufacturing units (e.g. Yeast)	<p>Molasses based distilleries >= 100 kilo liter per day;</p> <p>Molasses based manufacturing units (e.g. Yeast) >= 100 ton per day;</p> <p>Non-molasses based distilleries >= 200 kilo liter per day.</p>	<p>Molasses based distilleries <100 kilo liter per day.</p> <p>Molasses based Yeast manufacturing units <100 ton per day</p> <p>Non-molasses based distilleries < 200 kilo liter per day</p>	<p>Country Liquor (e.g. based on Mahuwa flower, Cashew, etc.) units more than capacity of 10 kilo liter per day.</p> <p>Expansion of distilleries within the premises, having earlier Prior Environment Clearance and for production of ethanol to be used as fuel for blending only.</p>		
27	Manufacturing of paints, varnishes, pigments,	All projects located outside the notified industrial estates.	All projects located within the notified industrial	Medium enterprises	Public Consultation is exempted for the units located in	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	intermediates (excluding blending / mixing)		estates.		Notified Industrial Estates. All micro and small enterprises exempted from taking EC as per the clause 26 of 40.	
28	Pulp & Paper Industry	Pulp manufacturing and Paper manufacturing industry except from waste paper	--	Paper manufacturing from waste paper or ready pulp involving deinking or bleaching or de-coloring.		
29	Sugar Industry	--	>= 5000 ton of cane per day crushing capacity	--		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
30	Manufacturing of explosives, detonators, fuses including management and handling activities		All projects			
31	Pipelines					
	(a) Oil & gas transportation pipe line (crude and refinery or petrochemical products), passing through national parks or sanctuaries	All Projects	--	--	Public Consultation is exempted for the linear projects in Border Areas.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	or coral reefs or Ecologically Sensitive Areas.					
	(b) Slurry pipelines (coal, lignite and other ores) passing through national parks or sanctuaries or coral reefs, Ecologically Sensitive Areas.	All the projects	--	--	Public Consultation is exempted for the linear projects in Border Areas.	
32	Air Ports and Heliports including terrestrial and water ports	All projects including terrestrial airstrips, which are for commercial use.	--	Water - aerodromes which are for commercial use.		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
				Heliports which are for commercial use.		
33	All ship breaking yards including ship breaking units	All projects	All projects	--		All projects should be cleared from State Level.

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
34	Industrial Estate including parks; complexes; areas; export processing Zones (EPZs); Special Economic Zones (SEZs); Biotech Parks; Leather Complexes; Coastal Economic Zones (CEZs); Special Investment Region (SIR); National Investment and Manufacturing Zones (NIMZs); Industrial Cluster; Petroleum, Chemicals and	<p>If the area of proposed project is more than 500 hectares and houses at least one Category 'A' or Category 'B1' project listed in the schedule.</p> <p>If area of the proposed project is less than 500 hectares and houses at least one category 'A' project listed in the schedule.</p>	If the area of the project is less than 500 hectares and houses at least one category 'B1' project listed in the schedule.	<p>If the area of the proposed project is more than 500 hectares and does not house category 'A' or 'B1' project listed in the schedule.</p> <p>Irrespective of the area of the proposed project and houses at least one Category 'B2' project listed in the schedule</p>		

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	Petrochemicals Investment Regions (PCPIRs)					
35	Common hazardous waste, Treatment, Storage and Disposal Facilities (TSDFs)	All integrated facilities having incineration & landfill or	All facilities having land fill only.	--		Public Hearing may be exempted for Notified Industrial Estates.

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
		incineration alone.				
36	Common Bio-Medical Waste Treatment Facilities	--	All projects		Public Consultation is exempted for the units located in Notified Industrial Estates.	
37	Ports, harbors, breakwaters and capital dredging (inside and outside the ports or harbors and channels)	³ 5 million ton per annum of cargo handling capacity (excluding fishing harbors).	< 5 million ton per annum of cargo handling capacity (excluding fishing harbors). >= 30000 ton per annum of fish handling capacity.	All projects in respect of Inland water ways	General Condition not applied.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
38	Highways or Expressways or Multi-modal corridors or Ring Roads	New National Highways or Expressways or Multi-modal corridors or Ring Roads Expansion or widening of existing National Highways or Expressways or Multi-modal corridors or Ring Roads by length more than 100 km involving widening or right of way more than 70 m on existing alignments or re-alignments or by-passes.	All new State Highway projects State Highway expansion projects in hilly terrain (above 1,000 meter above mean sea level).	(i) Expansion or widening of existing National Highways or Expressways or Multi-modal corridors or Ring Roads by length between 25 km and 100 km involving widening or right of way more than 70 m on existing alignments or re-alignments or by-passes. (ii) Expansion or widening of existing State Highways (500 m to 1000 m above mean sea level)	Note: Width at toll plaza and junction improvement at intersection of other roads excluded from right of way.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
39	Aerial ropeways	--	--	All projects located in notified ecologically sensitive areas.	--	
40	Common Effluent Treatment Plants (CETP)	--	All projects	--	General Condition not applied. Public Consultation is exempted for the units located in Notified Industrial Estates.	May be exempted from the requirement of Environment Clearance.
41	Common Municipal Solid Waste Management Facility (CMSWMF) involving land filling	--	All projects	--	General Condition not applied.	Public Hearing may be exempted for Notified Industrial

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	and / or incineration					Estates.
42	Building Construction and Area Development projects	--	>1, 50, 000 sq. mtrs. of built-up area and or total land area of > 50 hectare	(i) > 20,000 sq. mtrs. and <50,000 sq. mtrs. of built-up area (ii) > 50,000 sq. mtrs. and < 1,50,000 sq. mtrs. of built-up area projects having provisional 'certificate of green building' or relating to industrial sheds, educational institutions, hospitals and	Note 1. Projects under (i) and (ii) of Column (5) shall not be referred to Appraisal Committee. 2. Any change in the intended use, prior-permission from the Regulatory Authority for amendment in the prior- EP shall be obtained. All such cases shall be referred to Appraisal	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
				hostels for educational institutions > 50,000 sq. mtrs. and < 1, 50,000 sq. mtrs. of built-up area	Committee. Note: Projects under Column (5) shall be referred to Appraisal Committee General Condition not applied. Public Consultation is exempted.	
43	Elevated roads or standalone flyovers	--	--	>1,50,000 sq. mtrs. of built-up area	General Condition not applied.	

Item	Project	Category with threshold limit			Conditions if any	Suggestions
		A	B1	B2 (Exempted from Public Consultation)		
1	2	3	4	5	6	7
	or bridges				Public Consultation is exempted.	
<p>Note:</p> <p>1. General Conditions shall not apply for:-</p> <p>i. Items 9, 10(f), 11(b), 25, 38, 40, 41, 42, and 43,</p> <p>ii. River bed mining projects on account of inter-state boundary; and</p> <p>iii. All Category 'B2' projects.</p> <p>2. Category 'B2' projects shall not be placed before Appraisal Committee except for those projects mentioned against the item</p>						<p>For clarity to the project proponent, this provision should be specifically mentioned in Column (6) instead of putting in the footnote.</p>



