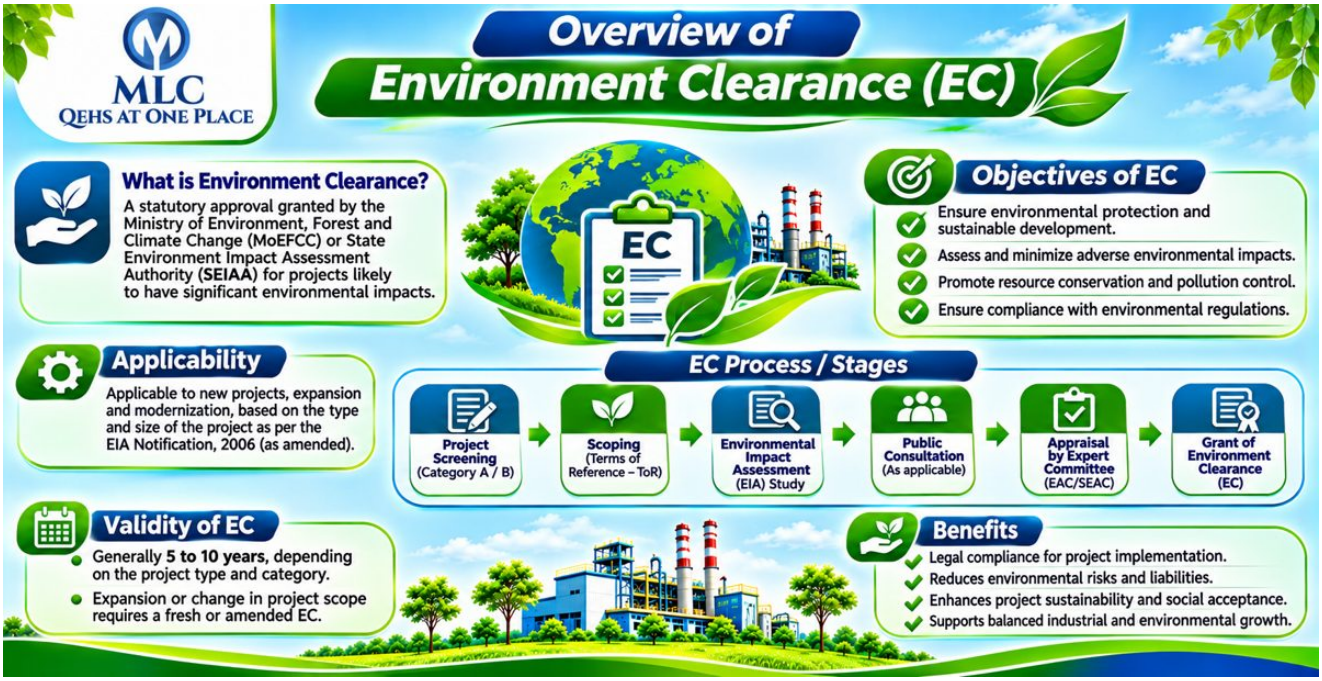
STATUTORY COMPLIANCE · 06

Environmental Clearance

Project-based support enquiries for environmental-clearance documentation and assessment coordination.

Overview of Environmental Clearance



Environment Clearance (EC) is a mandatory clearance required by all existing and new Projects (Industries & Construction Projects) listed in Environment Impact Assessment (EIA) 2006 Notification.

EIA is the process of evaluating any likely environmental impacts of a proposed project or development activity, taking into account the beneficial and adverse impacts on the environment

and inter-related socio-economic, cultural and human health factors. EIA aims to predict these environmental impacts at the early stages of project planning and design.

It aids the local community and project's proponent by suggesting ways to reduce these impacts, shape the project to suit the local environment, and present the predictions and options to decision-makers.

The MoEF released the EIA Notification 2006 in suppression of the 1994 notification and shifted the responsibility of giving environmental clearance to the state government depending on the size and capacity of the project.

It made EC necessary for specific projects like thermal power plants, mining, river valley, infrastructure developments like roads, highways, ports, harbours and airports, and industries like small electroplating or foundry units. Any project related to the above categories can only start working or amending existing projects after obtaining Environment Clearance from the concerned Authority under MOEF&CC.

Need for Environment Impact Assessment

- The Environment Protection Rule, 1986, under sub-rule 3 of Rule 5 imposes certain restrictions and prohibitions on new projects or activities and the need for obtaining Environmental Clearance and submission of EIA for the purpose.
- EIA aims to link artificial projects with objectives of sustainable development. The assessment enables the decision-makers to analyse the effect of developmental activities on the environment well before the project is implemented.
- EIA also encourages the inclusion of mitigation strategies in development projects by the project proponent through cost-effective measures to eliminate or minimise any adverse impact of such projects.
- EIA ensures that the influence of humans on the environment is within the capacity of assimilation and regeneration of the local ecosystem.
- EIA report helps the authority to grant or reject EC applications based on the Environmental, Social and Economic impacts before the beginning of the project.

Categorisation of Industries that Need Environmental Clearance

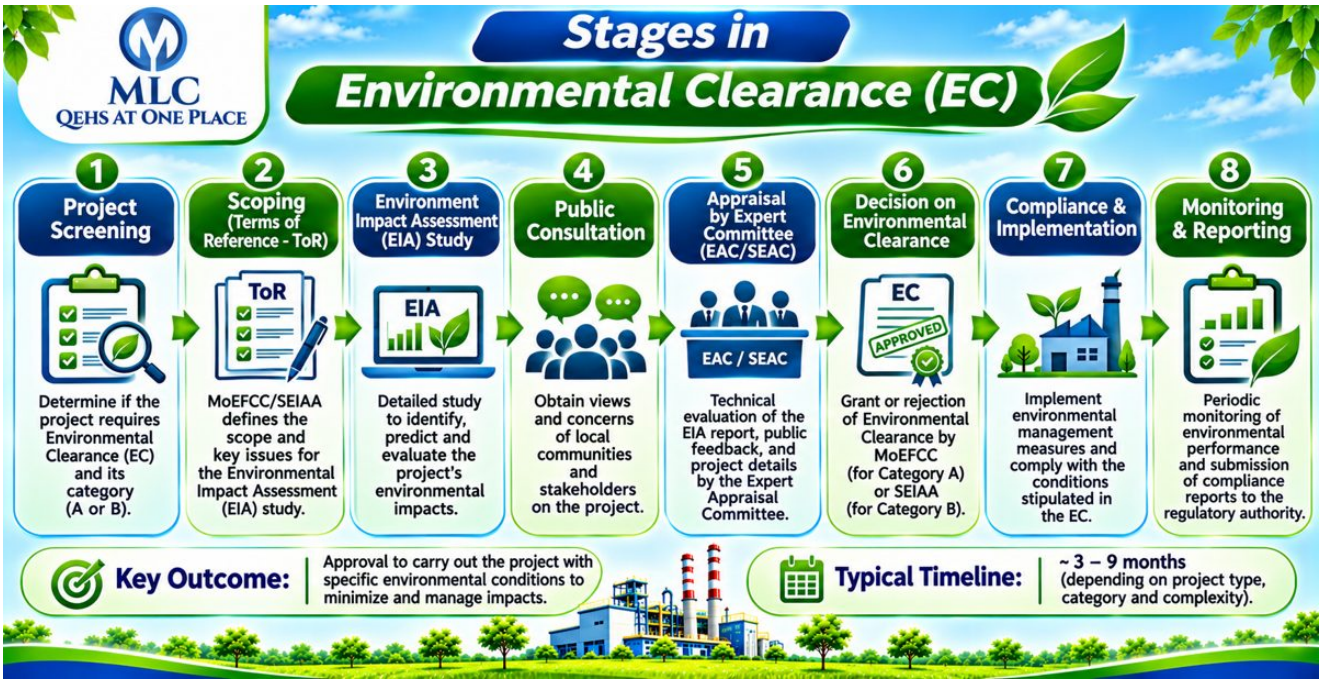
The Environment Clearance process looks into factors affecting nature and humans, like noise and pollution parameters, along with environmental components for Air, Water, Biological and land. A complete list of Industries and projects has been mentioned in EIA notification 2006. All the projects are categorised into two broad categories based on their production or area under EIA Notification 2006:

Category A	All projects under category A require Environment Clearance from Central Authority.
Category B	Further Differentiation of B category is done into B1 and B2 Categories by the concerned SEAC. Projects falling in B1 category will require Environment Clearance from the respective State Authority and projects falling under B2 Category will be exempted from submitting the EIA report.

Documents Required for Environment Clearance

- Detailed Project Description (including the name of the project, location, proposed breakup of area, water requirement, waste generation etc.)
- Site/ Layout plan
- Proof of installed machinery
- Proof of Land Ownership
- ID proof of Signatory
- Quality test Report (wherever applicable)
- Proof of mitigation options adopted
- Proof of Electricity and water connection

Stages in Environmental Clearance



Screening Stage	(Only for Category 'B' projects and activities) The concerned SEAC will determine whether or not the project requires further environmental studies to prepare an EIA, depending upon the nature and location specificity of the project. If EIA is required, the project will be categorised as B1; if not, it will be categorised as B2.
Scoping Stage and site inspection	(Only for Category A and B1 projects) The Expert Level Committee/ SEAC will determine a detailed Terms of Reference for preparing EIA. A site visit by a sub-group of Expert Appraisal Committee or the SEAC can also be performed. However, Category B projects will not require scoping.
Public Consultation Stage	(For Category A and B1) At this stage, the concerns of the local community and other stakeholders of the environment are ascertained, taking into account all the material concerns (socio-economic, cultural and human concerns) in the project.
Appraisal Stage	The MoEF&CC/ SEIAA scrutinises the final EIA report and outcome of the public consultation submitted by the applicant and makes categorical recommendations if needed. This process can take up to 60 days from the receipt of the final EIA report.

Clearance Process for Expansion, Modernization or Change of Product Mix in Existing Projects

Applicants needing to modernise or expand existing projects by increasing the production capacity above the previously authorised capacity will also need environmental clearance by applying to the EAC or the concerned SEAC in Form I. Similarly, for increasing the lease area or production capacity of mining projects or the modernisation of an existing unit with an increase in the production capacity beyond the prescribed threshold limit through a change in process and or technology or involving a change in the product mix will be appraised accordingly.

All applications will be considered within sixty days. The validity of any Prior Environmental Clearance will depend on the type of project. For instance, the validity of EC will be ten years in the case of River Valley projects, thirty years for mining projects and five years in the case of all other projects and activities.

Post Environmental Clearance Monitoring

- For category A Projects, a proponent of safety and EC must be done publicly in at least 2 local newspapers of the district or state where the project is situated.
- For category B Projects, a proponent of safety and EC must be done publicly by advertising in newspapers.
- The project management must submit a half-yearly compliance report on the prior environmental clearance terms and conditions stipulated at the time of receiving EC in hard and soft copies to the SEIAA on 1st June and 1st December of each calendar year.

How Will MLC Assist You?

One-Stop solution for Environmental Clearance

MLC provides one-stop support for all legal and procedural requirements of Environmental Clearance needed for your business plans.

Expert solution every step of the way

We have experts from all related domains who will assist you with your EIA Report and liaise with involved environmental agencies.

Unmatched Assistance

Our customer support team ensures seamless and swift communication with our clients. We ensure that clients' queries or doubts are always met with optimum solutions.

FAQ

Q. Which projects need Environmental Clearance?

Environmental Clearance is mandatory for new and existing projects listed in the EIA Notification 2006. These include thermal power plants, mining, river valley and infrastructure projects such as roads, highways, ports and airports, and certain industries.

Q. What is the difference between Category A and Category B projects?

Category A projects need clearance from the Central Authority. Category B projects are split by the SEAC into B1, which needs clearance from the State Authority, and B2, which is exempt from submitting an EIA report.

Q. What are the stages of Environmental Clearance?

The stages are screening (for Category B projects), scoping with site inspection (Category A and B1), public consultation (Category A and B1), and appraisal of the final EIA report by MoEF&CC or the SEIAA.

Q. How long does the appraisal take?

Appraisal of the final EIA report and the outcome of public consultation can take up to 60 days from receipt of the final report.

Q. How long is Environmental Clearance valid?

Validity depends on the type of project: ten years for river valley projects, thirty years for mining projects and five years for all other projects and activities.

Q. What compliance is required after getting Environmental Clearance?

The clearance must be advertised in local newspapers, and a half-yearly compliance report on the clearance conditions must be submitted to the SEIAA on 1 June and 1 December each year.

Q. What is Environmental Clearance (EC)?

Environmental Clearance is a mandatory clearance for new and existing projects — industries and construction projects — listed in the Environment Impact Assessment (EIA) Notification 2006. A listed project can start, or change an existing project, only after obtaining EC from the concerned authority under MoEF&CC.

Q. How long is an Environmental Clearance valid?

It depends on the project: ten years for river valley projects, thirty years for mining projects and five years for all other projects and activities.

Q. What has to be done after Environmental Clearance is granted?

The clearance must be advertised publicly in newspapers, and a half-yearly compliance report on the EC conditions must be submitted to the SEIAA on 1 June and 1 December each year.

Useful details to share when you enquire

- Business activity, site location and ownership details
- Existing applications, permissions and supporting records
- The registration or approval you need to discuss

TALK TO MLC

+91 77269 32023 · +91 99498 45759 | info@mlcqehs.com

H. No. 06-096/7/5, Manikya Nagar, Chintal, Quthbullapur, Medchal (Malkajgiri), Hyderabad, Telangana – 500054, India