

Procedure for Environment related Clearances

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Important Laws and Regulations concerning Environment related Clearances

- a. Environment Protection Act, 1986 and amendments
- b. Forest (Conservation) Act, 1980 and amendments
- c. Wildlife Protection Act, 1972 and amendments
- d. Environment Impact Assessment Notification, 2006
- e. Coastal Regulation Zone (CRZ) Notification, 2011
- f. Hazardous And Other Wastes (Management and Trans-boundary Movement) Rules, 2016
- g. Water (Prevention and Control of Pollution) Act, 1974
- h. Air (Prevention and Control of Pollution) Act, 1981

And Article 14 “Protection of the Environment” of MRSC of DSF

Environment Impact Assessment Notification, 2006

- Offshore and Onshore Oil and Gas Exploration, Development and Production Projects
- Category A, to be appraised at MoEF&CC
- Covered under (1b) of the schedule to EIA notification.
- EC process
 - a. Scoping
 - b. Public Consultation
 - c. Appraisal

Standard Terms of Reference for EIA Studies

Mainly include:

- Base line studies covering water, air and land and biology etc
- Source of fresh water, waste water generation, treatment and discharge
- Solid Waste Management
- Risk Assessment and Mitigation Measures
- Restoration Plans and measures for decommissioning
- Environment Management Plan

QCI/NABET accredited Consultants

Flow Chart for Environmental Clearance

Application (on line) to MOEFCC in Form-1, Pre-feasibility Report & draft TOR
(www.environmentclearance.nic.in)



Proposal for ToR to be considered by EAC, MoEFCC



MoEFCC issues TOR for preparation of EIA report.



Intimation of final TOR to operator and displayed on Website.



Operator to prepare draft EIA report as per ToR by engaging consultant accredited by
Quality Council of India (QCI) .



Submit draft EIA report to the Member Secretary, SPCB/UT Pollution control
Committee for conducting Public Hearing(PH).



After public hearing, proceedings are intimated to operator and displayed at office of
Panchayats, SPCB website etc.

Flow Chart for Environmental Clearance

Operator is required to address issues raised in PH and annex their response in final EIA report



Final EIA report and proceedings of PH to be submitted (on line) by operator to MoEF&CC for appraisal and Environmental Clearance.



On receipt of complete information, project is listed for consideration by EAC and date of meeting is displayed on MoEFCC website.



EAC makes its recommendation to MoEF&CC for grant of prior EC clearance on stipulated terms and conditions or rejection with reasons for



Minutes of EAC meeting are displayed on the website of MoEF&CC and case is then processed for final decision .



Environmental clearance letter is uploaded on MoEFCC website and operator is also conveyed of the decision.

EIA Process under EIA 2006 – Time lines

➤ Terms of Reference (TOR)	EAC	30 days
➤ Public consultation(P/H)	SPCB	45 days
➤ Appraisal	EAC	60 days
➤ Grant of EC	MoEF&CC	45 days
Total		180 days

Procedure for Clearance under Coastal Regulation Zone Notification, 2011

- Applicable for projects in CRZ regulated areas
- Recommendations from State Coastal Zone Management Authority (SCZMA)
- MoEF&CC to consider such projects for final EC based on recommendations of SCZMA.
- Process of EIA to be followed including TOR, P/H, appraisal and EC

Transfer of Environmental Clearance(EC)

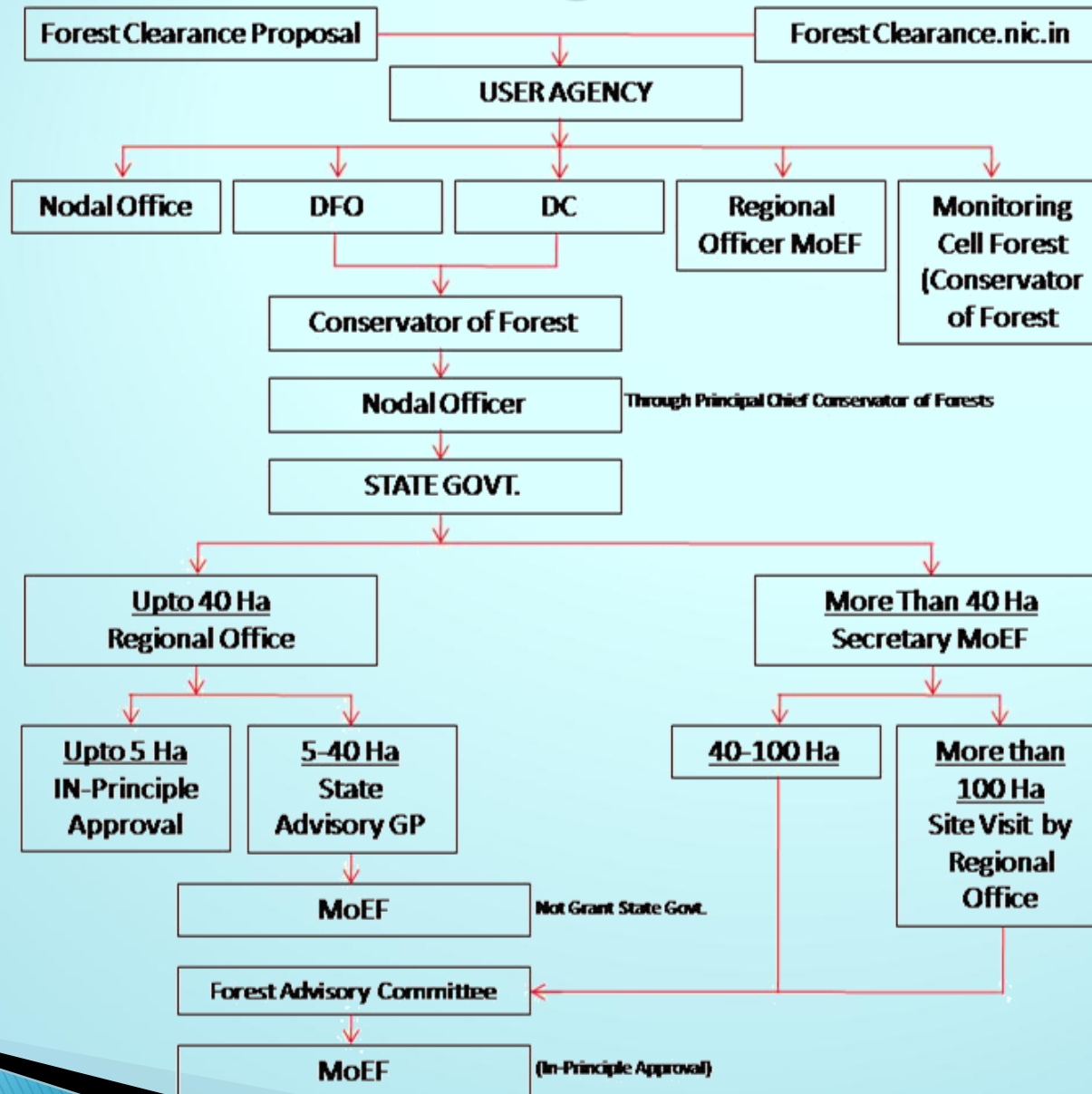
Indicative list of documents required for transfer of Environment Clearance

- Valid environmental clearance.
- MoU between both parties i.e. transferee and transferor.
- Commitment by new agency/ operator to implement EC conditions given to the original operator.
- Present status of project by operator / monitoring report by MoEF&CC regional office.
- Details of legal notices received and court cases etc, if any, to the original operator and compliance commitment by the new operator

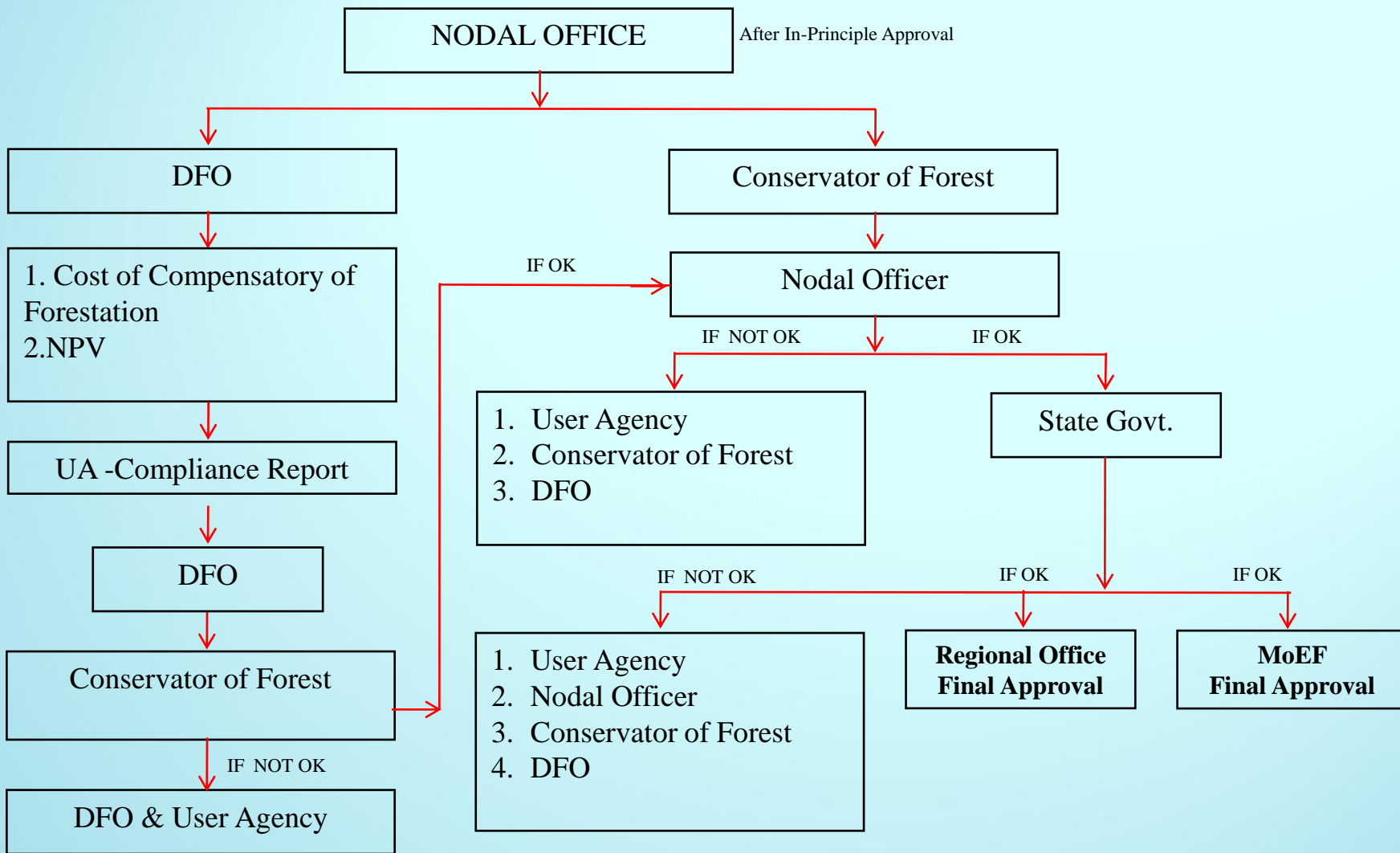
Procedure for Forest Clearance

- Approval under FC Act, 1980 for diversion of Forest land for non-Forestry Purposes.
- For grant of PML, FC required under section 2(iii) of Act, if forest land involved.
- For diversion of forest land for proposed activities FC under section 2(ii) of Act.
- Portal of Forest Approval (www.forestclearance.nic.in) provides detailed procedure including manual for User Agency for clearances of projects .
- Clearance stages
 - a. Stage-I clearance - referred to as in-principle clearance
 - b. Stage-II clearance - final clearance after which the work in forest area can be undertaken

Flowchart - Stage 1 clearance



Flowchart - Stage -II Clearance



Timelines for Forest Clearance

Level	5ha. (days)	5 to 40 ha.* (days)	40 to 100 ha. (days)	More than 100ha. (days)
State Govt.-Stage I	110	120	160	180
Central Govt-Stage I	30	75	75	130
Total Time-Stage I	140	195	235	320
Stage II Clearance	120			

*All mining projects including oil and gas sector

All oil and gas sector projects , irrespective of area to be considered at central level.

Transfer of FC clearance from one lease Holder to other

- Valid forest clearance letter.
- Transfer possible for same activity in area approved for diversion.
- Both parties have to agree for transfer
- All stipulated clearance conditions to be implemented by new user agency
- MoEF&CC to finally recommend the transfer of FC with additional conditions, if deemed necessary.
- Transfer fee to be charged as per MoEF&CC circular dated 3rd May, 2010 i. e. operator to pay 10% of Net Present Value (NPV) for forest diversion evaluated for original user agency or Rs. One lakh, whichever is less

Permissions from State Pollution Control Boards

Consent to Establish (CTE) and Consent to Operate(CTO) under

- Water(Prevention and Control of Pollution) Act, 1974
- Air (Prevention and Control of Pollution) Act, 1981

And Time line for CTE & CTO - 120 days each

Authorisation under

- Hazardous and Other Waste (Management, and Trans-boundary Movement) Rules, 2016

THANK
YOU