

EIA

new note

this is another new note

Kalpavriksh Ors vs Union Of India Ors on 17 July, 2014

added new note

. In exercise of the above powers, the Central Government framed Environment Clearance Regulations, 2006 vide Notification No. S.O. 1533(E) dated 14th September, 2006. This is also known as EIA Notification, 2006 (for short 'the Notification of 2006'). The Notification of 2006, in Paragraph 7 stipulates four stages in the process of obtaining Environmental Clearance. Stage 4 (1) is screening. At this stage the EAC or the State Expert Appraisal Committee (for short 'SEAC') takes the decision whether Environmental Impact Assessment (for short 'EIA') Report has to be prepared for the proposed projects. Stage (2) is Scoping. At this stage, the EAC for category 'A' projects and the SEAC for category 'B' projects determines detailed and comprehensive Terms of Reference (for short 'TOR') addressing all relevant environmental concerns for the preparation of an EIA Report in respect of the proposed project or activity for which the prior environmental clearance is sought. Then the detailed environment impact study is carried out at proposed site by a team of experts from all the relevant fields, addressing all the Terms of Reference and thereafter a report, predicting all positive and negative impacts and their magnitude is prepared. This is followed by preparation of Environment Management Plan (for short 'EMP') which details out various measures to be taken to minimise the impact to an acceptable level. Such report along with EMP

is submitted to the MoEF. Stage (3) relates to Public Consultation and has two components - 1) a public hearing, which is conducted by the concerned State Pollution Control Board at the project site or in its close proximity, explaining all the possible environment impacts and measures proposed in EMP. This is done for ascertaining the concerns of the locally affected

Utkarsh Mandal vs Union Of India on 26 November, 2009

addd

Category „A“ of the Schedule includes mining. In terms of the said notification, environmental clearance was to be obtained not only for new projects but for expansion and modernization of an existing project as well. In particular where mining was to take place in the area beyond 50 hectares, prior EIA clearance of the MoEF was mandatory. For mines over a smaller area and which fell in category „B“ of Schedule, approval was to be obtained from the State Environment Impact Assessment Authority.

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