F.No. 22-83/2014-IA-III
Government of India
Ministry of Environment, Forests and Climate Change
Impact Assessment Division
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Indira Paryavaran Bhawan,
Jor Bagh Raod, Aliganj
New Delhi-110 003

Dated the 7th October, 2014

C I R C U L A R

Subject: Seeking additional studies by EACs/ SEACs during appraisal of project beyond the Terms of Reference (ToRs) prescribed under EIA Notification, 2006, as amended-regarding.

Clause '7(i).II. Stage (2)-Scoping' of the EIA Notification, 2006, as amended, provides for Scoping of project as one of the stages of the environmental clearance (EC) process. As per this provision, the concerned EAC/SEAC recommends Terms of Reference (TORs) for Category 'A'/'B' projects for the preparation of EIA and EMP reports. The TORs are site specific and should be comprehensive with a view to addressing all possible environmental concerns relating to the proposed project.

2. It has been brought to the notice of this Ministry that sometimes the EACs/SEACs, during the appraisal process, revisit the issue of the site of the project and/or seek additional studies on various issues which do not form part of the TORs. This, besides delaying the whole process, goes against the spirit of the EIA Notification 2006. This Ministry has been requested to issue instructions to EACs/SEACs on the subject.

3. The matter has been examined in this Ministry. The very purpose of introducing scoping stage in the EIA Notification 2006 was to guide preparation of site specific comprehensive EIA/EMP reports so as to facilitate objective appraisal process. As per the process defined under the EIA Notification, 2006, the project proponent provides the requisite information in Form-1/1A and makes presentation before the concerned EAC/SEAC based on which the EAC/SEAC makes recommendation about the TORs. Thus, it is for the EACs/SEACs to consider the proposal comprehensively at the scoping stage itself and the requisite information/ studies should be sought from the proponent in one go while prescribing the TORs. While appraising the project, the concerned EAC/SEAC may

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satisfy itself that the TORs have been properly addressed in the EIA/EMP reports and ensure that no fresh issues are raised unless it turns out that the information provided by the project proponent at the time of scoping was wrong and misleading. In case the project proponent has given false or misleading information or data, the application for EC could even be considered for rejection under Clause 8 (vi) of EIA Notification 2006. In rare cases where, during the appraisal process some new facts come to the notice of the EAC/SEAC and it becomes inevitable to go for additional studies/ seeking additional information from the proponent beyond the TORS, the same may be unambiguously reflected in the minutes of the meeting with complete justification, besides getting the additional studies conducted/ additional information obtained in a time bound manner.

4. This issues with the approval of the competent authority.

07/10/2014

(Dr. Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees

Copy for information:

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