Appendix I

Environment (Protection) Act, 1986 (No.29 of 1980)
(Some relevant provisions are given under)

An Act to provide for the production and improvement of environment and for matters connected therewith

2. Definitions - In this Act, unless the context otherwise requires,

(a) "environment" includes water, air and land and the inter relationship which exists among and between water, air and land, and property;

(b) "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment;

(c) "environmental pollution" means the presence in the environment of any environmental pollutant;

(d) "handling", in relation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;

(e) "hazardous substance" means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plants, micro-organism, property or the environment;
(f) "Occupier", in relation to any factory or premises, means a person who has control over the affairs of the factory or the premises and includes in relation to any substance, the person in possession of the substance;

(g) "prescribed" means prescribed by rules made under this Act.

3. Power of Central Government to take measures to protect and improve environment - (1) Subject to the provisions of this Act, Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.

(2) In particular and without prejudice to the generality of the provisions of subsection (1), such measures may include measures with respect to all or any of the following matters, namely:-

(i) co-ordination of actions by the State Governments, officers and other authorities —

(a) under this Act, or the rules made thereunder; or

(b) under any other law for the time being in force which is relatable to the objects of this Act;

(ii) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

(iii) laying down standards for the quality of environment in its various aspects;

(iv) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever;
Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;

(v) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject or certain safeguards;

(vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

(vii) laying down procedures and safeguards for the handling of hazardous substances;

(viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

(ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;

(x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;
(xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and industries under this Act;

(xii) collection and dissemination of information in respect of matters relating to environmental pollution;

(xiii) prevention of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;

(xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3.) The Central Government may, if it considers it necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for purpose of exercising and performing such of the powers and functions (including the power to issue directions under Sec. 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.
5. Power to give directions. - Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Explanation - For the avoidance of doubts, it is hereby declared that the power to issue directions under the section includes the power to direct-

(a) the closure, prohibition or regulation of any industry operation or process; or

(b) stoppage or regulation of the supply of electricity or water or any other service.

6. Rules to regulate environmental pollution. - (1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in Sec.3.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the standards of quality of air, water or soil for various areas and purposes;

(b) the maximum allowable limits of concentration of various environmental pollutants (including noise) for different areas;

(c) the procedures and safeguards for the handling of hazardous substances;

(d) the prohibition and restrictions on the location of industries and the carrying on of processes and operations in different areas;
(f) the procedures and safeguards for the prevention of accidents which may cause environment pollution and for providing for remedial measures for such accidents.

7. Persons carrying on industry, operation, etc., not to allow emission or discharge of environmental pollutants in excess of the standards.—No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed.

8. Persons handling hazardous substances to comply with procedural safeguards.—No person shall handle any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed.

9. ... Powers of entry and inspection.—(1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the Central Government entrusted to him;
(b) for the purpose of determining whether and in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made, given or granted under this Act is being or has been complied with;
(c) for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution.

(2) Every person carrying on any industry, operation or process or handling any hazardous substance shall be bound to render all assistance to the person empowered by the Central Government under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person wilfully delays or obstructs any person empowered by the Central Government under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), or, in the relation to the State of Jammu & Kashmir, or any area in which that Code is not in force, the provisions of any corresponding law in force in that State or area shall, so far as may be, apply to any search or seizure under this section as they apply to
any search or seizure made under authority of a warrant issued under Sec. 94 of the said Code or, as the case may be, under the corresponding provision of the said law.

11. 12. Environmental Laboratories.—(1) The Central Government may, by notification in the Official Gazette,—

(a) establish one or more environmental laboratories;

(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this Act.

(2) The Central Government may, by notification in the Official Gazette make rules specifying—

(a) the functions of the environmental laboratory;

(b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or test, the form of the laboratory report thereon and the fees payable for such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

15. Penalty for contravention of the provisions of the Act and rules, orders and directions.—(1) Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders of directions issued thereunder, shall, in respect of each failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand
rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure of contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

13.14.15.(16) Offences by companies.—(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be also deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
Explanation—For the purposes of this section,—
(a) "company" means any body corporate and includes a firm or other association of individuals;
(b) "director" in relation to a firm, means a partner in the firm.

17.- Offences by Government Departments.—(1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

18. Cognizance of offences.—No Court shall take cognizance of any offence under this Act except on a complaint made by—
(a) the Central Government or any authority or officer authorized in this behalf by that Government; or
(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer
authorised as aforesaid.

22. Bar of jurisdiction.—No civil court shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.

23. Power to delegate.—Without prejudice to the provisions of sub-section (3) of Sec.3, the Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act, except the power to constitute an authority under sub-section (3) of Sec.3 and to make rules under 24.25 as it may seem necessary or expedient, to any officer, State Government or other authority.

24. Effect of other laws.—(1) Subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

25. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the
following matters, namely:

(a) the standards in excess of which environmental pollutants shall not be discharged or emitted under Sec. 7;

(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or caused to be handled under Sec. 8;

(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of Sec. 9;

(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under subsection (1) of Sec. 11;

(e) the form in which notice of intention to have sample analysed shall be served under Cl. (a) of sub-section (3) of Sec. 11;

(f) the functions of the environmental laboratories, the procedure for the submission to such laboratories of samples of air, water, soil and other substances for analysis or test; the form of laboratory report; the fees payable for such report and other matters to enable such laboratories to carry out their functions under sub-section (2) of Sec. 12;
(g) the qualifications of Government Analyst appointed or recognised for the purpose of analysis of samples of air, water, soil or other substances under Sec.13;
(h) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under Cl.(b) of Sec.19;
(i) the authority or officer to whom any report, returns, statistics, accounts and other information shall be furnished under Sec.20;
(j) any other matter which is required to be, or may be, prescribed.

Appendix - 2

List of Industries for which standards for emission or discharge of environmental pollutants is specified under Environmental Protection) Rules

SCHEDULE 1
(See rule 3)

1. Caustic Soda Industry
2. Man-made fibers (synthetic)
3. Oil Refinery Industry
4. Sugar Industry
5. Thermal Power plants
6. Cotton Textile Industries
7. Composite Woollen Mills
8. Dye and Dye Intermediate Industries
9. Electroplating
10. Cement Plants Plant Capacity
11. Stone-crushing Unit
12. Coke ovens
13. Synthetic Rubber
14. Small Pulp and Paper Industry
15. Fermentation Industry
16. Leather Tanneries
17. Fertilizer Industry
18. Aluminium
19. Calcium Carbide
20. Carbon Black
21. Copper, Lead and Zinc Smelting
22. Nitric Acid
23. Sulphuric Acid
24. Iron & Steel
25. Thermal Power Plants
26. Natural Rubber Industry
27. All types of Asbestos
28. Chlor Alkali (Caustic Soda)
29. Large Pulp and Paper
30. Integrated Iron and Steel Plants
31. Reheating
32. Foundries
33. Thermal Power Plants
34. Small Boilers
35. Oil Refineries
36. Aluminium Plants
37. Stone Crushing Unit
38. Petrochemical
39. Pharmaceutical Manufacturing and Formulation Industry
40. Pesticide
41. Tannery
42. Paint Industry
43. Inorganic Chemical Industry
44. Bullion Refining
45. Dye and Dye Intermediate Industry
46. Noise limits for automobiles
47. Domestic appliances and construction equipments at the manufacturing stage to be achieved by the year 1993
48. Glass Industry
49. Lime Kiln
50. Slaughter House, Meat and Sea Food Industry
51. Food and Fruit Processing Industry
52. Jute Processing Industry
53. Large Pulp and Paper
54. Small Pulp and Paper
55. Common Effluent Treatment Plants
56. Diary
57. Tanneries
58. Natural rubber processing Industry
59. Biogas-fired boilers
60. Man-made fibre industry
61. Ceramic Industry
62.
63. Starch Industry
64. Behive hard coke over
65. Briquette Industry
66. Soft Coke Industry
67. Edible oil & Vanaspati Industry
68. Organic Chemicals manufacturing industry
69. Flour Mills
70. Boilers
71. Pesticide Industry
72. Oil Drilling and Gas Extraction Industry
73. Pharmaceuticals Industry
74. Emission Standards for brick kilns
75. Soda Ash Industry
76. Emission Standard for SO$_2$ from Cupola furnace

Appendix - 3

| SCHEDULE III | (See rule 3) |

Ambient Air Quality Standards in respect of Noise

<table>
<thead>
<tr>
<th>Area code</th>
<th>Category Area</th>
<th>Limits in dB(A) Day Time</th>
<th>Leg. Night Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Industrial area</td>
<td>75</td>
<td>70</td>
</tr>
<tr>
<td>B</td>
<td>Commercial area</td>
<td>65</td>
<td>55</td>
</tr>
<tr>
<td>C</td>
<td>Residential area</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>D</td>
<td>Silence Zone</td>
<td>50</td>
<td>40</td>
</tr>
</tbody>
</table>

Note-1. Day time is reckoned in between 6 a.m. and 9 p.m.

Note-2. Night time is reckoned in between 9 p.m. and 6 a.m.

Note-3. Silence zone is defined as areas upto 100 metres around such premises as hospitals, educational institutions and courts. The Silence zones are to be declared by the Competent Authority. Use of vehicles horns, loudspeakers and bursting of crackers shall be banned in these zones.

Note-4. Mixed categories of areas should be declared as one of the four above mentioned categories by the Competent Authority and the corresponding standards shall apply.
Appendix - 4


(1) The Government have decided to institute a Scheme on Labelling of Environment Friendly Products. The scheme will operate on a national basis and provide accreditation and labelling for household and other consumer products which meet certain environmental criteria along with quality requirements of the Indian Standards for that product. The Label shall be known as the "ECOMARK" and will be of the design to be notified.

Any product which is made, used or disposed of in a way that significantly reduces the harm it would otherwise cause the environment could be considered as Environment Friendly Product.

(2) Objectives of the Scheme:

The specific objectives of the scheme are as follows:

(i) To provide an incentive for manufacturers and importers to reduce adverse environmental impact of products.

(ii) To reward genuine initiatives by companies to reduce adverse environmental impact of their products.

(iii) To assist consumers to become environmentally responsible in their daily lives by providing information to take account of environmental factors in their purchase decisions.

(iv) To encourage citizens to purchase products which have less harmful environmental impacts.
(v) Ultimately to improve the quality of the environment and to encourage the sustainable management of resources.

(3) Administrative and Organisational Structure--

There will be three stages leading to the award of the "ECOMARK":

1. A steering committee, set up in the Ministry of Environment and Forests, to determine the product categories for coverage under the scheme and also formulate strategies for promotion, implementation, future development and improvements in the working of the scheme.

2. A technical committee, set up in the Central Pollution Control Board, to identify the specific product to be selected and the individual criteria to be adopted, including, wherever possible, inter se priority between the criteria if there be more than one.

3. The Bureau of Indian Standards to assess and certify the products and draw up a contract with the manufacturers, allowing the use of the label, on payment of a fee.

3.1.1. Steering Committee:

A steering Committee shall be set up in the Ministry of Environment and Forests by the Central Government to decide the product categories to be taken up under the scheme, and to formulate the strategies for promotion, future development and improvement of this scheme. The product categories will be notified from time to time.
The functions of the Steering Committee shall be as follows:-

(a) Selection of the logo for the "ECOMARK".
(b) Activities related to creation of mass awareness for promotion and acceptance of the scheme.
(c) Determining the product category to be taken up under the scheme.
(d) Co-ordinating ways of ensuring that industry is actively involving in the scheme.
(e) Securing the involvement of other Ministries, Government Departments, Industry Associations and other Non-Governmental Organisations and Consumer organisations.
(f) Formulation of strategies for future development of the scheme.
(g) Identifying institutions in India or outside which are engaged in the standardization of any article or process or improvement of quality of any article or process and recommending assistance to build consumer awareness.
(h) Promoting programmes of comparative testing of products by consumer organisations and dissemination their results to the general public.
(i) Supporting any research for the formulation of ECOMARK products in the interests of Consumer groups.

3.12. Technical Committee

A Technical Committee shall be constituted by the Central Government to identify the individual products and determine the criteria for awarding the ECOMARK. The Committee shall function in the Central Pollution Control Board, New Delhi.
The following shall be the functions for the Technical Committee:

(i) Identification of specific products for classifying as environment friendly.

(ii) Reviewing the existing state of knowledge and the environmental criteria being followed in other countries.

(iii) Recommend the most appropriate criteria and parameters to designate various products as environment friendly, including the most important criteria, or individual products that have been specified for the purpose and their inter se priority, whenever possible.

(iv) Review the various technologies available for determining the criteria.

(v) Recommend various laboratories and analysts for product assessment to the Ministry of Environment and Forests.

(vi) Evaluation of the environmental impact of the products and criteria from time to time.

(vii) To review from time to time, the implementation of the schemes by the Bureau of Indian Standards (BIS), including the sample inspections done by it.

(viii) Set up sub-committees for each product category if so required, including formulation of test programmes for comparative testing of products by consumer organisations.

(ix) The technical committee may set up expert panels to advise it for specific products.

The Bureau of Standards (BIS) shall implement the scheme.
Following shall be the functions of the BIS:-

(1) Assess the products for Ecomark, certify the product for award of the Ecomark;

(2) Review suspend or cancel a licence, for the use of the Ecomark;

(3) Mark inspections, and take such samples for analysis of any material or substances as may be necessary to see whether any article or product in relation to which the Ecomark has been used, conforms to the contract or whether the Ecomark is improperly used in relation to any article or process with or without a licence.

(4) Certification and Licensing:

4.1. Under the scheme the manufacturers shall apply for resting and certification of products which fall under the notified categories in terms of their compliance with published environmental criteria in the prescribed form. The terms and conditions governing operations of the licences including fees shall be as per the Bureau of Indian Standards Act and the regulations frame thereunder.

4.2. Testing and certification shall be carried out by the Bureau of Indian Standards. For product categories which have the Indian Standards mark, the Bureau of Indian Standards will ordinarily complete the task of certification within a period of three months. Products certified as eligible for the ECOMARK shall be licenced to carry the ECOMARK for a prescribed time period.

4.3. The product shall be reassessed after the prescribed period and the licence fee shall have to be paid again for the mark.

5. The criteria for Ecomark:
Environmental criteria for each product category will be notified by the Central Government and later on shall be translated into Indian Standards by the Bureau of Indian Standards. The criteria shall be for broad environmental levels and aspects, but will be specific at the product level. Products will be examined in terms of the following main environmental impacts:

(a) That they have substantially less potential for pollution than other comparable products in production, usage and disposal.

(b) That they are recycled, recyclable, made from recycled products or biodegradable, where comparable products are not.

(c) That they make significant contribution to saving non-renewable resources, including non-renewable energy sources and natural resources, compared with comparable products.

(d) That the product must contribute to a reduction of the adverse primary criteria which has the highest environmental impact associated with the use of the product, and which will be specifically set for each of the product categories.

In determining the primary criteria for a product, the following shall be taken into account:

(a) Production process including source of raw materials;

(b) Case of Natural Resources;

(c) Likely impact on the environment;

(d) Energy conservation in the production of the product;

(e) Effect and extent of waste arising from the production process;
(f) Disposal of the product and its container;

(g) Utilization of "Waste" and recycled materials;

(h) Suitability for recycling or packaging;

(i) Biodegradability
Appendix - 5


In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that on and from the date of publication of this notification in the Official Gazette, expansion or modernization of any activity if pollution load is to exceed the existing one, or new project listed in Schedule I to this notification, shall not be undertaken in any part of Indian unless it has been accorded environmental clearance by the Central Government in accordance with the procedure hereinafter specified in this notification;

2. Requirements and procedure for seeking environmental clearance of projects:

I.(a) Any persons who desires to undertake any project in any part of India or the expansion or modernisation of any existing industry or project listed in the Schedule shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi.
The application shall be made in the proforma specified in Schedule II to this notification and shall be accompanied by a project report which shall, inter alia, include an Environmental Impact Assessment Report/and Environment Management Plan prepared in accordance with the guidelines issued by the Central Government in the Ministry of Environment and Forests from time to time.

(b) Case rejected due to submission of insufficient or inadequate data and Plan may be reviewed as and when submitted with complete data and Plan. Submission of incomplete data for the second time would itself be a sufficient reason for the Impact Assessment Agency to reject the case summarily.

II. In case of the following site specified projects:

(a) mining;

(b) pit-head thermal power stations;

(c) hydro-power, major irrigation projects and/or their combination including flood control;

(d) ports and harbours (excluding minor ports);

(e) prospecting and exploration of major minerals in over above 500 hectares.
III. (a) No construction work, preliminary or otherwise, relating to the setting up of the project may be undertaken till the environmental and site clearance is obtained.

IV. In order to enable the Impact Assessment Agency concerned to monitor effectively the implementation of the recommendations and conditions subject to which the environmental clearance has been given, the project authorities concerned shall submit a half-yearly report to the concerned agency. Subject to the public interest, the Impact Assessment Agency will make compliance reports publicly available.

V. If no comments from the Impact Assessment Agency are received within the time limit, the project would be deemed to have been approved as proposed by project authorities.

3. Nothing contained in this Notification shall apply to:

(a) any time falling under Entry Nos. 3, 18 and 20 of Schedule I to be located or proposed to be located in the areas covered by the Notification’s S.O. No. 102(E) dated 1st February, 1989; S.O. No. 114(E) dated 20th February, 1991, S.O. 416(E) dated 20th June, 1991 and S.O. No. 319(E) dated 7th May, 1992.
(b) any item falling under Entry Nos. 1, 2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 16, 17, 19, 21, 25 and 27 of Schedule if the investment is less than ₹.50 crores.

(c) any item reserved for Small Scale Industrial Sector with investments less than ₹.1 crore.

4. Concealing factual data or submission of false, misleading data/reports, decisions or recommendations would lead to the project being rejected - approval, if granted earlier on the basis of false data, would also be revoked. Misleading and wrong information will cover the following:

- False information
- False data
- Engineering reports
- Concealing of factual data
- False recommendations or decisions
The project authorities will intimate the location of the project site to the Central Government in the Ministry of Environment and Forests while initiating any investigation and surveys. The Central Government in the Ministry of Environment and Forests will convey a decision regarding suitability or otherwise of the proposed site within a maximum period of thirty days. The said site clearance will be granted for a sanctioned capacity or for any mining lease and shall be valid for a period of five years for commencing the construction, operation or mining.

III.(a) The report submitted with the application shall be evaluated and assessed by the Impact Assessment Agency and if deemed necessary it may consult with a Committee of Experts, having a composition as specified in Schedule III of this Notification. The Impact Assessment Agency (IAA) would be the Union Ministry of Environment and Forests. The Committee of Experts mentioned above shall be constituted by the Impact Assessment Agency or such other body under Central Government authorised by Impact Assessment Agency in this regard.

(b) The Said Committee of experts shall have full right of entry and inspection of the site or, as the case may be, factory premises at any time prior to during or after the commencement of the operations relating to the project.
(c) The Impact Assessment Agency will prepare a set of recommendations based on technical assessment of documents and data, furnished by the project authorities supplemented by data collected during visits to sites or factories, if undertaken, and interaction with affected population and environmental groups, if necessary. Summary of the reports, the recommendation and the conditions subject to which environmental clearance is given, shall be made available, subject to the public interest, to the concerned parties or environmental groups on request. Comments of the public may be solicited, if so decided by IAA within thirty days of receipt of proposal, in public hearings arranged for the purpose after giving thirty days' notice of such hearings in at least two newspapers. Public shall be provided access to the summary of the project reports/Environmental Management Plans at the Headquarters of the Impact Assessment Agency.

The assessment shall be completed within a period of ninety days on receipt of the requisite documents and data from the project authorities and completion of public hearing, where required and decision conveyed within a maximum of thirty days thereafter. The clearance shall be valid for a period of five years from the commencement of the construction or operation.
SCHEDULE: I
(See paras 1 and 2)

List of Projects Requiring Environmental Clearance from the Central Government

1. Nuclear Power and related projects such as Heavy Water Plants, nuclear fuel complex, rare earths.
2. River Valley projects including hydel power, major irrigation and their combination including flood control.
4. Petroleum Refineries including crude and product pipelines.
5. Chemical Fertilizers (Nitrogenous and Phosphatic) other than single superphosphate).
7. Petrochemical complexes (Both Olefinic and Aromatic) and Petrochemical intermediates such as DMT, Caprolactam LAB etc. and production of basic plastics such as LLPDE, HPDE, PPPVC.
8. Bulk drugs and pharmaceuticals.
9. Exploration for oil and gas and their production, transportation and storage.
10. Synthetic Rubber.
11. Asbestos and Asbestos products.
13. (a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, Lead and Ferro Alloys).
   (b) Electric arc furnaces (Mini Steel Plants).
15. Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
16. Viscose Staple fibre and filament yarn.
17. Storage batteries integrated with manufacturer of oxides of lead and lead animony alloy.
18. All tourism between 200 m - 500 meters of High Water Line and at locations with an elevation of more than 1000 meters with an investment of more than 5.5 crores.
19. Thermal power plants.
20. Mining projects (major minerals) with leases more than 5 hectares.
22. Tarred Roads in Himalayas and or Forest areas.
23. Distilleries.
25. Pulp, paper and newsprint.
27. Cement.
28. Foundries (individual)
29. Electroplating.
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Centre for Environment Education

Client MINISTRY OF ENVIRONMENT & FORESTS, NEW DELHI, INDIA

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