

Dated: 14<sup>th</sup> January, 2025

**OFFICE MEMORANDUM**

**Subject: Streamlining the implementation of Notifications G.S.R. 702 and G.S.R. 703 dated 12th November 2024 – regarding.**

The Ministry has issued notifications vide G.S.R. 703 (E) dated 12.11.2024 and G.S.R. 702 (E) dated 12.11.2024 regarding exemption of certain categories of industries from the application of the sub-section (1) of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and sub-section (1) of section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

2. As per the above referred notifications, the project / activities requiring prior EC as per the Environmental Impact Assessment Notification, 2006 (as amended from time to time) under Environment (Protection) Act, 1986 are exempted from obtaining previous Consent To Establish (CTE) separately.

3. The Ministry has issued a Standard Operating Procedure (SOP) dated 14<sup>th</sup> November 2024 for implementing the notifications mentioned above. In the SOP, it has been, inter-alia, provided that, for the projects / activities requiring prior EC, the exemption provided from obtaining CTE is subject to obtaining necessary EC and the conditions of CTE, as may be required, will be integrated in the conditions of EC itself.

4. The matter has been examined in the Ministry and it has been decided to further streamline the procedure in partial modification of the Standard Operating Procedure dated 14<sup>th</sup> November 2024, with regard to the projects / activities requiring prior EC which are exempted from obtaining CTE as per the aforesaid Notifications G.S.R. 702 and G.S.R. 703 dated 12th November 2024:

**A. Obtaining comments from the State Pollution Control Boards (SPCBs) / Pollution Control Committees (PCCs)**

i. In all cases where ToR is applicable (i.e. Category A and B1 Projects except projects that apply for expansion under para 7 (ii) (a) of EIA Notification 2006 and category B2 projects), the concerned Regulatory Authority while granting ToR shall forward the ToR in parallel to the concerned SPCBs/PCCs, through the PARIVESH portal with a request to upload their comments.



ii. In all such cases where ToR is not applicable (i.e. projects that apply for expansion under para 7 (ii) (a) of EIA Notification 2006 and category B2 projects), a copy of the proposal that was submitted for seeking EC shall be forwarded to the Member Secretary, SPCB/PCC through PARIVESH, with a request to upload their comments.

iii. In both the scenarios mentioned above, the SPCB/PCC shall carry out site inspection, if required, before furnishing their comments. The comments shall have the details of the project site, the feasibility of the project and the environmental safeguards prescribed for the concerned project.

#### **B. Payment of requisite fees**

i. Once the copy of the ToR or the proposal that was submitted for seeking EC (in cases where ToR is not applicable) is forwarded to the Member Secretary, SPCB/PCC through PARIVESH, the Member Secretary, SPCB/PCC shall raise the demand for applicable fee within seven days which shall be paid by the project proponent through the prescribed payment gateway of SPCB/PCC or in the interim through the method prescribed by the respective SPCB/PCC.

ii. Once the fee payment receipt is uploaded by the project proponent on PARIVESH, comments shall be uploaded by the SPCB/PCC within the prescribed timeframe mentioned below, as the case may be.

#### **C. Timeframe prescribed for the SPCBs/PCCs to provide their comments**

i. In all cases where ToR is applicable, the comments shall be uploaded on the PARIVESH portal by the concerned SPCBs/PCCs within thirty days from the date on which the fee payment receipt is uploaded by the project proponent on PARIVESH.

ii. In all such cases where ToR is not applicable, the comments shall be uploaded on the PARIVESH portal by the concerned SPCBs/PCCs within fifteen days from the date on which the fee payment receipt is uploaded by the project proponent on PARIVESH.

#### **D. Non-receipt of comments within prescribed timeframe**

i. In case the comments are not received within the prescribed timeframe, a representative from the concerned SPCB/PCC shall be invited to the next EAC/SEAC meeting for furnishing comments. However, within this period, SPCB/PCC may also provide their comments on PARIVESH.

ii. In the event that the representative from the concerned SPCB/PCC does not participate in the EAC/SEAC or their comments are not provided within the prescribed timeframe, it shall be deemed that the concerned SPCB/PCC has no



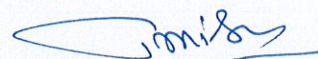
objection/comments to offer and the EAC/SEAC may take the decision on merit stipulating environmental safeguards in the form of conditions as applicable for the establishment of the Project/Activity, based on the details submitted by the project proponent as a part of EC application.

**E. Projects which have already been granted EC after 12<sup>th</sup> November 2024 but for which CTE has not been granted**

Such projects shall obtain the environmental safeguards required for the establishment of the Project/Activity, from the concerned SPCB/PCC within 30 days of this OM, after payment of requisite fees. The same shall be appended to the EC later and the project proponent shall file six monthly compliance for the safeguards also, along with the EC conditions.

5. The Projects / Activities exempted from obtaining CTE as per the procedure mentioned at para-4 above, shall be required to obtain CTO separately from the SPCBs / PCCs and any other statutory authorization /permission, wherever required as per the prevailing rules and regulations.

6. This is issued with the approval of the Competent Authority.



(Ved Prakash Mishra)  
Joint Secretary

To

1. Chairman/Member Secretary, CPCB.
2. Chairperson/Member Secretaries of all the State/UT, PCBs/PCCs
3. Chairperson/Member Secretaries of all the EACs.
4. Chairperson/Member Secretaries of all the SEIAAs/ SEACs.
5. All Officers of IA Division

Copy to:

1. PS to Hon'ble MEFCC
2. PS to Hon'ble MoS (EF&CC)
3. Sr PPS to Secretary (EF&CC)
4. Sr PPS to DGF&SS (EF&CC)
5. Sr PPS to AS(AG)/ Sr PPS to JS(RA)
6. Website, MoEF&CC/Guard File

