



PROCEEDINGS



**One Day Workshop on
Environment Impact Assessment – Challenges in India and Way Forward**

Jointly organized by MoEF& CC and QCI/ NABET

April 25, 2015 – Vigyan Bhavan, New Delhi





**Ministry of Environment, Forest and Climate Change,
Government of India**

cordially invite you to the one-day workshop on

'Environmental Impact Assessment – Challenges in India and Way Forward'

to be inaugurated by

Shri Prakash Javadekar
Hon'ble Minister of State (Independent Charge)
For Environment, Forest and Climate Change

Guest of Honour
Shri Adil Zainulbhai
Chairman
Quality Council of India

On Saturday, April 25, 2015
(10 00 Hrs to 17 00 Hrs)

at

Vigyan Bhavan, Hall No. 6, New Delhi
(Please be seated by 09 15Hrs)

RSVP:

Dr. P. B. Rastogi: 011-24695391
Mr. Abhay Sharma: 011-23323416 20/124
Ms. Meenakshi Arora: 01123323416-20/149

INAUGURAL

Sh. Prakash Javadekar

Hon'ble Minister of State (Independent Charge)

For Environment, Forest and Climate Change, Govt of India



Messages

Hon'ble Minister of State, (Independent Charge) for Environment, Forest and Climate Change, Govt. of India

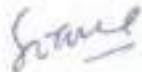


Message

It is important to ensure ease of doing business without compromising the environmental norms and vigour of Environment impact assessment. The government wants to simplify processes and increase the emphasis on strict compliance of green norms.

The Ministry has promoted a scheme for accreditation of Consultants involved in preparing Environment Impact Assessment reports for developmental projects. The scheme has improved the timelines in the process of approval of projects and quality of EIA/EMP both at the Central and State levels.

QCI's efforts in Capacity Building of Consultants engaged in preparation of EIA/EMP reports for are indeed laudable and will be well supported by our set of legislative and regulatory measures, aimed at the preservation, conservation and protection of the environment.



(Prakash Javadekar)

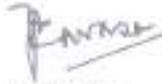
Secretary, MoEF& CC, Govt. of India



The Ministry of Environment, Forest & Climate Change, Government of India, is making a coordinated effort for sustainable development and environmental protection. It is pertinent that we ethically re-examine our inheritance of this planet and by developing competence in areas of environmental protection we pave way to what we will pass on to the next generation.

The call for the day is to integrate environmental issues into enterprise policy as well as measures aimed at limiting the adverse impact businesses may have on the environment, while at the same time not hampering their development.

QCI's initiative in highlighting and propagating this will go a long way in assisting the Government in its commitment towards the environment and we are duty bound to support such Environmental Impact Assessment initiatives. I am sure this workshop will be invigorating and interesting and will add value to our efforts.



(Ashok Lavasa)

Chairman, QCI



Change can truly happen if it is affected at the community level.

We must learn to live in a way that will sustain our world, like learn to use our natural resources in an efficient manner. To be honest, what we are doing to the environment is actually a reflection of what we are doing to ourselves.

We know that activities carried out by businesses can exert considerable pressure on the environment. By boosting the competitiveness of businesses that meets environmental standards or helps conserve the environment, is perhaps one way forward.

We must stop in our tracks and examine our surroundings and take a pledge to preserve the beauty that lies around us. Through such initiatives, QCI is actively advocating that there is something each of us can do to preserve the environment while marching towards our cherished aim of making India an economic superpower.


CHAIRMAN QCI
(Adil Zainulbhai)

Secretary General, QCI



Quality Council of India has been working with the Ministry of Environment, Forest & Climate Change for more than past five years in handling the scheme of accreditation of Consultant Organizations involved in preparation of Environment Impact Assessment reports. It has been a journey worth travelling.

We are proud that today we have with us more than 170 consultant organizations accredited through a rigorous process of assessment and accreditation. It shows our maturity as a Nation and also our deep commitment to preserve the environment at all costs. We are proud that such a scheme has been a torchbearer for various nations moving up on the value chain of development.

Albert Einstein once said "Look deep into nature, and then you will understand everything better."

Every one of us can do something to help slow down and perhaps reverse the environmental degradation by owning our responsibility towards the nature. We cannot leave the problem solving entirely to the experts - we all have a responsibility to make it happen. We, at QCI, are pleased that this journey towards quality has brought together like minded people who are driving this movement forward. We sure hope that more will join us after the initial reluctance to pave way for trust and responsibility.


(R. P. Singh)

Programme

Environment Impact Assessment – Challenges in India and way forward
One day Workshop – Jointly organised by MoEF& CC and QCI/NABET

Venue – Vigyan Bhavan, Date –April 25, 2015

09 00 – 10 00 Hrs Registration

10 00 – 11 00Hrs Inaugural Session

10 00–10 05 Hrs– Welcome to Participants, Dr R P Singh, Secretary General, QCI
10 05–10 15 Hrs– Objectives of the Workshop, Mr. M. K. Singh, IAS, JS, MoEF& CC
10 15 – 10 25 Hrs – Address by Dr. Prodipto Ghosh, IAS, Ex. Secretary, MoEF& CC & Chairman AC
10 25 – 10 35 Hrs – Address by Mr. Adil Zainulbhai, Chairman, QCI
10 35 – 10 45 Hrs – Address by Mr. Ashok Lavasa, IAS, Secretary, MoEF& CC
10 45 – 1100 Hrs –Address by Mr. Prakash Javadekar, Hon’ble Minister of State, MoEF&CC

1100 – 11 15 Hrs Tea/Coffee

11 15 – 12 30 Hrs Technical Session I – EIA – latest trends
Chair – Sh. Paritosh C Tyagi, Chairman, EIA AC- NABET, QCI

1115-1230 Hrs – Mr. Piers Touzel and Mr Subir Gupta, ERM

- Perceived gaps in EIAs and challenges
- Latest trends in the field of EIAs in Developed and Developing Countries
- Drivers for preparing quality EIAs in developed countries
- Case study – Environment and Social Impact Assessment

1230 – 13 30 Hrs Technical Session II – EIA Scenario in India
Chair – Sh. M K Singh, IAS, JS, MoEF& CC

1230 – 1245 Hrs – Requisites of a good quality EIA - Dr. S. R. Wate, Director, NEERI
12 45 – 1305Hrs –Role of accreditation in improving quality of EIAs – Mr. A. K.Ghose, QCI
1305– 1330 Hrs –Role of Industry in EIA – Dr. J S Sharma, ONGC, Mr.Piyush Shah, Paper Industry,
Dr. N. J. Singh, DCM Shriram

13 30 – 14 15 Hrs Lunch

1415 – 1530 Hrs Technical Session II – EIA Scenario in India (contd.)
Chair – Prof. C. K. Varshney, Professor Emeritus, JNU

1415 - 14 45 Hrs - Concerns and expectations of consultants on the accreditation and appraisal processes – Dr.B. Chakradhar- Ramky, Mr. Sangram Kadam- Kadam Enviro, Dr. S. Mukherjee, AECOM
14 45 - 15 00 Hrs - Role of Govt. and way forward –Dr. P. B.Rastogi, Director, MoEF& CC
15 00 - 15 30 Hrs – Discussions

15 30 – 15 45 Hrs Tea/Coffee

15 45 – 17 00 Hrs Valedictory Session – Way Forward

Panel – Mr. M. K. Singh, IAS, JS,MoEF& CC, Prof. C. K.Varshney, Mr. K. P.Nyati, Dr. Sukumar Devotta and Mr. Piers Touzel, Concluding remarks by Dr. P. B. Rastogi, Director, MoEF &CC
Vote of thanks – Mr. Vipin Sahni, CEO, NABET

GLIMPSE FROM THE WORKSHOP ...





PROCEEDINGS

INAUGURAL SESSION

The workshop was inaugurated by Shri. Prakash Javadekar, Hon'ble Minister of State (Independent Charge) for Environment, Forest & Climate Change, Govt. of India.

The Session was also addressed by Dr. Prodipto Ghosh, IAS, Ex. Secretary MoEF& CC; Mr. Adil Zainulbhai, Chairman QCI and Dr. P. B. Rastogi, Director MoEF& CC, Govt. of India. Dr R P Singh, Secretary General, QCI gave the welcome address.

The workshop was attended by about 300 delegates comprising MoEF& CC officials, members of SEAC/SEIAA, representatives of accredited EIA consultant organizations and industry.

The session began with lighting of the inaugural lamp by the Hon'ble Minister and other dignitaries.

Dr. R P Singh, Secretary General, QCI delivered the welcome address. He thanked the Ministry for giving QCI/NABET the opportunity to organize this workshop and expressed QCI's gratitude to the Hon'ble Minister for kindly agreeing to inaugurate the same. He mentioned that QCI works with several Ministries covering various fields of services and that the Scheme for Accreditation of EIA Consultant Organizations is one of the flagship schemes of QCI. There was no parallel to such schemes when efforts by QCI/NABET were initiated. He assured that QCI/NABET is open to all suggestions to bring further improvements in the Scheme.

Dr. Prodipto Ghosh, IAS, Ex. Secretary MoEF& CC gave a brief introduction about the start of EIA process in the country. He detailed the background of re-engineered EIA Notification 2006 including the extensive stakeholders meetings that preceded the Notification. Issues related to Environmental Clearance were addressed. Dr. Ghosh gave a glimpse as to how the Scheme for Accreditation of EIA Consultant Organizations was developed by QCI. He emphasized that the scheme is based on international system of accreditation, transparent in its implementation and aims at continuous capacity building of EIA Consultant Organizations. The entire process is open to RTI. The Scheme was initially introduced as a voluntary scheme and was later made mandatory by the Ministry feeling the need for same. Dr. Ghosh also dwelt on the pros and cons of project proponents ordering for EIAs.

Dr. P. B. Rastogi, Director MoEF& CC, Govt. of India gave the background of the Scheme for Accreditation of EIA Consultant Organizations and involvement of MoEF& CC during development of the same. He stressed that a good quality EIA is a pre-requisite for effective environmental clearance process. Dr. Rastogi mentioned about stay orders obtained by some consultants from various courts against making the Scheme mandatory through an Office Memorandum in place of a Notification. He informed the gathering that all the cases have been transferred to the Supreme Court and will be heard there only. He also quoted from the Supreme Court decision in the Lafarge case which says "MoEF should prepare a Panel of Accredited Institutions from which alone the project proponent should obtain Rapid EIA and that too on the Terms of Reference to be formulated by the MoEF." He concluded by

emphasizing that the purpose of the workshop is to debate amongst various stakeholders for the common objective of preparing good quality EIA reports.

Mr. Adil Zainulbhai, Chairman QCI addressed the session stressing that there need to be balance between development, environmental preservation, society and people. With India poised for 7-8 % growth, the opportunity for the accredited EIA consultants will also grow. He urged the consultants not to be satisfied with obtaining QCI/NABET accreditation alone. They should strive to go beyond and excel in their work so that project proponents from beyond India also come to them to get their EIAs prepared. He ended by saying that one's goal must be to improve quality in whatever one does.

Shri. Prakash Javadekar, Hon'ble Minister of State (Independent Charge) for Environment, Forest & Climate Change, Govt. of India initiated his address by saying that 'Change of work is rest'. The Hon'ble Minister talked about the various steps that the Ministry has taken to expedite the process of environmental clearance. 2200 applications have been processed on-line. The process will be gradually extended to the States also. The standard TORs for 39 Sectors issued by the Ministry will help further reduce the timeframe for environmental clearance. He added that decisions should be policy based and not on case to case basis. The Hon'ble Minister requested everyone to give suggestions and become partners with Ministry. He mentioned that the Ministry is working on standards use of animals for medical testing. While coming to EIA, he talked about the existence of two types of consultants - one for actually carrying out the study and other for liasoning. He assured all that there was no necessity of the latter and the work would be done without their visiting the Ministry. Aspects of land acquisition and relevance of Social Impact Assessment for the same was also discussed.

Further, Hon'ble Minister supported the need of accreditation for EIA consultants. He added that EIAs should be of high quality and 'cut and paste' approach must be strictly avoided. He asked the Accredited Consultants to write their views regarding the accreditation process within two weeks time. He mentioned that conditions of Environmental Clearance (EC) should be reasonable, need based and practical. Conditions of EC must be followed and implemented. He assured that appraisal process will be proper. He also added that in 17 critically polluted areas already identified, pollution monitoring devices will be put for 24/7 monitoring.

While talking about the stay order issued by various High Courts w.r.t. the OM for accreditation of EIA consultant organizations, the Hon'ble Minister assured for issuing necessary Notification.

TECHNICAL SESSION I: EIA- latest trends

The Session was chaired by Er. Paritosh C Tyagi, Chairman EIA Accreditation Committee- NABET, QCI. The speakers for this session were Mr. Subir Gupta, Chief Executive-India, ERM and Mr. Piers Touzel, Managing Partner, ERM-Asia Pacific Region.

Mr. Subir Gupta spoke on EIA and environmental clearance process – issues and challenges. Key issues identified were that EIAs are mostly generic and lack details, social and cumulative impacts not addressed adequately and incomplete information is a major reason for delays. He concluded that a well-executed EIA for the project helps address issues in a proactive way. The EIA/ESIA gives

environmental and social considerations its due place in the decision making process by clearly evaluating the consequences of the proposed activity before action is taken. He further added that the new government is gradually addressing most of these issues.

Mr. Piers Touzel gave a presentation on International practice for ESIA- an overview. He talked about the system being followed in China and Australia accompanied by case studies. Mr. Touzel mentioned that ESIA is an evolving process. Regulations need to be renewed on a regular basis. He further added that Challenges in India are not unique. International experience offers some lessons.

The session by the international speaker was appreciated as this provided a status as to where India stands. This has helped to derive a comparison between countries.

Concluding remarks by the Chairman

Chairman **Er. Paritosh C Tyagi**, appreciated the presentations made by both the speakers. He mentioned that EIA needs to be a tool in decision making, which is currently missing. Factor influencing quality of EIA pertains to at what level the consultant gets involved. Further the chairman appreciated effort of QCI-NABET in releasing the well documented brochure... REFLECTIONS and recommended all to go through the same.

TECHNICAL SESSION II: EIA Scenario in India

The Session was chaired by Sh. M. K. Singh, IAS, Joint Secretary, MoEF& CC. The speakers for this session were Dr. Satish R. Wate- Director, NEERI; Mr. A K Ghose - Principal Advisor- NABET, QCI; Dr. J S Sharma GM- Head Environment, ONGC; Mr. Piyush Shah – Director EHS, International Paper (I) Pvt. Ltd.; Dr. N. J. Singh - Wholetime Director, DCM Shriram Consolidated Ltd.

Sh. M. K. Singh, IAS addressed the delegates and participants. He referred to Mr. Touzel's presentation w.r.t. case study of Australia where sometimes large number of conditions are given for environmental clearance. Talking about the Scheme for Accreditation of EIA Consultant Organizations he added that QCI's efforts in being the first to evolve such unique scheme is appreciated. From his recent experience in Japan he quoted that people were surprised to know about existence of such a scheme and really appreciated the accreditation process. He also mentioned that initially he had received only one side of the story from those who could not meet the requirements of accreditation. However, now the correct picture is clear to him. He further added that no system is perfect. There will be lacunas. The accreditation process needs to be evolved.

Dr. Satish R. Wate gave an effective presentation on requisite of a good quality EIA. He explained as to how EIA helps in inclusive development. EIA Process facilitates discussions, generation of scenarios and better project planning. He talked about role of stakeholders in the EIA process. Further he added that EIA requires insight of the project, homework, understanding and passion. It is not a formula for environmental clearance. He also addressed project specific requirements, Quality Assurance/Quality Control of data, site and project specific EMP and Public Consultation. Dr. Wate expressed his views on way forward.

Mr. A. K. Ghose presented on the Role of Accreditation Body in improving Quality of EIA. He started by briefing the participants on the accreditation process and involvement of eminent experts at various stages of the Scheme giving it credence and credibility. He explained how the quality of EIA aspect is incentivized in the Scheme by progressively increasing the weightage in assessment from initial accreditation to surveillance assessment to re-accreditation. Mr. Ghose mentioned that an analysis of the assessment findings show that quality of EIAs have improved in majority of cases during the accreditation cycle. Further, he pointed out that there are three factors crucial for all round improvement in Quality of EIAs - identification of capable consultants (QCI-NABET addressing this), issue of project proponents ordering EIAs thus possibilities of influencing the same and scope of improvement in the appraisal process. The presentation also included the achievements of the scheme. Putting views for way forward, Mr. Ghose mentioned that QCI/NABET is open to suggestions on improvement from all stakeholders and plans to organise Awareness workshops across the country on the Scheme including the Re-accreditation process and QMS and roll out Short Term training programmes for capacity building of EIA professionals. He suggested formation of a steering committee comprising MoEF& CC, QCI/NABET and representatives of stakeholders for guidance to further improve the accreditation process.

Dr. J S Sharma gave a presentation on Accreditation & Appraisal Processes for Environmental Clearance and view/ suggestion of ONGC on the same. He talked about the process of public hearing and suggested reduction in time period from 45 to 15 days. Dr. Sharma mentioned benefit of QCI/NABET Accreditation. He brought out the issues related to environmental clearance of the Oil & Gas sector and sought MoEF& CC's intervention on the same. He further suggested that based on industry's views, MoEF& CC and NABET/QCI may jointly bring further improvements in accreditation and appraisal process including guidelines on EMP.

Mr. Piyush Shah and Dr. N J Singh gave presentations on the role of industry in EIA process. Mr. Shah talked about the process of public hearing and difficulties in conducting the same. He further added that small power plants can be exempted from public hearing. Dr. Singh mentioned the role of project proponent. He also talked about a Pre-EIA matrix by project proponents flagging all issues to be addressed in the EIA.

TECHNICAL SESSION II: EIA Scenario in India (contd.)

The Technical Session was chaired by Prof. C. K. Varshney, Professor Emeritus, JNU. The speakers for this session were Dr. B. Chakradhar, Vice President RamkyEnviro Engineers; Mr. Sangram Ashok Kadam - Director, Kadam Environmental Consultants; Dr. Somnath Mukherjee, Executive Director (Environment) AECOM India Pvt. Ltd. and Dr. P. B. Rastogi - Director, MoEF& CC

Dr. B. Chakradhar gave a brief presentation on the NABET Accreditation Scheme, advantages derived by consultants from accreditation and mentioning it to be a positive initiation by MoEF& CC. While talking about the NABET Scheme of Accreditation he gave a generalized view of accredited consultants. Dr. Chakradhar added that during the initial period many consultants were reluctant to accept the accreditation mechanism. As they started understanding the importance of this system, many have applied and at present around 172 ACOs are part of this scheme. NABET accreditation has created demand for people in the field of environment and also industries feel comfortable to assign the work to

accredited consultants. He also addressed few issues faced by the accredited consultants. Most consultants are accorded provisional accreditation for non fulfilling 12 Functional Areas. Provisional accreditation has become an obstacle to apply for government and some public sector projects. Also, in case any expert resigns, getting replacement is a major cause of concern especially if he was involved in due course of an EIA project. Further, some of the SEACs insist the EIA Coordinator to be present in the meeting whereas as per MoEF& CC Notification either Coordinator or FAE can do the presentation.

Mr. Sangram Ashok Kadam gave a detailed presentation which included a large number of suggestions on the accreditation and appraisal processes, TORs, administrative and procedural issues and on consultants' role in post project monitoring. He brought out his points on the above aspects through a detailed matrix of issues, their implications and suggestions to address those. He further spoke about the role of consultants in post-project monitoring.

Dr. Somnath Mukherjee's termed the NABET's accreditation scheme as a 'Long Overdue process finally in place in a reasonable format'. Suggestions made by Dr Mukherjee included allowing expat experts, association between two consultants and increase in pool of NABET assessors. He further added that we need to introspect whether there is any value addition in the quality of EIAs prepared by consultants. Cut and paste practices are still too prominent. EMP needs to be practical and implementable.

Dr. P. B. Rastogi addressed the issues raised by Mr. Kadam in his presentation. As regards repeated questions being asked about its applicability in states, he mentioned that there is an OM in this regards which shall be communicated to SEACs. He further added that EC process is not intended for rejection of a project, however, all EIAs are critically examined to bring them to an acceptable level.

Prof. C K Varshney concluded the session appreciating the efforts made by NABET in organizing the workshop. He added that as there is dearth of experts in the EIA field and QCI must come up with training courses. He further added that quality has no finality. It's a journey to be perused. There is great opportunity to improve the EIA process. We should be eager to improve our tool, approach.

Valedictory SESSION: WAY FORWARD -

The session was chaired by Prof. C K Varshney Professor Emeritus, JNU. The panel comprised Mr. Piers Touzel, International expert; Dr. Sukumar Devotta, Ex. Director NEERI; Dr. Nalini Bhat, EIA AC Member-NABET/QCI; Dr. P B Rastogi, Director MoEF& CC; Mr. Vipin Sahni, CEO NABET and Mr. A K Ghose, Principal Advisor NABET. It was an open house discussion.

Some of the points put forward by the participants were -

Mr. P. C.Jha (CMPDI, Ranchi): Environmental monitoring data for various sectors can be provided on portal thereby helping in validation.

Dr. K G Bhattacharya (EIA Project, Guwahati University): Can universities be exempted from accreditation fees? Dr Bhattacharya mentioned that they find difficulties in getting timely and complete payment from project proponents. He suggested that NABET should recommend the EIA fee structure and terms of payment. He also pointed out that many a times they find it difficult to follow the TOR

strictly because of reservations of the project proponents. He raised the point as to whether TOR should only be a guideline.

Mr. Amit Ray (CMPDI, Ranchi): Question was raised to MoEF regarding cluster approach for mines, treating the whole cluster as a single project.

Mr. R. K. Bansal (Member, EIA AC- NABET/QCI): He suggested that for small mines coming within close vicinities of one another, an approach similar to that for Industrial Estates for granting environmental clearance (EC), may be adopted. For Industrial Estates, the total pollution load anticipated from the units proposed therein is assessed and the Estate is granted EC as a whole. Individual industries coming within the Estate do not need to take separate ECs.

Dr. T. P. Singh (Chairman, SEIAA, Gujarat): Most of the time EIAs are incomplete w.r.t. data. Quality of consultants and the EIAs prepared by them need to improve. The consultants often cannot reply to in-depth queries.

Mr. Arvinder S Brara (Mantec Consultants, Noida): Suggested QCI/MABET to make some guideline for payment including a fee structure. Consultants face problems due to huge difference in fees quoted for an EIA study.

Mr. Sekhar Tamhane (ULTRA-TECH Environmental Consultancy and Laboratory, Thane): Requested to fix rates for EIA study. Project proponent to select from the list of accredited consultants and deposit the fees to MoEF/NABET.

Mr. C.V. SundaraRajan (L & T Infrastructure Engineering Ltd, Hyderabad): Requested conducting workshops by NABET for project proponent/developers.

MrKhare, SAIL: For expansion project is there a necessity of Public hearing?

Dr. J.R.Moses (Hubert Enviro Care Systems, Chennai): Appreciated the scheme.

Mr. Ravi Chakrabarty (Visiontek Consultancy Services, Bhubaneswar): mentioned of issues faced regarding provisional accreditation.

Ms. Sunita Mantri (Enkay Enviro Services, Jaipur): raised issues related to minor minerals.

Mr. Rajiv Aundhe (Aditya Environmental Services, Mumbai): Enquired about the role of mentor as per the provisions of the NABET EIA scheme which was clarified.

Mr. Mangesh Dakhore (Senes Consultants India, Noida): Notification should come.

Mr. S. Suriyakumar (Suriya Mining Services, Salem): Suggested that for Mining sector, in place of criterion of area, category A & B should be based on whether mechanized or manual.

Mr. Suman Banerjee (Indtech House, Delhi): enquired about the status of implementation of the T R Subramaniam Committee report, which was which was explained by MoEF& CC official.

In his concluding remarks **Dr. P B Rastogi**, summarized the views given by the Hon'ble Minister and the various speakers during different sessions. Dr. Rastogi appreciated participation of all for making the workshop a success.

Vote of thanks was proposed by **Mr. Vipin Sahni**. First of all he expressed gratitude to MoEF& CC for inviting QCI to organize the workshop. He deeply thanked the delegates and participants for sparing their valuable time. Lastly he appreciated QCI-NABET team for all the efforts in making the workshop such a success.



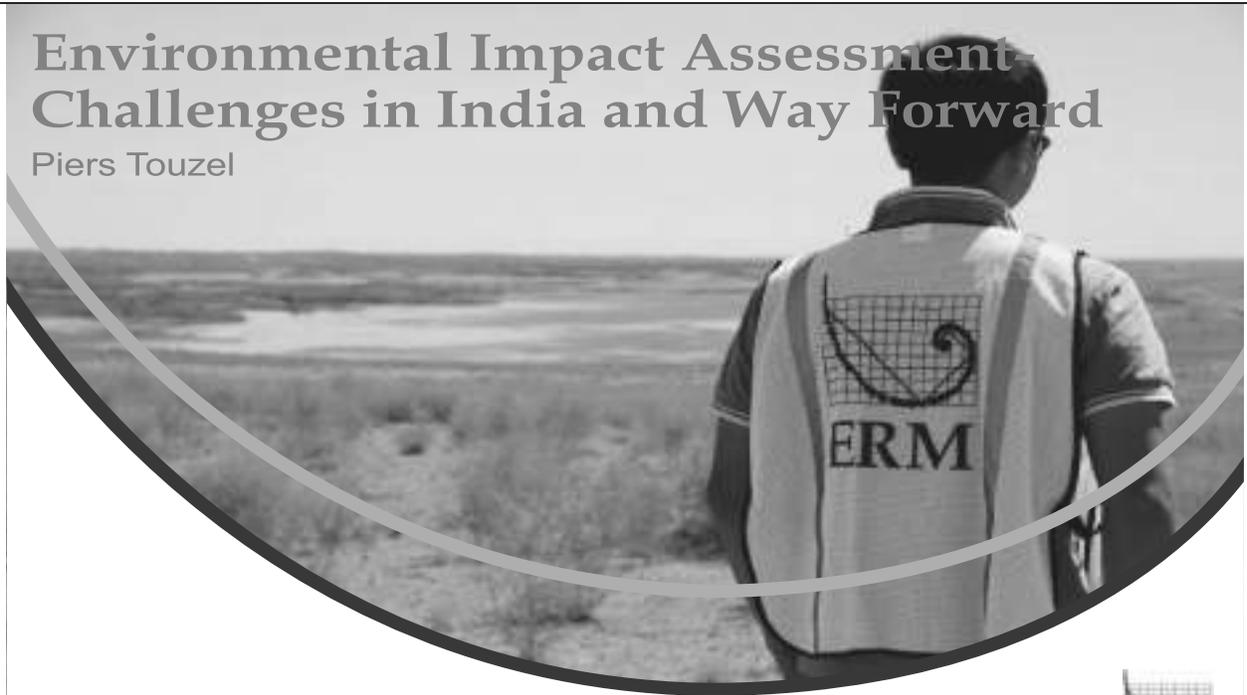


PRESENTATIONS

Mr. Piers Touzel, Partner, ERM

Environmental Impact Assessment Challenges in India and Way Forward

Piers Touzel



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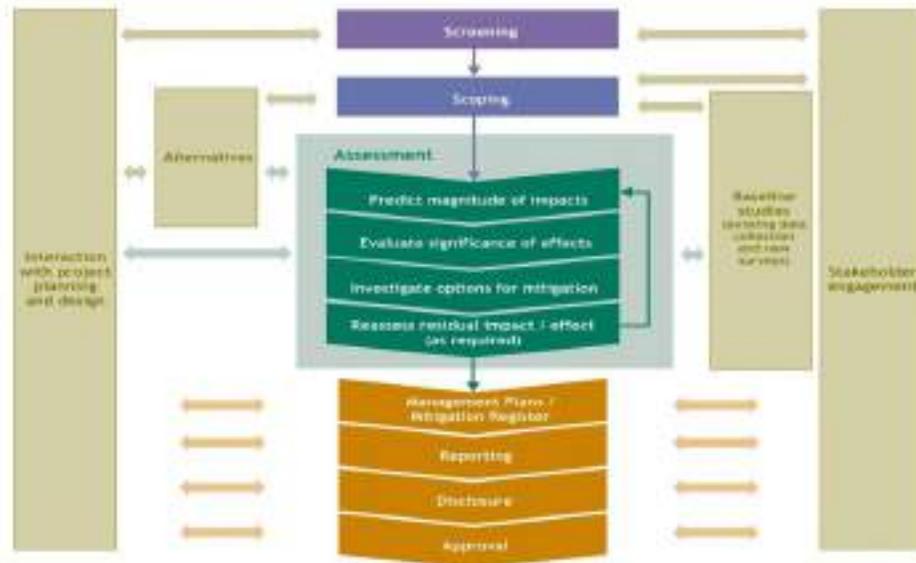
International Practice for ESIA- *Overview*

- 1) Best Practice for International ESIA
- 2) Emerging trends
- 3) Case Studies
 - Balancing economic growth & environmental protection
 - Calls to expedite Environmental Clearance
 - Public consultation: obstacle or enabler?

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What Does International Practice Entail?



ERM Impact Assessment Standard V1.1, 2014

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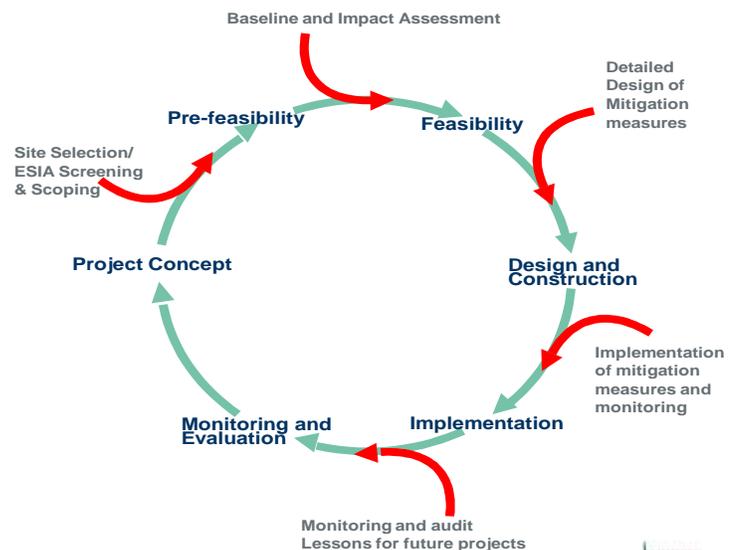
Institutional Arrangements

Project Proponents

- Timing
- Resource coordination

Regulators

- Cumulative Impacts
- Strategic ESIA



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Emerging Trends

- Stakeholder consultation and disclosure for improved governance
- “Adaptive management and mitigation”
- Balancing industry calls for reducing “green tape” and environmental governance

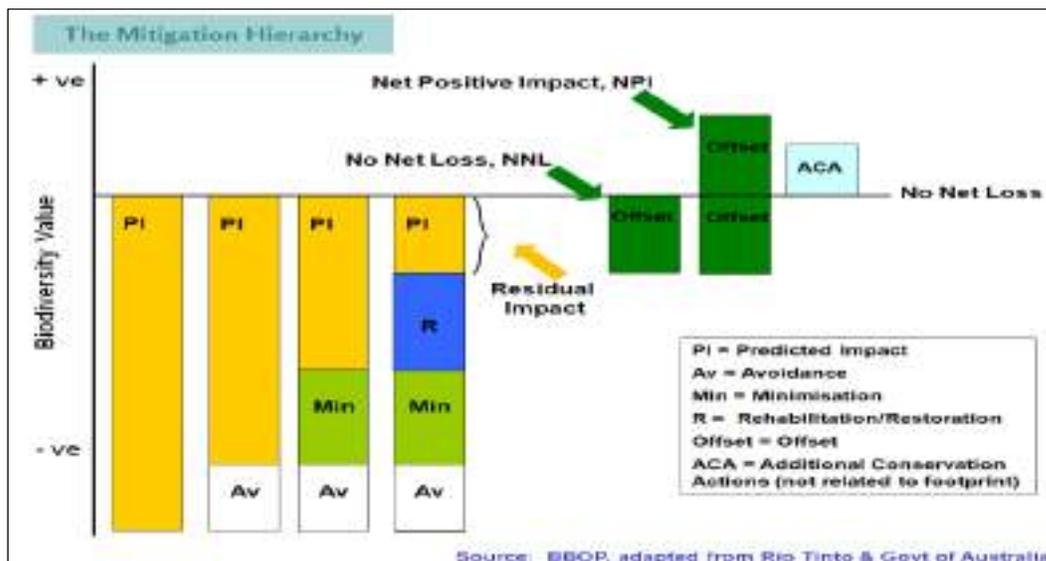


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Emerging Trends

- Strengthening biodiversity impact assessment and management



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Case Study: *China*

- Highly Regulated with Stringent Licensing Requirements
 - Individuals and Companies (Sector, Class)
- EIA Process Similar to Elsewhere
 - Governed by ~ 20 Technical Standards
- Recent trends
 - Public consultation & Disclosure
 - Decentralisation of approval process
 - Push towards compliance monitoring during construction and operations



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Case Study: *Australia*

- Parallel system of State and Federal EIS Approval.
 - Significant impacts on matters of “national environmental significance” require approval from the Minister for the Environment
- Process is cumbersome and difficult to navigate
- Calls from industry to streamline the process
- State Government actions provide useful examples of “removing green tape” while maintaining governance:
 - Bilateral agreements;
 - Use of “adaptive mitigation and management” principles.
 - Standardised conditions for resource projects;

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Example: State of Queensland, Australia

Standardised outcome-focused conditions for resource projects: Social Impact Assessment & Reporting

Condition	
(a)	The proponent will provide an annual report to the Coordinator-General for five years after the commencement of construction describing the: <ul style="list-style-type: none">(i) action and adaptive management strategies to avoid, manage or mitigate project-related impacts on local and regional housing markets(ii) actions to enhance local employment, training and development opportunities(iii) actions to avoid, manage or mitigate project-related social impacts on local community services, infrastructure and community safety and wellbeing(iv) actions to inform the community about project impacts and show that community concerns about project impacts have been taken into account when reaching decisions.
(b)	The annual report should also report on actions and management strategies addressing direct impacts arising from operational activities undertaken during the five-year reporting period.

<http://www.statedevelopment.qld.gov.au/resources/guideline/cg/standardised-outcome-focused-conditions-resource-projects.pdf>

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International Lenders

- Play an important part in the promotion of best practice
- Aligning national legislation with international lender standards can be an investment enabler
- Governments, commercial banks and MNCs have adopted many of these principles to manage risk



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Conclusion

- ESIA is an evolving practice
- Challenges in India are not unique
- International experience offers some lessons



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Environmental Impact Assessment- Challenges in India and Way Forward

EIA & EC- Issues and Challenges



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Preamble

It is indeed a fact that there is a trade-off between economic development and environmental protection. How well this trade-off is managed becomes critical for any country aspiring for high growth to meet its development objectives. A well established EIA and an environmental clearance process is a key mechanism for striking a balance between the two apparently opposing drivers.



Over the past few years, in India this process has come under criticism for becoming an obstacle to achieving the Country's growth aspirations.



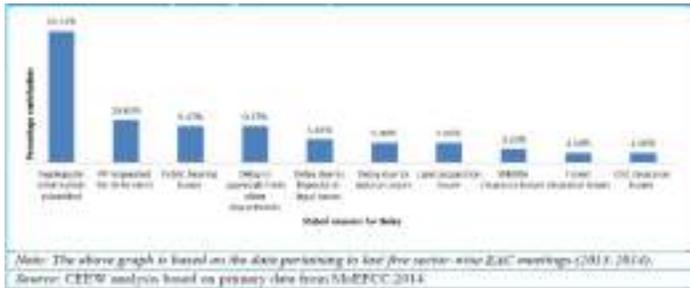
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The Context



- Several studies/ analyses by various parties and commentators have put the blame in varying degree on the shortcomings of the “process”, the institutions involved, and the lack of diligence in completing the necessary steps required by the project proponents.

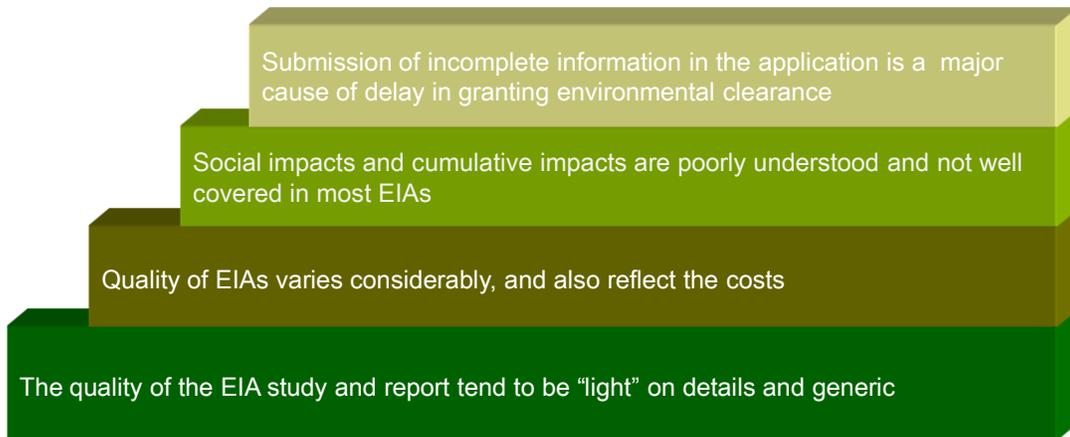


CEEW Report
State of
Environmental
Clearances in India

The world's leading sustainability consultancy



Key Issues Identified



The world's leading sustainability consultancy



Identified Issues – cont'd



The world's leading sustainability consultancy



Conclusion

A well-executed Environmental Impact Assessment for projects helps in addressing the environmental aspects in a proactive way during the project life cycle – site selection, construction and operational stages.

The EIA/ ESIA gives environmental and social considerations its due place in the decision making process by clearly evaluating the consequences of the proposed activity before action is taken!

6

The world's leading sustainability consultancy



Dr. S. R. Wate, Director, NEERI

Requisite of Good Quality EIA



Dr. Satish R. Wate

Director
CSIR-National Environmental
Engineering Research Institute
Nagpur 440020

April 25, 2015

Can we do away with EIA?

- Any project utilizing the natural resources beyond the self-replenishing capacities will have a profound impact on the environment.
- The extent of impact will vary from project to project and location to location for the same project.
- The need for estimating such impacts and possible environmental and social damages it can cause on a prima facie forms the basic requirement of an EIA study.

Carrying Capacity is Decided by the Most Limiting Resource – Land / Water / Power / Assimilation Capacity

2

Does EIA Really Help is Inclusive Development?

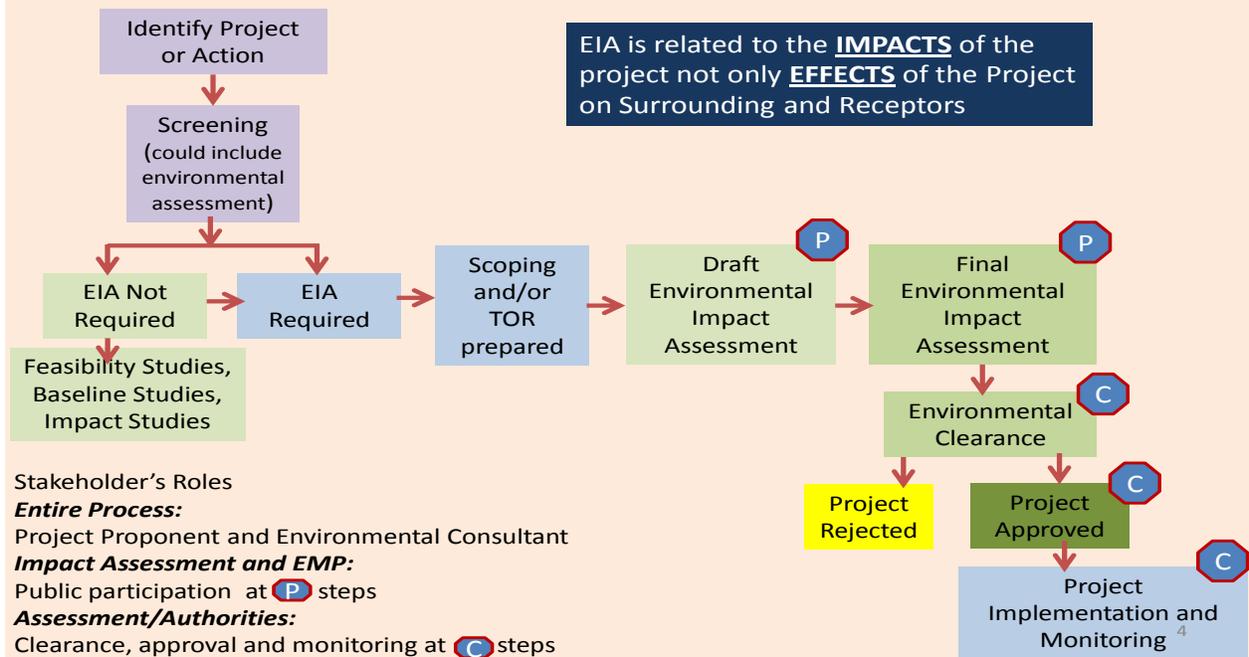
EIA can:

- ☞ modify and improve design
- ☞ ensure efficient resource use
- ☞ enhance social aspects
- ☞ identify key impacts and measures for mitigating them
- ☞ inform decision-making and condition-setting
- ☞ avoid serious and irreversible damage to the environment
- ☞ protect human health and safety

EIA Process facilitates discussions, generation of scenarios and better project planning.

3

EIA process and Role of Stakeholders



Our Understanding - EIA — Procedure for Report Preparation or Process for Integrating Environmental Concerns?

The EIA process should be:

- ☞ purposive – meeting its aims and objectives
- ☞ focused – concentrating on the effects that matter
- ☞ adaptive – responding to issues and realities
- ☞ participative – fully involving the public
- ☞ transparent – clear and easily understood
- ☞ rigorous – employing ‘best practicable’ methodology
- ☞ practical – establishing mitigation measures that work
- ☞ credible – carried out with objectivity and professionalism
- ☞ efficient – imposing least cost burden on proponents

EIA Requires Insight in Project, Homework, Understanding and Passion. It is not formula for EC.

5

Project Specific Requirements

- Understanding the project development goals
 - Putting up manufacturing unit is not a goal, achieving production for economic development is a goal
- Baseline conditions for all environmental aspects and its relationship with the one who is likely to be affected (negative/ positive)
- Project specific sensitivity analysis of activities and impacts
 - Probability, Intensity, Direction, Spatial extent, Exposure, Frequency, Reversibility
- Site-specific studies/monitoring and project specific EMP considering
 - What is proposed?
 - Related activities in detail (phasing of development plan)
 - Associated surveys, modelling and data analysis needs
 - Appropriate and doable mitigation measures

6

Data and it's QA/QC

- The approach need to change to [Life Cycle Impact Assessment](#)
- Monitoring with automated devices or [data triangulation](#) methods for monitoring devices
- Baseline data should include [variability and trend-over-time](#)
- [Modelling studies](#) for prediction of short-term and long-term impacts
- [Validation](#) of models is more important than use of models
- [Data integration](#) for number of projects in the same area (may be the scope of clearance authorities/ or independent agencies)
- [Online data bank](#) for data comparison and quality control (can be with access to authorities only).
 - various projects in the same area should have consistency in AQ, WQ and other environmental data

7

Site and Project Specific EMP

What	• Mitigation measures will be implemented?
Who	• Will implement the measures?
When	• Will the measures be implemented?
Where	• What location will the measures be implemented ?
To What	• Standards or requirements should these measures be implemented?

Never Forget Objective of EIA is Preparation of EMP and Not Environmental Status Report

8

Public Hearing is Not Question – Answer Session

EIA Notification – 2006 – Section 7(i)-III –Stage III – Public Consultation

The Public Consultation :-

- (a) a public hearing at the site or in its close proximity
- (b) obtain responses in writing from other concerned persons

All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means. The applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP.

Appendix –IV – Para 6.4

Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant.

9

Way Forward

- Change Focus– Baseline Environmental Quality to EMP
- Life Cycle Approach for impact– Pollution to Conservation
- Understanding project specific requirement
- Site specific and doable EMP
- Standardization – Model TOR, SOPs, EMPs
- Effective Scoping
- Keep End User in Mind – Receptors, Authorities,
- KEEP IT SIMPLE AND TRANSPERNT!

10

Mr. A. K. Ghose, Principal Advisor, QCI/ NABET

Environmental Impact Assessment – Challenges in India and way forward



Jointly organised by MoEF & CC, QCI/NABET



Vigyan Bhavan - April 25, 2015

Role of Accreditation Body in improving Quality of EIA
A K Ghose, QCI/NABET

Accreditation of EIA Consultant Organisations

- During the period leading to the EIA Notification in 2006, need was being felt of a system to identify capable consultants to prepare quality EIA reports
- QCI is the National Accreditation Body, jointly set up by Govt and Industry providing accreditation services in various sectors. It represents the country in the International Accreditation Forum
- QCI was best placed to develop an Accreditation Scheme to identify such consultants
- Started working in 2005 and developed the Scheme after intensive discussions with various stakeholders across the country
- Launched the Scheme on Voluntary basis in Aug 2007 after a series of presentations to MoEF & CC
- Scheme made mandatory by MoEF & CC in Dec 2009

Accreditation of EIA Consultant Organisations (contd.)

- **Internationally accepted principles of a 3 year accreditation cycle**
 - Initial Accreditation
 - Surveillance Assessment (after 18 months)
 - Re-accreditation (after 18 months of SA)
- **In-depth assessment** by two assessors. Detailed report with justification. Minimum subjectivity in assessment
- **Transparency**
 - Aspects of assessment are clearly mentioned in the Scheme
 - The assessment findings are shared with the consultants
 - Accreditation decision are posted on QCI/NABET website
 - Has voluntarily agreed to RTI
- **Feedback** - 27 workshops with ACOs for feedback
 - Draft Scheme posted on QCI website for comments followed by Stakeholders mtg
- **Capacity building for assessment** - Four 3-Day workshops plus regular Training sessions for assessor

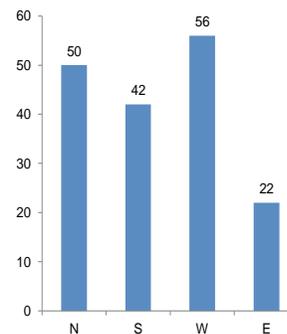
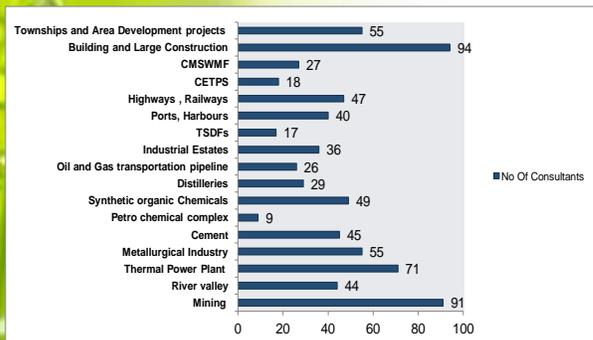
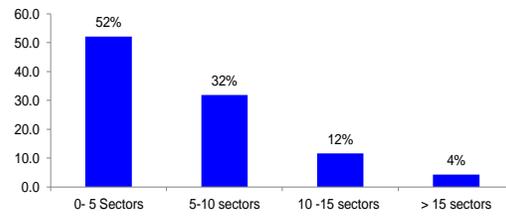
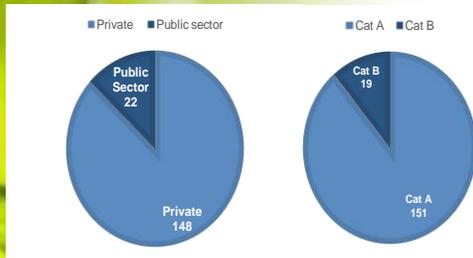
Involvement of Eminent Experts

- Dr. Prodipto Ghosh, Ex Secretary, MoEF& CC
- Ms. Meena Gupta, Ex Secretary, MoEF& CC
- Mr. J.M.Mauskar, Ex Sp Secretary, MoEF& CC
- Prof. C. K.Varshney, Prof Emeritus JNU and eminent Ecologist
- Prof. S. P. Banerjee, Ex Director, ISM and an eminent Mining Engineer
- Dr. SukumarDevotta, Ex Director, NEERI
- Dr. S. R.Wate, Director NEERI
- Sh. Chandra Bhushan, Dy Director General, Centre for Science & Environment
- Sh. Paritosh C Tyagi, Ex-Chairman, CPCB
- Sh. N. S. Tiwana, Ex-Chairman, CPCB
- Sh. K. P.Nyati, Ex Head, EMD, CII
- Prof. A. K.Maitra, Ex Head, School of Planning & Architecture
- Dr. V. B.Mathur, Director, Wildlife Institute of India, Dehradun
- Prof. B. B.Dhar, Ex Prof & Head, Mining, Banaras Hindu University
- Dr. B.Sengupta, Ex Member Secretary, CPCB
- Dr. G. V. Subrahmanyam, Advisor, MoEF & CC
- Dr. Asha Rajvanshi, Scientist G and Head-WII, Dehradun
- Dr. Nalini Bhat, Ex Advisor, MoEF & CC
- Dr A N Jha, Ex CEO & Sr President, Essar Group

Feedback & Training Workshops



Some Interesting Information....



The Scheme – Stress on Improvement in Quality of EIAs

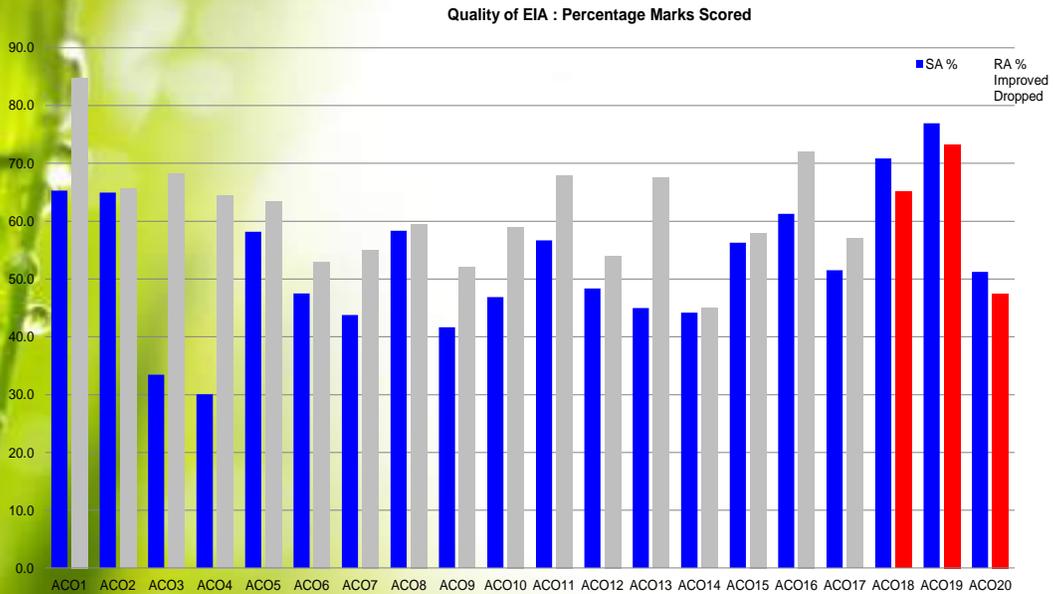
Sl. No.	Aspects	Marks Allotted			Remarks
		IA	SA	RA	
1	Quality & performance of personnel	20	15	10	IA – Potential
	EIA Coordinators FAEs	20	10	10	
2	Quality Management System	15	15	15	
3	Field investigations and laboratory systems to ensure data integrity	25	25	20	SA – Compliance
4	Quality of EIAs	10	20	30	
5	Organizational evaluation/commitment	10	10	5	RA – Performance
6	Compliance to condition of accreditation/improvement achieved	-	5	10	
	Total	100	100	100	

The Scheme – Stress on improvement in Quality of EIAs (contd.)

9 point criteria

- Site & Project Description
- Alternate sites, technology/processes.
- Integrity of baseline data – primary, secondary
- Interpretation of env data, identification of impacts and quantification, where applicable and mitigation measures.
- Interpretation of ecological and social baseline conditions and assessment of possible impact and mitigation measures.
- Risks assessment and consequence analysis
- EMP with budget/timeframe and EMP monitoring Plan
- Compliance to TOR and Public Hearing findings
- Signed statement by experts involved in EIA preparation.

The Scheme – Stress on Improvement in Quality of EIAs (contd.)



Factors Crucial for all round improvement in Quality of EIAs



What the Scheme has been able to achieve

- For the first time a list of capability verified EIA Consultant Organizations is available in public domain with sectors of expertise, category, contact details etc.
- The 'fly by night operators' have been weeded out from the scene.
- The crucial concept of team work by the 'EIA Coordinator' and 'Functional Area Experts' for preparation of quality EIA was recognized.
- The concept of system based approach for EIA preparation initiated
- Recognition given to human resource at all levels
- Self-realization by professionals of being an 'Expert' of particular sectors/ functional areas and a career progress path.

Way forward

- QCI/NABET open to suggestions on improvement from all stakeholders (window provided in QCI/NABET website)
- Plans to organise Awareness workshops across the country on the Scheme including the Re-accreditation process and QMS
- Rolling out Short Term training programmes for capacity building of EIA professionals
- Formation of a steering committee for guidance
- Issuance of Notification



Accreditation & Appraisal Processes
for Environmental Clearance -
ONGC's View / Suggestions

April 25, 2015

Appraisal Processes for EC



Present Practice:

- ▶ PP presented before EAC.
- ▶ Thoroughly discuss
- ▶ Cross examination of baseline data & other information.
- ▶ Answers to specific queries of the EAC-related to the project.

Compliance Certification by RO,MOEFCC



- For expansion/ modernization of project a prior to compliance certificate from regional MOEF & CC office is to be submitted along with application before EC.
- Time consuming process and there is no prescribed time frame. Without this certificate application for EC cannot be considered.
- **MOEFF&CC at the time of issuing may also direct the regional office to submit the compliance certification within stipulated time frame.**

▶ 3

Regional EIA,PH & Coordinates



- Environment clearance may be accorded for prospective locations on **REGIONAL EIA BASIS (Validity 5 years)**
RESULTANT SAVING- 150 DAYS
- Public hearing time may be reduced from 45 days to 15days.
RESULTANT SAVING-30 DAYS
- Coordinates of individual well should not be insisted , EC shall be granted based on firm coordinates of the block.

▶ 4

Forest Circular



S. No	Subject	Reference no. with date of Issue	Implication
I.	Consideration of development projects located within 10 km of National Park and Sanctuaries seeking environmental clearance under EIA Notification, 2006 - Clarification regarding	F. No. J-11013/41/2006-IA-II-(I)(part), Dated 20 th August, 2014	-PP can go straight to EAC. - EAC may give additional ToR as per Annexure and thereafter give its recommendation and pass on to NBWL for further Approval

5

Highest Dividend-paying Company in India

Environment Management Plan



- ▶ **Very purpose of baseline , prediction of impact etc. in EIA-to protect environment**
- ▶ **This component of EIA is less discussed in EAC meeting as well as no thrust or GDN. is given by the NABET/QCI.**
- ▶ **There shall be structured guidelines to prepare EMP**
- ▶ **Coupled with provision of verification of functionality of EMP at ground "0"**

▶ 6

Benefits of QCI Accreditation



- ▶ **Accreditation process has brought overall qualitative improvements in various components of EIA.**
- ▶ **QCI/ NABET accreditation has provided professional opportunities to all respective FAEs to give their designated input.**
- ▶ **Eliminated incompetent/ un-professional EIA consultants from the market.**
- ▶ **Such accreditation has brought due recognition of professional expertise in their respective sector of operation.**

▶ 7

Views from E & P Industry



- ▶ **QCI/ NABET may consider deployment of at least one industry specific assessor at every stage of assessment :**
- ▶ **For e.g.-**
 - **Offshore – Landuse/ socio-economic**
 - **Drilling Technology**
- ▶ **Govt./PSU/ R & D institutes laboratories may be considered for dispensation from NABL/ MoEFCC accreditation.**

▶ 8

Views from E & P Industry



- ▶ **Offshore blocks are carved far –off from the coastline inside deep sea.**
- ▶ **One ToR was issued for all the offshore blocks and Two EIA reports were prepared & submitted against one ToR.**
- ▶ **Single EC was granted incorporating all the blocks.**
- ▶ **EIA notification, 2006 & version 9 of NABET/ QCI has no such specific guideline or reservation**
- ▶ **Submitting for kind perusal & necessary action**

▶ 9

Views from E & P Industry



- ▶ **The baseline data gathered during rapid EIA studies may not be insisted for further explanation/ discussion.**
- ▶ **If so, it would become a research project which may need at least a years time to give authenticated statements during discussion.**
- ▶ **Submitting for kind perusal & necessary action**

▶ 10

Views from E & P Industry



- ▶ The qualification & min. experience for EB FAE may be considered for relaxation due to non-availability of the experts in the EB domain.
- ▶ Following Facilities are part of Sector 2 such as- Group Gathering stations, Central tank farms, and storage facilities for Oil & Gas terminals like Uran & Hazira.
- ▶ The above facilities are not explicitly categorised in any of the sector of the QCI/ NABET scheme i.e. 1 to 40.
- ▶ May be considered for incorporation either in sector 2 or jointly accredit to both the sectors i.e. 2 & 20.

▶ 11

Conclusion



- ▶ The QCI/ NABET scheme is an excellent tool and significant contribution towards Environment Protection.
- ▶ Based on industrial views MoEFCC & NABET/ QCI may jointly bring **further improvements in accreditation and appraisal process including guidelines on EMP** & views of expressed by the members.

▶ 12

Mr. N. J. Singh, DCM Shriram Limited

Environmental Impact Assessment
Challenges in India & Way Forward
Role of Industry

Dr. NJ Singh, CII Nominee
DCM Shriram Ltd.

25th April 2015

Objective

EIA Study Report to be authentic, reliable, and transparent which will enable all the stake holders to use it as dependable tool to take a decision to go ahead with the project at the proposed selected site, alternatives or discard to avoid future liabilities.

Project justifications

Pre-EIA Considerations

- Different sites are identified and a comparative analysis by [project proponents](#)
 - infrastructure
 - process
 - Resources

EIA Scope

- Options
 - define the best project site and then propose to study more precisely its environmental and social impacts (*Expansion/Modernization*)
 - study the different alternatives right up to the end of the assessment and leave the final decision to the authorities

Project Proponent's Responsibility

- The project proponent during the project planning stage decides the type of projects:
 - New establishment,
 - Expansion or modernization.
 - Greenfield/ Brownfield
- Project proponent needs to prepare
 - Pre - Feasibility Report (PFR) for TOR
 - Affidavit that the data and information given in the application, enclosures and other documents are true and that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance given, if any to the Project will be revoked at risk and cost.
- The proponent has to submit EIA report as per TOR and request SPCB for holding the public hearing. After the public hearing the proponent submits application to IAA for environmental clearance
- Prepare detailed project report/feasibility report (DPR) and submit the executive summary, which shall incorporate the project details, and findings of EIA study, to be made available to public.
- Obtain EC from EAC/SEAC / IAA – as the case may be and submit affidavit for compliance of conditions of EC and publish in print media of having accorded EC with brief.
- Obtain No Objection Certificate (NOC) or Consent to Establish (CTE) from SPCB
- Implement EC/EIA/EMP/DMP conditions/recommendations – **sustainability concepts**

Perceived Role of the EIA Agency *(Project Proponent)*

- To assist the Project proponent team in order to define together what is possible while setting up a viable project which does not have uncontrolled negative impact on the environment and communities for sustainability of project
- Ensure correctness of all data/information submitted including application, PFR, EIA, DPR etc.
- Handholding during the course of project clearance and monitoring post clearance

Accreditation Perception/Expectations

- Appreciate accreditation process
- Should lead to Sustainability through quality output
(Sustainable Development – risk elimination/reduction to business, communities & environment)
- Way forward
 - Handle organizational changes in Accredited organizations, especially FAEs, keeping in mind 3 yrs accreditation with 18 months surveillance.
 - online update of FAEs using ICT
 - Annual project strike rate (successfully completed projects) - returns
 - Looking beyond business revenue model

Dr. B. Chakradhar, Vice President, Ramky Enviro Engineers Pvt. Ltd., Hyderabad

Environmental Impact Assessment – Challenges In India and Way Forward

**Date : 25.04.15
Vigyan Bhavan, Hall No 6, New Delhi**

**Dr.B.Chakradhar, Vice President, Ramky
Enviro Engineers Ltd, Hyderabad**

1

NABET Accreditation Scheme

- NABET scheme has created better quality of EIA reports in the country
- The scheme emphasizes the need of different field experts to fulfill the requirement of an EIA
- EIA is one of the major tools for an industry to follow during pre & post operations of the industrial activity
- As per NABET industries are grouped into 40 sectors for which environmental clearance is required
- The projects are categorized as A & B, Category A projects are cleared at Central level (EAC committee) and category B projects are cleared at State level (SEAC/SEIAA)

2

NABET Accreditation Scheme

- During initial period many consultants were reluctant to accept the accreditation
- As consultants started understanding the importance of the system, many have applied and around 172 ACO are at present
- NABET accreditation has created demand for persons in the field of environment
- NABET accreditation also increased the cost of the EIA report preparation
- Industries also feeling comfortable to give works to accredited consultants

3

Issues due to NABET Accreditation

- Most of the consultants are having provisional accreditation due to non fulfilling 12 FAEs
- Provisional accreditation is becoming a constrain to apply for government and in some public sector projects
- In case any expert resigns from organization, getting replacement in the short period is a major concern
- In most cases getting EC takes more than one year, retaining experts is becoming difficult, because ACO has to complete the clients job in time
- Some of the SEAC committees are insisting coordinator to be present in the meeting, as per MOEF notification either coordinator or FAE can do the presentation

4

Positive Initiations taken by MOEF&CC

- Standardization of TOR for all sectors
- No need of waiting for issue of official TOR for starting of baseline data at project site.
- Additional TOR has to be given by respective SEAC/EAC within one month from date of application submission online (SEAC level no online submission requires clarification on this issue)
- No need of conducting Public Hearing in case the projects are coming up in existing industrial estates / areas before 2006 notification
- Accepting baseline data upto 3 years old from the TOR issue year.

5

Environmental Impact Assessment – Challenges in India and Way Forward

*Sangram A. Kadam
Kadam Environmental Consultants*

*Concerns and Expectations of Consultants on the Accreditation and
Appraisal Processes*



**Kadam
Environmental
Consultants**

25th April 2015

Goals

Why are we here? Ultimately twin objectives –

1. Improve the **Quality of Decision Making** w.r.t Environmental / Social Appraisal of Development Projects, and
2. **Reduce time** in achieving S. No. 1 above

– *Both Are Important*

To do this, necessarily, a combination of following factors is required:

1. Quality Impact Assessments (Unbiased, Scientific, Logical, Realistic, Adequately Funded – so that they are Reliable)
2. Quality Appraisers (Give time, Have experience, Have knowledge, Wedded to the twin concepts of environmental sustainability and development)
3. Clarity in the Notification and Circulars
4. Industry Interest and Co-operation

The above is an ongoing process



**Kadam
Environmental
Consultants**

We could consider these suggestions

Accreditation

- Rationalise accreditation sectors Many are inter-related and really do not require the need for distinct knowledge ... we understand NABET is working on this
- Allow inter-organisation co-operation in writing EIAs ... *provisio* to adequate safeguards and clearly defined responsibilities
- Allow any qualified professional to work for ACOs ... not just free lancers / whole timers ... so long as they are demonstrating that they can give adequate time and effort to the job .. Excellently qualified persons are sometime having other work to do as well ...
- Clarify the necessity of having ACOs undertake projects that do not require formal EIAs (construction and small mines) – do these compulsorily require ACOs?
- Incorporate a formal Change Management System whereby EIAC and FAEs exiting an ACO do not lead to a project slowdown



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Environmental Consultants



3

We could consider these things

Appraisal

- Increase frequency of meetings / make the process a rolling, online process
- Ensure more site visits by EACs / SEACs to better ascertain the site conditions ... perhaps building this into the appraisal system
- Establish work-share platforms (e.g. those established by NIC in many states for appraisal of Consent Applications) that allows querying and replying ... find ways to reduce the 'dead time' between application and assessment (often more than the 'active time' over a project duration) ... *excellent move to allow field work to commence based on model ToRs .. Reduce reliance on paper!*
- Ensure participation of more committee members in appraisal of projects ... committee members to be regularly updated and assessed for their participation and contribution ... consider some full time committee members ... may need more funding to achieve this ... EIA appraisal processing fees can be considered
- Assess / reduce variability in decision making amongst different EACs and SEACs ... i.e. reduce differences of opinions on similar issues between different EACs / SEACs ...
- Have a system of two way communication between EACs and SEACs so that best practice transfer takes place Many SEACs need capacity strengthening



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4

We could consider these suggestions

S. No.	POINTS	ISSUES	IMPLICATIONS	SUGGESTIONS
TOR POINTS RELATED				
1.	Long ToRs – very generic	ToR points as per Annexure 1 and Annexure 5 EAC, MoEF are very generic. ToR points are not project specific.	To comply ToR points, which are not relevant to project is time consuming.	<ul style="list-style-type: none"> ▪ ToR points must be project specific ▪ ToR given in technical guidance manual to be used ▪ WE ARE THANKFUL W.R.T THE RECENT MOVE TOWARDS FIXED TORS AND PERMISSION TO START WORK BASED ON THESE FIXED TORS
2.	Possibility of reducing monitoring duration for AAQ / Met monitoring with secondary data being permitted – sector specific consideration	In Generic ToR points, ambient air monitoring and meteorological data monitoring is for 1 season.	To conduct ambient air monitoring for 8 locations for whole season is time and money consuming.	<ul style="list-style-type: none"> ▪ Selective reduction in duration of monitoring period ▪ Utilization of available online monitoring data to reduce the extent or duration of monitoring
3.	Clarification on ESC / CSR	The recent move towards rationalization of ESC / CSR based on need based SIA studies is welcome.	Recent clearances indicate a ESC / CSR expenditure of 2.5% of project costs to be spent in project area	ESC indexed to project costs may consider a longer CSR payout period, over the project lifetime to allow projects to be profitable earlier (and thereby also help direct CSR spend)



Environmental Consultants

5

S. No.	POINTS	ISSUES	IMPLICATIONS	SUGGESTIONS
4.	Too many permissions from other agencies prior to issue of EC, instead of giving conditional EC	Permission from other agencies such as Central Ground Water Authority Forest Department National Board for Wild Life etc written in ToR points are separate clearances and take 2-3 years of time	To take permission from CGWA, Forest Department, NBWL to comply ToR points increase the span to EC process	Conditional EC can be given subject to such clearances
5.	Inadequate resources for follow up of compliance with very low staffing / resources at Regional Offices as per circular dated 1st July 2011, Subject: Appraisal of expansion project under EIA Notification, 2006	In all ToR letters of expansion project, certified copy of compliance report by Regional office of MoEF (if for existing project EC was taken) or compliance report consent to establish of SPCB is compulsory	Inadequate staff at regional offices of MoEF and SPCBs to visit site for giving certified copy of compliance report	Addition of staff at MoEF's regional office is requested or another suitable mechanism for checking compliance with existing Ecs.
ADMINISTRATIVE ISSUE				
6.	Very long delays at the time of switch over from one committee to new committee after old committee's tenure is over	Pendency at SEAC or EAC increase a lot due to 6-7 months committees are not in existence.	Delay in projects for more than a year in some cases	Committee should be allowed to run till new committee is formed or committee members should be changed partially or committee should have longer tenures.

S. No.	POINTS	ISSUES	IMPLICATIONS	SUGGESTIONS
PROCEDURAL ISSUE				
7.	Sectors can be rationalized in EIA Notification	Too many sectors with similar impacts	Loss of time in selecting consultants	Fewer sectors, easier management
8.	Clarity in regards to multi sector projects	File movement not clear	Delay in processing	Give a clarificatory circular regarding file movement.
9.	Importance of listening to entire Presentation & giving comprehensive queries rather than piece meal queries.	Committee don't listen to full presentation	Delay in processing	Give time and listen to full presentation. Give comprehensive list of queries to ensure fewer reconsideration meetings.
10.	Oil & Gas: Necessity of giving Block level EC with do's and don'ts instead of giving EC for specific oil well drilling locations same to be done for NOCs	Environmental Clearances/ CTE given per well instead of per block/field	Delays and unnecessary paper work	Give ECs, CTE and CTO per field/Block with do's and don'ts
11.	Necessity for providing a check list of documents for EC / ToR appraisal	There is lack of consistency in documents required for review.	Delays	Providing a checklist will reduce ambiguity
12.	Lack of clarity of NABET related issues in EC procedure. What happens when NABET accredited persons leave or are unable to participate mid-way through a project?	NABET related issues are causing delays for no fault of project proponent	Delays due to changes in consultant's status/accreditation from time to time.	The consultant who is accredited for a given sector should be allowed to complete the project once started, irrespective of change of status in the interim.



**Kadam
Environmental Consultants**

7

S. No.	POINTS	ISSUES	IMPLICATIONS	SUGGESTIONS
PROCEDURAL ISSUE				
13.	ToR renewal – time taken is long since it goes to committees. Better to give ToR for 3 years for all projects.	ToR validity is frequently expiring before project is completed.	Delays	Extend ToR validity to 3 years instead of 2 years.
14.	Procedure for deciding / relaxing PH Norms may be further refined	Inconsistency in PH waiver	Delays and inequality in decisions by EACs	A consistent/ transparent procedure for PH waiver to be prepared.
15.	Lack of timely information about meeting / Decisions, especially in state committees	Timely information does not reach to proponent with respect to meetings	Missed meetings by proponents	Ensure SMS/ email based alerts – based on existing online systems for consent management in many states
GENERAL ISSUES AND SUGGESTIONS				
16.	Need for carrying capacity studies to decide requirements / limit	Many projects are part of larger clusters. EIA per unit is having limited use	EMP for one unit will not improve situation	Prepare framework for Sectoral EIAs for clusters waive EIAs for individual units or allow them to proceed based on EMPs.



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Consultants Roles in Post-Project Monitoring

- Consultants too have a vital role. Ultimately, Consultants are responsible for their reports and therefore answerable to stake holders too.
- As Consultants we look forward to opportunities of being directly employed by the Regulators as an extension of their arm through self-certification random selection schemes that allocate post-project compliance activities to us with direct reporting to the GoI / State Governments.
- An initiative in this regards has been started by the Gujarat Pollution Control Board which has commenced random allocation of audit projects (with clear reporting and fee structures) to Consulting Organisations accredited with it under the Honourable High Court of Gujarat Audit Scheme.
- We would also like to work with Government and Industry in working on environmental issues. As ACOs, under the auspices of QCI / NABET or independently, we look forward to being a partner in India's progress.



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Thank You!



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Dr. Somnath Mukherjee, AECOM India Pvt. Ltd.



NABET system

- Long Overdue process finally in place in a reasonable format.
- Has the quality of EIA actually improved with MABET accreditation?
- If not; what could be done. Role of Consultants and regulatory authorities needs to be looked into.



Suggestions for NABET System

- Expats should be encouraged to get accredited. Video interviews be allowed.
- Validity of Accreditation can be be for longer period.....Say 5-6 years with Surveillance every two years.
- Association of two Consultancy firms to undertake an assignment needs to be allowed.
- The pool of NABET auditors needs to be enlarged.
- Similar sectors or experience shall be grouped. together and a common accreditation shall be granted to an expert / coordinator.

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About – The EC Process



- Clearance has been the main emphasis and not the quality of the report. If MOEFCC rejects a few report on quality issues the message may be quicker to consultants and proponents.
- Scoping needs improvement
- The EMP and public consultation action points need be annexed with the EC condition for implementation and compliance reporting.
- A third party review of compliance could be considered. The proponent could be given a option to chose a third party from a pool of consultants listed with MoEFCC or NABET. They can negotiate the cost as per the scope. The fees will be deposited to MoEFCC or any identified agency for payment.
- The consultant will be liable for false reporting.
- The quality of the EAC members needs to be looked into.

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About – The Consultants



- There is hardly any value addition in the EIA reports.
- Cut and paste practices are too prominent.
- EMP needs to be practical and implementable.
- Do not accept projects on prices which needs compromise on inputs and quality

AECOM



Thank You

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MEDIA COVERAGE

1. Microfinance Monitor, April 25, 2015

Social Impact Study to be Made Compulsory Besides Environmental Study for Clearance: Javadekar

2. in SCIENCE April 25, 2015



The Minister of State for Environment, Forest and Climate Change (Independent Charge), Shri Prakash Javadekar addressing at the inauguration of a workshop on 'Environmental Impact Assessment – Challenges in India and Way Forward', New Delhi on April 25, 2015.(PIB Photo)

1. Environment Minister Prakash Javadekar said the Centre will soon implement an easy online mechanism to transfer funds to States under the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) and apart from the required environmental study, the social impact study will be made compulsory in all applications.
2. Social impact assessment (SIA) is a methodology to review the social effects of infrastructure projects and other development interventions. An offshoot of the environmental impact assessment (EIA) model, it first emerged in the 1970s in the US, as a way to assess the impacts on society of projects such as new roads, industrial facilities, mines, dams, ports, airports, and other infrastructure projects.
3. Javadekar announced the possible implementation of social impact study clause in giving nod to environmental clearance to major projects in the country, which is hitherto confined to Scandinavian countries, while opening a workshop in New Delhi on Saturday. He promised that

that the delivery status of over 2,000 online applications for clearances would be taken up for speedy evaluation soon.

4. "I am going to see the delivery status of 2,200 online applications which are with us... It would be evaluated within one month," he assured applicants while opening a one-day workshop on "Environmental Impact Assessment: Challenges in India and Way Forward" in the capital on Saturday.
5. Javadekar also informed that a statutory procedures will be formulated to transfer funds under CAMPA to the states for "aggressive afforestation". He hoped that compliance with new technology would impart more accountability on recipient states.
6. Stressing the need to simplify the granting approvals, the minister said the cases must be decided solely on the basis of merit. "The need to reduce timelines for various projects and right conditions to be prescribed that are reasonable, practical, real and need-based," he added.
7. The minister said the recent formulation of Standard Terms of Reference (STR) in 39 sectors includes not only the standard environmental impact study but also makes the study of social impact compulsory, in view of the global demand by subaltern economists to compulsorily study the social impact of projects.
8. The minister sought the stakeholders to give suggestions on the accreditation process and promised that the pending 2,200 online applications for environmental clearance would be done within a month.
9. Dr. Prodipto Ghosh, former Secretary, Ministry of Environment and Forest, Shri AdilZainulbhai, Chairman, Quality Control of India and Dr. P.B Rastogi, Director, Ministry of Environment, Forest and Climate Change also addressed the gathering.
10. The One-day Workshop is being jointly organized by Ministry of Environment, Forest and Climate Change, Quality Control of India, QCI and National Accreditation Board of Education and Training, NABET.

2. Economic Times, April 25, 2015

Evaluation of online applications in a month: Prakash Javadekar, Environment Minister

PTIApr 25, 2015, 06.32PM IST

("I am going to see the delivery...")

NEW DELHI: [Environment MinisterPrakash Javadekar](#)

("I am going to see the delivery...")

NEW DELHI: [Environment MinisterPrakash Javadekar](#) today said that the delivery status of over 2,000 online applications for various clearances would be evaluated within one month.



"I am going to see the delivery status of 2,200 online applications which are with us - what is its status and what more improvements need to be done. It would be evaluated within one month," he said after inaugurating a one-day workshop on 'Environmental Impact Assessment: Challenges in India and Way Forward'.

He said his Ministry has already started the online process for application for environmental, forest and wildlife clearances. He also advocated for simplification of processes and said that cases should be "solely" decided on the basis merit.

He emphasised the need to reduce timelines and advocated for prescription of "right" which are reasonable, practical, real and need-based.

Referring to the recent preparation of Standard Terms of Reference (ToR) in 39 sectors, Javadekar said that besides the environmental impact, a study on the social impact is also required.

He said that a law is being worked upon to enable funds under Compensatory Afforestation Fund Management and Planning Authority (CAMPA) to be given to the states for "aggressive" afforestation. He said that due to this, the process which took one year will now take one month.

The one-day workshop was jointly organised by [Environment](#) Ministry, Quality Control of India (QCI) and National Accreditation Board of Education and Training (NABET).

3. Zee News India, April 25, 2015

Need to reduce timeline, increase accountability: Prakash Javadekar

Last Updated: Sunday, April 26, 2015 - 02:44

New Delhi: The Minister of State for Environment, Forest and Climate Change, Prakash Javadekar, has emphasized the need to reduce timelines for various projects and right conditions to be prescribed that are reasonable, practical, real and need-based.

Javadekar inaugurated a One-day Workshop on `Environmental Impact Assessment: Challenges in India and Way Forward` at VigyanBhawan on Saturday.

Javadekar said that processes for granting approvals must be simplified and cases must be decided solely on the basis of merit and urged all the stakeholders to give suggestions on the accreditation process and become partners in the progress of the nation, adding that the delivery status of 2200 online applications would be evaluated within one month.

Referring to the recent preparation of Standard Terms of Reference in 39 sectors, he said that besides the environmental impact, a study on the social impact is also required.

"A law is being worked upon to enable funds under Compensatory Afforestation Fund Management and Planning Authority (CAMPA) to be given to the States for aggressive afforestation," said Javadekar.

Javadekar also stressed upon the need for increased accountability and compliance through technology.

Prodipto Ghosh, former Secretary, Ministry of Environment and Forest, AdilZainulbhai, Chairman, Quality Control of India and P.B Rastogi, Director, Ministry of Environment, Forest and Climate Change also addressed the gathering.

The One-day Workshop is being jointly organized by Ministry of Environment, Forest and Climate Change, Quality Control of India, QCI and National Accreditation Board of Education and Training, NABET.

4. Business Standard, April 25, 2015

Business Standard

Funds under compensatory afforestation meant for states: Javadekar

The funds under the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) are likely to be given to the state governments for undertaking afforestation programmes as the Centre is working on a statutory mechanism to facilitate it.

This was announced by the Minister of State (Independent Charge) for Environment, Forest and Climate Change, Prakash Javadekar during the inauguration of a one-day workshop on "Environmental Impact Assessment: Challenges in India and Way Forward" held here on Saturday.

Javadekar said that a law will be formulated so that funds under CAMPA are allocated to the states for "aggressive afforestation" and also stressed on the need for more accountability and compliance through technology.

The minister said that processes for granting approvals to projects must be simple and that the cases must be decided solely on the basis of merit. He also emphasized on the "need to reduce timelines for various projects and right conditions to be prescribed that are reasonable, practical, real and need-based."

Referring to the recent preparation of Standard Terms of Reference in 39 sectors, the minister said that besides the environmental impact, a study on the social impact was also required.

The minister urged all stakeholders to give suggestions on the accreditation process and become partners in the nation's progress.

He said that the delivery status of 2,200 online applications would be evaluated within a month.

5. Niticentral, April 25, 2015

Javadekar on reforming EIA process

The Minister of State (Independent Charge), of Environment, Forest and Climate Change, Shri Prakash Javadekar has emphasized the need to reduce timelines and right conditions to be prescribed that are reasonable, practical, real and need-based. Inaugurating a One-day Workshop on Environmental Impact Assessment: Challenges in India and Way Forward at VigyanBhawan here today, Shri Javadekar said that processes must be simplified and cases must be decided solely on the basis of merit. The Minister urged all the stakeholders to give suggestions on the accreditation process and become partners in the progress of the nation. He said that the delivery status of 2200 online applications would be evaluated within one month.

Referring to the recent preparation of Standard Terms of Reference in 39 sectors, Shri Javadekar said that besides the environmental impact, a study on the social impact is also required. The Minister said that a law is being worked upon to enable funds under Compensatory Afforestation Fund Management and Planning Authority (CAMPA) to be given to the States for aggressive afforestation. He also stressed upon the need for increased accountability and compliance through technology.

Dr. Prodipto Ghosh, former Secretary, Ministry of Environment and Forest, Shri AdilZainulbhai, Chairman, Quality Control of India and Dr. P.B Rastogi, Director, Ministry of Environment, Forest and Climate Change also addressed the gathering.

The One-day Workshop is being jointly organized by Ministry of Environment, Forest and Climate Change, Quality Control of India, QCI and National Accreditation Board of Education and Training, NABET

Indicative list of EIA related references and web links

- www.envfor.nic.in
- Final EIA Manuals prepared by ASCI
- Final EIA manuals prepared by IL&FS.
- Model TORs for [various sectors](#)
- Compendium of Gazette Notifications and Office Memoranda under EIA notification, 2006.
- Standard Terms Of Reference (TOR) for EIA/EMP report for projects/ activities requiring Environmental Clearances under EIA notification, 2006.
- www.cpcb.nic.in
- Draft Guidelines on Techno-Economic Feasibility of Implementation of Zero Liquid Discharge (ZLD) for water polluting Industries
- Environmental Standards.
- Guidelines for Measurement of Ambient air Pollutants Vol I,II
- Standards for Water Quality in India 2011.
- Guidelines for Recognition of Environment Laboratories under the Environment (Protection) Act,1986
- www.npcindia.gov.in
- www.cseindia.in
- www.neerienviis.nic.in
- www.neeri.res.in
- www.fsi.nic.in
- www.wii.gov.in
- www.planningcommission.gov.in
- www.nswaienviis.nic.in
- www.nih.ernet.in
- www.bcairquality.ca

Indicative list of EIA related references and web links (contd.)

<p>www.imd.gov.in</p> <p>www.legalserviceindia.com</p> <p>www.nrsc.gov.in</p> <p>www.iirs.gov.in</p> <p>www.journals.elsevier.com</p> <p>www.fao.org/soil</p> <p>www.iaswc.com</p> <p>www.soilcsi.in</p> <p>www.epa.gov</p> <p>www.iaia.org</p> <p>http://ibm.nic.in/</p>	<p>Asian Development Bank (ADB) Environmental and Social Safeguards http://www.adb.org/site/safeguards/main</p> <p>India Infrastructure Financing Company Limited (IIFCL) Environmental and Social Safeguards Framework (ESSF) http://www.iifcl.org/writereaddata/userfiles/file/essf.pdf</p> <p>GRI G4 Indicator Protocol Set – Environment (EN) and Social (SO) http://www.globalreporting.org/Home</p> <p>International Finance Corporation (IFC) Performance Standards (PS) on Environmental and Social Sustainability (2012 Edition) http://www.ifc.org/wps/wcm/connect/115482804a0255db96fbffd1a5d13d27/PS_English_2012_Full-Documents.pdf?MOD=AJPERES</p> <p>World Bank Operational Policy (OP)/Bank Procedure (BP) 4.01: Environmental Assessment. http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFEPOL/0,,contentMDK:20543912~menuPK:1286357~pagePK:64168445~piPK:64168309~theSitePK:584435,00.html</p>
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