F.No.22-18/2019-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)
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Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi 110003

Dated: 20th December, 2019

Office Memorandum

Sub: Clarification on validity of prior environmental clearance granted under the provisions of para 12 of EIA Notification 2006 to the mining projects – reg.

It has been brought to the notice of this Ministry that certain State Pollution Control Boards have withheld 'Consent to Operate' to the mining projects, for which ECs were granted as per the provisions of para 12 of the EIA Notification 2006, due to ambiguity in the period of validity of such ECs.

2.   This Ministry has issued circulars vide No.J-11013/41/2006-IA.II(I), dated 13.10.2006, 21.11.2006 and 04.09.2009 etc., wherein interim operational guidelines have been issued for handling project proposal as per the provisions of the para 12 of the EIA Notification 2006. However, the validity of such ECs has not been clearly defined.

3.   In the above context, based on the recommendations of the Expert Committee, the Ministry hereby clarifies that the ECs granted under para 12 (which is part of the EIA Notification 2006), are to be considered under EIA Notification 2006 only. Accordingly, the provisions of EIA Notification 2006 shall be applicable for the projects in which EC has been granted under para 12 of the EIA Notification 2006 including the validity of such ECs unless expressly stated otherwise in the conditions of specific Environmental Clearance.

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

(Sharath Kumar Pallerla)
Director/IA Policy Division

To,

1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman/Members of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs

5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary(EF&CC)
4. PPS to AS(RSP) /AS(RA)
5. PS to JS(GM)/JS(AKN)/JS(SKB)
6. Website, MoEF&CC
7. Guard file.

(Sharath Kumar Pallerla)
Director /IA Policy Division