

F. No. 3-3/2019-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

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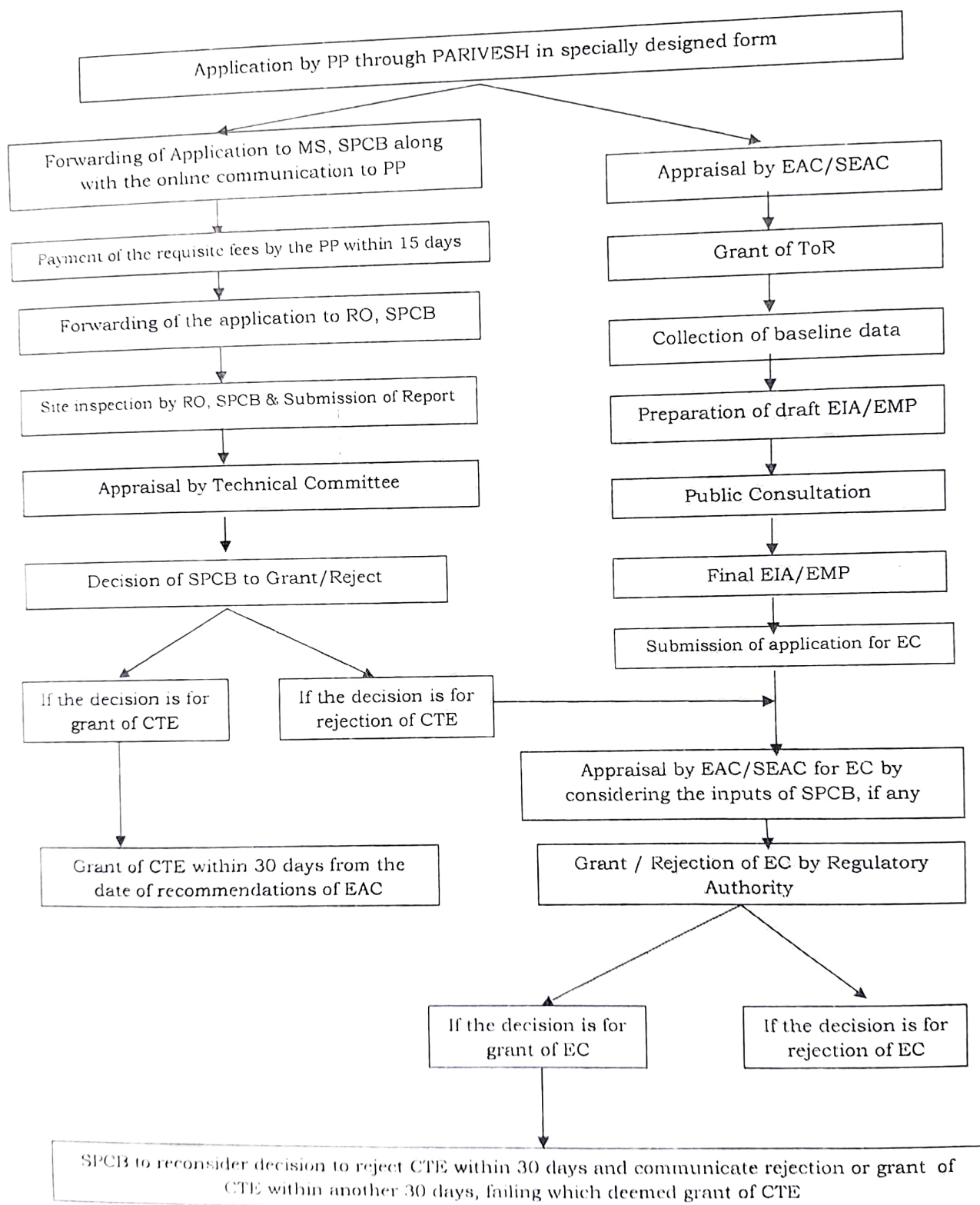
OFFICE MEMORANDUM

Subject: Modalities for making CTE and EC a one step process - regarding.

In order to expedite the process of CTE, CPCB vide letter dated 02.02.2017 issued an advisory to all the SPCBs/PCCs to follow the modified mechanism for granting consent to various categories of industries as:-


"All the projects requiring Environmental Clearance may be exempted from obtaining the Consent to Establish (CTE). Such projects may be directly granted Consent to Operate subject to EC and installation of pollution control devices".

2. Further, CPCB issued the directions under Section 18(1)(b) of the Water Act, 1974 and the Air Act, 1981 regarding streamlining of consent mechanism vide Letter No. B-29012/MSMEs/IPC-VI/2017-18/12189-12230 dated 2nd November, 2018.
3. The Hon'ble High Court of Delhi has stayed the directions of the CPCB vide order dated 2nd November 2018 in W.P. (CIVIL) 13521 of 2018 in the matter of Social Action for Forest and Environment vs. Union of India and Ors. The CPCB has further informed that a similar case has also been filed before Hon'ble High Court of Madras (WP No. 3046 of 2019 and WMP No. 3316 & 3320 of 2019).
4. A meeting was convened under chairmanship of Secretary, Environment, Forest and Climate Change with CPCB and after detailed deliberations, the following mechanism of one step process of CTE and EC has been decided.



Provided:-

- i. If the PP fails to pay the requisite fee, grant of CTE will be at the discretion of the SPCB/UTPCC concerned;
 - ii. If the decision for rejection of CTE is not communicated by SPCB/UTPCC to the Ministry or SEIAA, as the case may be, before the meeting of EAC, it will be deemed that there are no specific comments / objections to the SPCB/UTPCC
 - iii. In case of deemed grant of CTE, the conditions of the EC will also be applicable for the deemed CTE
 - iv. The deemed clause may not be applicable for cases, where public consultation is exempted for grant of EC.
5. The above, mechanism may be followed while granting EC and CTE
6. This issues with the approval of the competent authority


(Sharath Kumar Pallerla)
Scientist 'F', IA (Policy) Division

To

- 1 All the officers of IA Division
- 2 Chairperson/Member Secretaries of all the SEIAAs/SEACs
- 3 Chairman of all the Expert Appraisal Committees
- 4 Chairman, CPCB
- 5 Chairpersons/Member Secretaries of all SPCBs/UTPCCs

Copy for information:

1. PS to Minister for Environment, Forest and Climate Change
2. PS to MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS(RSP) / AS (RA) / JS (GM) / JS (AKN) / JS (SKB)
5. Website: MoEF&CC and GARD