No. J-11013/41/2006-IA-II (I) (Part)
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: 29th August, 2017.

OFFICE MEMORANDUM

Subject: **Terms of Reference for EIA/EMP studies for the projects/activities requiring Environmental Clearance under the EIA Notification, 2006 - Extension of validity period - regarding.**

In order to streamline the process and provide greater clarity in issuing Terms of Reference (ToRs) for undertaking EIA/EMP studies for the projects/activities requiring Environmental Clearance under the EIA Notification, 2006, the following decisions have been taken with immediate effect:

(i) The validity of ToRs for projects/activities (except for River Valley and HEP Projects), for submission of EIA/EMP reports shall be three years.

(ii) The validity of ToRs for River Valley and HEP Projects, for submission of EIA/EMP report shall be four years.

(iii) The above validity period can be extended by the concerned Regulatory Authority for a maximum period of one year without referring the proposal to the EAC/SEAC concerned, provided an application is made by the applicant before expiry of the validity period, together with an updated Form-1 and proper justification and there is no change in terms and conditions of the ToRs. After the lapse of validity, such extension will need EAC/SEAC consideration.

(iv) Thus, an outer limit of validity of ToRs shall be 4 years for all the projects/activities and 5 years for River Valley and HEP Projects.

(v) The ToRs will specifically mention the date of expiry of validity.

(vi) Extension of validity of ToRs beyond the outer limit of four years for all projects/activities, and five years for River Valley and HEP projects, shall not be allowed/considered by the Regulatory Authority.

(vii) The baseline data used for preparation of EIA/EMP reports may be collected at any stage, irrespective of the request for ToR or the issue thereof. However, such a baseline data and the public consultation should not be older than 3 years, at the time of submission of the proposal, for grant of Environmental Clearance, as per ToRs prescribed.

(viii)   Public consultation shall be conducted during the validity of the ToRs. The public consultation conducted after the expiry of ToRs shall not be accepted by the Regulating Authority.

(ix)   In case the proposal for Environmental Clearance along with EIA/EMP reports based on the ToRs prescribed, is not submitted within the validity period of ToRs, and/or not complying with the above conditions, the process shall be started *de novo*. The already collected baseline data may be re-used, provided it is not more than 3 years old and duly recommended by EAC/SEAC in their due diligence.

(x)   In case, any proposal for ToR is delisted for want of additional information within the time period, as stipulated by the Ministry, the same can be listed again after the requisite information is submitted.

2.   This Office Memorandum is issued in supersession of the earlier OMs of this Ministry as under:

i)   No. J-11013/ 41/2006-IA-II (I) dated 22.03.2010;

ii)   No. Z-11012/1/2013-IA-I (Part) dated 19.11.2013;

iii)   No. Z-11012/1/2013-IA-I (part) dated 12.12.2013;

iv)   No. J-11013/ 41/2006-IA-II (I) dated 22.08.2014;

v)   No. J-11013/ 41/2006-IA.II (I) dated 08.10.2014;

vi)   No.J-11013/41/2006-IA.II(I) dated 07.11.2014; and

vii)   No. J-11015/109/2013-IA.II(M) dated 12.01.2017

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

(Sharath Kumar Pallerla)
Scientist 'F'

Copy 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. PPS to Secretary(EF&CC)
3. PPS to AS(AKJ) / AS (AKM)
4. PPS to JS(GB) / JS(JT)
5. Website, MoEF&CC
6. Guard file