

natural drainage, snow melt, glacial lake out bursts and silting of river beds. As per a study carried out by Central Water Commission after the floods of August 2016 in Bihar, it is observed that sedimentation in river Ganga is basically due to huge sediment load contributed from its Northern tributaries viz. Ghaghra, Gandak and Kosi. When these rivers come out of hilly terrain the sediment laden monsoon water drops a lot of sediment due to drop in river bed slope in plain area. This is a natural phenomenon.

New EIA Notification

836. SHRI ABDUL WAHAB: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether it is a fact that new Environment Impact Assessment (EIA) Notification considers many projects under exempted list as they are outside the purview of EIA;

(b) if so, the details of such exempted list of projects under EIA and the reasons therefor;

(c) whether it is also a fact that violations can only be reported by a Government representative or the project proponent and not by citizens according to the new EIA Notification; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI BABUL SUPRIYO): (a) and (b) No Sir. The draft EIA Notification 2020, has introduced new exemptions only where clean technology is involved; pollution potential is low or the activity is at a small scale (MSME sector). The activities which are now exempted, *inter alia*, include Research and Development activities of laboratory scale and not involving commercial production, secondary metallurgical projects up to a certain threshold, manufacturing of country liquor up to 10 KLD; aerial ropeways in non-eco sensitive areas.

(c) and (d) No Sir. The draft EIA Notification 2020 does not curb the right of any concerned or affected person to report cases of violation. Clauses 22 (1) and 23 (1) of the Draft EIA Notification, 2020 mention that the cognizance of violation or non-compliance shall be made on the basis of (a) Suo moto application of project proponent, (b) Report by any Government authority, (c) Violation/Non-compliance found during the

appraisal by appraisal committee or during processing of applications by any Regulatory Authority. The public, NGOs and other affected persons can approach any of the government authorities, who after preliminary verification, can refer the matter to the Ministry or respective States for taking action in the matter.

Draft EIA Notification 2020

837. SHRI K.C. VENUGOPAL: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether Government has taken into note the larger concern on the proposed Environmental Impact Assessment Notification 2020 with regard to its impact on nature;

(b) whether Government is aware that the condition which allows the project owners to, post facto, pay compensation in cases would lead to high intensity of exploitation of nature without any impunity;

(c) categories and projects which were excluded from the public consultation in Environmental Impact Assessment under the proposed EIA Notification; and

(d) the details thereof and the reasons to exclude them from the purview of public consultations?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI BABUL SUPRIYO): (a) The Draft Environment Impact Assessment Notification 2020 has been prepared after obtaining views of different stakeholders and due deliberation by the Expert Committee constituted for the purpose. The Government has received responses on the draft Notification, 2020 from different stake holders, which are being considered.

(b) The draft EIA Notification 2020 does not provide for *ex post facto* clearance to violation cases. The environmental clearance, if issued, to the project shall only be prospective and shall be effective from the date of its issuance. Any violation of the EIA Notification, 2006, that is in force, under the Environment (Protection) Act, 1986 results in contravention under the Environment (Protection) Act, 1986 itself, thereby attracting the provisions of Section 15/19 of the said Act. Section 15 of the Environment (Protection) Act, 1986 provides for penalty or imprisonment or both for contravention of the Act. In the same manner, a violation of any provisions in the EIA, 2020 shall attract the penal provisions of Section 15 of Environment (Protection) Act, 1986.