

F.No.J-11013/41/2006-IA-II (I)  
Government of India  
Ministry of Environment and Forest  
IA Division

Paryavaran Bhawan, CGO Complex  
Lodi Road, New Delhi-110 003

Dated the November 21, 2006

**CIRCULAR**

**Subject: EIA Notification dated 14<sup>th</sup> September, 2006 - Interim Operational Guidelines till 13<sup>th</sup> September, 2007 in respect of Categories of Projects which were not in EIA Notification, 1994.**

Pursuant to the new Environment Impact Assessment Notification of 14<sup>th</sup> September 2006 (EIA 2006) replacing the EIA Notification of 27<sup>th</sup> January 1994 and its various amendments (EIA 1994) and in terms of the provisions of Para 12 of EIA 2006, the Ministry had earlier issued Interim Operational Guidelines on 13<sup>th</sup> October 2006. Further to these guidelines, the following guidelines are issued for the Categories of Projects, which did not require EIA Clearance under EIA Notification, 1994 and now require the same under EIA Notification, 2006:

- i. No NOC from the State Government/SPCB is required for Environmental Clearance Process. Consent to Establish (NOC) and prior Environmental Clearance are separate legal requirements, any project proponent has to fulfill. NOCs required under Water and Air Acts are mandatory requirement under those Acts and will have to be taken as required and do not require to be linked to environmental clearance.
- ii. Such projects for which NOCs issued before 14<sup>th</sup> September, 2006 will not be required to take Environmental Clearance under the EIA Notification, 2006.

Contd....

- iii. Applications received for NOC by the State Pollution Control Boards before 14<sup>th</sup> September 2006 may be considered as per provisions of the said Acts. However, they will have to obtain the environmental clearance from the relevant Authority by 30<sup>th</sup> June 2007, if the category requires EIA Clearance as per the new Notification. In such cases, the unit can meanwhile carry on with the commencement of their project activities. Projects not seeking clearance under EIA Notification, 2006 by 30<sup>th</sup> June 2007 will be treated as violation cases under Section 15 of Environment (Protection) Act, 1986.
- iv. Applications received for NOC after 14<sup>th</sup> September 2006 will have to obtain EIA Clearance from the relevant Authority before starting the project activities. Application for EC (TORs / Scoping) may be submitted simultaneously to the relevant Authority/ies.

**(Sanchita Jindal)**  
Additional Director

**To:**

1. All State Environment Departments
2. All State Pollution Control Boards
3. All Officers of IA Division, MoEF
4. UT Administrations

**Copy to:**

1. PPS to Secretary (E&F)
2. PPS to AS (CC)
3. PPS to JS (CC-II)