

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO.219
TO BE ANSWERED ON: 08.12.2022

Fines imposed by the Supreme Court/NGT

219. DR. V. SIVADASAN:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) the number of times the Ministry was fined by the Supreme Court, NGT or other agencies during the last five years, the details thereof;
- (b) the details of companies fined by the Ministry for violation of Environment Protection Act (EPA), the quantum of fine and the amount that has been paid by the companies, the year-wise details for the last five years;
- (c) whether the Ministry has demanded for any Environment Restoration Fund from any company in the last five years; and;
- (d) if so, the current status of such demanded funds?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (d) As per available information, the Ministry of Environment, Forest and Climate Change (MoEF&CC) was fined on one (01) occasion in last five years (2018 upto 5.12.2022) by the Hon'ble High Court of Punjab & Haryana in a case where reply was submitted beyond the specified duration. The Ministry vide O.M. dated 7.07.2021 issued Standard Operating Procedure (SoP) for identification and handling of violation cases under EIA Notification 2006. The SoP also has provision of levying penalty for projects which have started the construction/ operation without prior EC. Accordingly, Ministry has imposed penalty on various project proponents. Further, Ministry imposed Environmental Compensation, in two matters related to violation of Costal Regulation Zone (CRZ) Notification, 2011, notified under Environment (Protection) Act, 1986, and in one matter related to Environment Clearances of construction project. The Ministry had issued Notification S.O. 804(E) dated 14.03.2017 and Standard Operating Procedure (SOP) dated 7.07.2021 to deal with the violation cases. The companies seeking Environmental Clearance as per the provision of the aforementioned notification and SOP needs to prepare Damage Assessment, Remedial Plan and Community Augmentation Plan and submit a bank guarantee (BG) equivalent to the amount of Remediation Plan and Natural & Community Resource Augmentation Plan as recommended by Expert Appraisal Committee and finalized by Regulatory Authority. The bank guarantee is to be deposited to concerned Central/ State Pollution Control Board (depending on whether it is appraised at Ministry or at state level by State Environment Impact Assessment Authority). As per the provision of the said SoP, the bank guarantee is to

be released after successful implementation of the Remediation plan and Natural & Community Resource Augmentation Plan. The Ministry has imposed penalty of ₹101.8 Lakhs on five (5) industries pursuant to Standard Operating Procedure issued on 07 July, 2021 and has imposed Environmental Compensation worth ₹ 12.63 Crores in three instances.
