

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO.1498
TO BE ANSWERED ON 12.02.2026

Exemptions under EIA

1498. SHRI MOHAMMED NADIMUL HAQUE:

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

the number of public hearings waived or exempted under the Environmental Impact Assessment (EIA) notification since 2020, sector-wise?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI KIRTI VARDHAN SINGH)

The Government of India has issued Environment Impact Assessment (EIA) Notification, 2006 under the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986. As per the provision of EIA Notification, 2006, construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and/or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified in the EIA Notification.

As per the extant provisions of EIA Notification, 2006, Public Consultation is one of the steps involved in the Environment Clearance process wherein the concerns of local affected persons and others who have plausible stake in the environmental impact of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design, as appropriate. The Public Consultation process comprises of two components namely public hearing at the site or in its close proximity- district wise, to be carried out in the prescribed manner by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC). In terms of the Para 7 of the EIA Notification 2006 as amended, all activities covered in the schedule of the EIA Notification shall undertake Public Consultation, except the following sectors:

- a. modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- b. all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.

- c. expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- d. maintenance dredging provided the dredged material shall be disposed within port limits.
- e. All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8 (a) and 8(b) in the Schedule to the notification).
- f. all Category 'B2' projects and activities.
- g. all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- h. all linear projects such as Highways, pipelines, etc., in border States.
- i. all standalone pelletization plants, which were in existence and in operation on or before the 27th day of May, 2014 and have valid consent to establish and consent to operate from the concerned State Pollution Control Board or the Union Territory Pollution Control Committee.

Further, the projects where construction and commissioning of proposed activities have not been completed within the validity period of the Environmental Clearance (EC) and a fresh application for EC has been submitted due to expiry of the said period of the EC, the concerned Expert Appraisal Committee or State Level Expert Committee, as the case may be, may exempt the requirement of public hearing in cases where the project has been implemented physically to the extent of more than fifty percent.

In addition to the above, as per the provisions of para 7(ii)(a) of the EIA Notification 2006 and as amended, all applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted or with increase in either lease area or production capacity in the case of mining projects or for the modernisation of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product-mix shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of Environment Impact Assessment and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

In terms of the provisions given above regarding the requirement of Public Consultation and in accordance with the procedure prescribed under the EIA Notification, 2006 and as amended, the Ministry grants Environmental Clearance (EC) to projects/activities listed in the Schedule to the said Notification, across different sectors.
