



June 2022

Paryaaavan Times is a monthly newsletter edited by Paryaaavarnear Engineers & Consultants Pvt Ltd.

The newsletter aims at providing the updates in the field of environment in the previous month including environmental legal updates, guidelines, standards and other updates.

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Draft Notification on E waste (management) Amendment Rules

Applicability:

Every manufacturer, producer, refurbisher and recycler of electrical and electronic equipment.



[Link to notification](#)

Intent / Background

Considering the drawbacks of Ewaste (Management) amendment rules 2018, MoEFCC amended the rules to redefine and omit certain sections.

Summary:

- Responsibilities of collection centers, Dealers has been omitted.
- Bulk consumers are redefined as any entity which has used at least 1000 electrical and electronic equipment listed in Schedule I and exempted from submission of annual returns.
- Schedule 1 is revised to include additional electrical and electronic equipment.
- Manufacturers, Producers, recyclers and refurbishers considered under EPR framework and they has to register themselves in CPCB portal.
- Producers, recyclers and refurbisher has to file annual and quarterly returns in the prescribed Form on CPCB portal.
- E-waste recycling target has been revised for producers (whose years of presence in the market is greater than average life of their product) to collect 60% of the quantity of waste generation as indicated in EPR Plan by 2022-23 followed by 70% by 2023-24 and 80% by 2024-25.
- f) Separate target has been set for new producers, who have started sales operations recently, i.e. number of years of sales operations is less than average life of their products mentioned in the guidelines issued by CPCB from time to time.

Implications:

Manufacturers, Producers, recyclers and refurbishers considered under EPR framework and they has to register themselves in CPCB portal.

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[Link to notification](#)

Forming a national designated authority for the implementation of article 6 of the paris agreement.

Intent / Background

India has ratified Kyoto protocol and the doha amendment of the kyoto protocol, paris agreement on climate change which aims to achieve stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.

Summary:

In a meeting of Parties to the Paris Agreement it was decided that, every parties under the agreement should set up a national designated authority and communicate that designation to the United Nations Framework Convention on Climate Change Secretariat.

Following the order, the central government sets up an authority, chaired by secretary of MoEFCC and includes representative members for the implementation of paris agreement.

Implications

The members of NDA has to exercise and perform the functions briefed in the notification and has to furnish reports about its activities to the Apex Committee for Implementation of Paris Agreement (AIPA)

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Applicability:

Manufacturers of PVC pipes and fittings

Amendment notification on “ Lead Stabilizer in Polyvinyl Chloride (PVC) Pipes and Fittings Rules, 2021,



[Link to notification](#)

Intent / Background

Considering the leaching potential of lead in PVC pipes and its toxic effects on human health and environment, MoEFCC made rules on Lead Stabilizer in Polyvinyl Chloride (PVC) Pipes and Fittings. Further to ensure lead extraction limits on bound , MoEFCC amended the notification.

Summary:

- The manufacturer shall submit water test report of pipes and fittings carried out by authorized agencies for testing, to respective SPCB or Pollution Control Committee in accordance with the consent to operate granted by respective State Pollution Control Board or Pollution Control Committee provided that the manufacturer having valid license from BIS shall be exempted from submission of such test report.
- In the existing schedules PVC Item has been added along with Indian standard no and title to specifically mention lead extraction limits.
- A Panel including a representative from manufacturer may be constituted by the Nodal Agency for the purpose of implementation of these rules and to resolve any dispute or issue relating to these rules.

Implications

All manufacturers of PVC pipes whose products are not BIS certified has to submit PVC test reports to respective PCB.

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[Link to notification](#)

MoEFCC issued a notification on 9th may 2022 to amend EIA notification 2006

Intent / Background

As per EIA notification, public hearing is an integral part of EC process and there observed to be a frequent postponement of public hearing due to non availability of District Magistrate or his representative, which delays in completing EC . Considering this issue, ministry issued a notification to allow any district level officer accompanied by SPCB member to carryout public hearing process.

Summary:

- In the absence of district magistrate/commissioner/collector , any other District Level Officer authorized by him or her, assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.
- In case of any postponement of public hearing process due to emergency conditions, the time duration for convening the rescheduled public hearing should not be less than 45 days from the date of first advertisement already published, for initial date of public hearing and it shall be ensured that a minimum notice period of fifteen days shall be provided to the public before the re-scheduled date of the public hearing, for furnishing the responses in writing.
- The general conditions listed in the notification shall not be applicable to mining of minor minerals.”
- All projects in respect of off shore and onshore oil and gas development and production with or without exploration considered under category A projects.

Implications:

On postponement of public hearing process, issuance of notice to the public to be done minimum of 15 days before the next hearing.

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Applicability:

Project proponents listed in the schedule of the rules.

Circular on brief the mechanism for handling TOR applications for issuing standard ToR



[Link to notification](#)

Intent / Background

In order to enable the project proponent to commence preparation of an EIA report soon after submission of application, MoEFCC developed standard ToR and Sector specific ToR for all the projects listed in schedule of EIA notification. Further guidelines have also been developed in the form of matrix which states the mechanism to handle ToR applications.

Action needed:

- On its efforts to enhance environmental protection, MoEFCC updated the standard ToRs in PARIVESH portal.
- The guidelines has been developed in the form of matrix which projects the mechanism for issuing online system generated standard ToR as well as referring the project to EAC/SEAC through parivesh portal.
- Further, the member secretary of EAC/SEAC refer the project to the concerned EAC/SEAC for prescribing additional ToR within 15days,if deemed necessary depending on the environmental sensitivity involving in the project.

Implications

Member secretary of EAC/SEAC has to scrutinize the project application with 7 days from the date of application and has to refer it to EAC/SEAC in case of any additional measures to be taken by project proponent to further safeguard the environment.

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GoK circular regarding enforcement of the provision of the Noise Pollution (Regulation and Control) Rules, 2000

Applicability:

All users of loud speakers public address system and sound producing instruments.



Link to notification

Intent / Background

In consideration noise monitoring data across various zones which shows breaching of max noise limits stated with in noise pollution rules, government of karnataka issued a circular to strictly enforce the rules within the state.

Action needed:

- All existing users of loud speakers/ public address system and sound producing instruments shall obtain written permission from the Designated Authority within 15 days of publication of this circular.
- Those who do not obtain permission, should voluntarily remove loud speakers / public address system and sound producing instruments or else the same shall be removed by the Designated authority within 15 days from the deadline given.
- Committees will be formed at different levels to decide the application for loudspeaker or public address systems which comprise the Deputy Superintendent of Police, jurisdictional Tahsildar and a member from the Pollution Control Board.

Implications

All users of loud speakers public address system and sound producing instruments has to take permission from designated authority

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Applicability:

For all projects falls under notified ESZ around protected area/in notified ESA

MoEF Office Memorandum for requirement of various environmental and forest clearances for project/activity falls under eco sensitive zone



[Link to notification](#)

Intent / Background

On receiving communication from project proponents seeking clarification regarding requirement of various statutory clearances for the projects falling under ESZ/ESA, MoEFCC issued a memorandum stating all projects falls under ESZ/ESA zones will be regulated and governed by the ESZ/ESA notification

Summary:

- Project/activity falls under notified ESZ around protected area/in notified ESA shall be regulated and governed by the concerned ESZ/ESA notification and activities prohibited under the ESZ/ESA notification cannot be undertaken.
- Any of project activity in ESZ/ESA notification covered under Forest land /in schedule of EIA notification, then the proponent has to take prior forest and environmental clearance.
- Further any project/activities notified under ESZ around national park or sanctuary shall required consideration by National board for wild life(NBWL).
- Any project activity notified under EIA notification/ located in part of tiger reserve/located within 10km of national park/sanctuary shall require consideration from NBWL/SCNWL.

Implications

Projects falls under notified ESZ zone and covered around national park and other sanctuary area, under Forest land /in schedule of EIA notification has to take approval from NBWL/Environmental clearance/Forest clearance.

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Applicability of EIA notification for Educational institutions.

Applicability:

Project proponents carryout project on educational institution



[Link to notification](#)

Intent / Background

MoEFCC amended the EIA notification 2016, to exempt educational institutions from taking Environmental clearance and issued a guidelines to be followed for building projects to ensure sustainable environmental management. In view of this a query has been raised in request of the clarification regarding definition of educational institution.

Summary:

- Ministry considered the defined educational institution mentioned in Noise Pollution(Regulation and Control)Rules, 2000 as
- A school, Seminary, College, University, Professional academics, Training institutes or other educational establishments, not necessarily a chartered institution and includes not only buildings but also all grounds necessary for the accomplishment of the full scope of educational institution including those things essential to mental, moral and physical development.

Implications

Project proponents who falls under the stated definitions of education institutions are exempted from taking EC under EIA Notification, 2016.

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