



Review Paper

Big promises, underwhelming results: evaluation of shortcomings of environment impact assessment mechanism in India

Kundan Sagar

PG Research Scholar, School of Ecology and Environment Studies, Nalanda University, Rajgir, Nalanda, Bihar, India
kundansagar.2010@gmail.com

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Abstract

Environment Impact Assessment (EIA) is a practice to be done before any venture or significant movement is attempted to guarantee that it will not at all damage the environment on a long haul premise. Any formative effort entails not adjust in-depth examination of the need for such a venture, fiscal expenses, and advantages but also, it requires a nitty gritty appraisal of the impact of a proposed venture. The point of an EIA is to guarantee that potential effects are distinguished and tended to at an early stage in the ventures arranging and plan. To accomplish this point, the appraisal finding is conveyed to all, who will settle on choices about the proposed ventures, the venture engineers, and their financial specialists and in addition controllers, organizers and the government officials. So that EIA can shape the venture with the goal that its advantages can be accomplished and managed without bringing about unfriendly effects. Lately, significant ventures have experienced genuine troubles in light of the fact that deficient record has been brought of their association with the encompassing environment. Many new ventures have been observed to be unsustainable on account of asset exhaustion and their unfavorable effects. Although the purpose of introducing EIA in India was like other country in world to use it as a device for safeguarding that environmental anxieties, which are cohesive into the development project or programme planning process, however after more than 20 years, still it doesn't appear as a powerful device to 'safeguard' the environment and socioeconomic arrangement of the communities in the country. Thus, this article, by tracing the evidence from various case studies related to the EIA from various sources of secondary data, including from various literatures, texts, articles, news, archives, explores the notable inadequacies in EIA processes and practices in India and finally by analyzing the loopholes, it distinguishes opportunities for exploiting the present conditions for reinforcing the EIA procedure. Hence this article, by tracing the evidence from history provides a background, how over the year and the EIA is converted into the project justification tool rather than project planning tool.

Keywords: Environmental Impact Assessment, EIA, EIA Scam, India.

Introduction

EIA is a practice to be done before any venture or significant movement is attempted to guarantee that it will not at all damage the environment on a long haul premise. Any formative effort entails not just in-depth examination of the need for such a venture, fiscal expenses, and advantages but also, it requires a nitty gritty appraisal of the impact of a proposed venture. Prior to the *First World War*, quick industrial development and urbanization in western states were creating hasty destruction of common assets¹. This extended to the span after the *Second World War*, which contributed ascends to attentiveness toward contamination, personal satisfaction and ecological anxiety². In the mid-60s, the outcomes of these war bound policy makers and financial specialist to understand that all these activities they were undertaking were influencing the earth, assets, crude materials and individuals³. As a consequence of this and public pressure for accountability, world leaders and policy makers framed an instrument that can be an exercise to protect the earth system in any development.

The United States of America take the initiative under the *National Environmental Policy Act* in 1970 and turned into the first nation to establish enactment on EIA³. As a result, with the purpose of recognizing /assessing the probable advantageous and antagonistic effects of development ventures on the environment, many key Multilateral Environmental Agreements (MEAs) like "*Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991)*", "*Rio Declaration (1992)*", "*UN Convention on climate change and Biological Diversity (1992)*", "*Doha Ministerial Declaration*", "*UNECE (Aarhus) Convention*" and "*United Nations Conference on the Environment in Stockholm in 1972* along with consequent traditions not only formalized EIA and set EIA into the official instrument to be utilized to ensure the environment but also have seen review and improvements in EIA legal, policy and institutional arrangements^{4,6}. As result, the environment impact process was introduced distinguishing/assessing the potentially useful and unfavorable effects of development not only in the developed nation but also developing nation by, taking into

account environmental, social, cultural and aesthetic contemplations.

These contemplations are basic to decide the reasonability of a venture and to choose if a venture ought to be allowed natural leeway. In this way, an EIA focus on issues, clashes and common asset limitations which may influence the feasibility of a venture. It additionally predicts how the venture could damage to individuals, their country, their occupations, and the other close-by formative exercises. Subsequent to anticipating potential effects, the EIA distinguishes measures to minimize the effects and proposes approaches to enhance the venture suitability. The point of an EIA is to guarantee that potential effects are distinguished and tended to at an early stage in the ventures arranging and outline. To accomplish this point, the evaluation finding is conveyed to all the applicable gatherings who will settle on choices about the proposed ventures, the venture designers, and their financial specialists and in addition controllers, organizers and the legislators. Having perused the outcomes of an environmental impact appraisal, extend organizers and architects can shape the venture with the goal that its advantages can be accomplished and supported without bringing about antagonistic effects. Recently worldwide significant ventures have experienced genuine challenges on the grounds due to the deficient accountability of their association with the encompassing environment⁷⁻⁸. Many of ventures have been observed to be unsustainable as a result of asset consumption and unplanned resource depletions. As a result, many projects witnessed public opposition and have been surrendered on account of being fiscally burdened by unexpected costs, held subject for harms to common assets and even been the reason for lamentable mishaps⁹⁻¹¹.

Methodology

This research was based on integrated literature review with an interdisciplinary approach in which the data and information have been synthesizing in the accumulated state of knowledge on similar or related data to the EIA. Thus, this article, by tracing the evidence from various case studies related to the EIA from various sources of secondary data, including from various literatures, texts, articles, news, archives, explores the notable inadequacies in EIA processes and practices in India and finally by analyzing the loopholes, it distinguishes opportunities for exploiting the present conditions for reinforcing the EIA procedure. Hence this article, by tracing the evidence from history provides a background, how over the year and the EIA is converted into the project justification tool rather than project planning tool.

Big Promise: EIA in India

Environmental impact assessment (EIA) was initially announced and adopted in India in view of the *Environmental Protection Act (EPA), 1986*, however, formally it came into impact, when Ministry of Environment and Forest (MoEF then

has passed a noteworthy authoritative measure under EPA in January 1994 for Environmental Clearance (EC) known as EIA Notification, 1994¹².

The purpose of introducing EIA to use it as a device for safeguarding environmental anxieties, which are cohesive into the development project or program planning process¹³. So for setting up any new projects in India, the initial phase in looking for environmental clearance and is to figure out what statutory enactments apply to the specific venture. The *Ministry of Environment, Forest, and Climate Change, (MoEF and CC)* has drawn out a few notices confining the improvement of businesses in determined biologically delicate territories along with draft rules confined for the setting of enterprises¹⁴. With the available set of rules and guidelines, the project proponent need to check whether Environmental Clearance for development venture can be obtained either at the state level or at the central level depending upon specific criteria concerning the attributes of the venture because it is their responsibility of the arrangement of the EIA proclamation, with the assistance of outside specialist or consultants. In India, the *MoEF and CC* is the office for environmental clearance, which may counsel a board of specialists with a creation determined in schedule III of notification¹⁵.

There are two "levels" of appraisal which ought to be connected to the venture before continuing with a full-scale EIA, Screening and preliminary assessment¹⁴⁻¹⁵. Where these first levels of evaluation are an administrative prerequisite, the project proponent ordinarily takes every necessary step and presents the outcomes to the administrative organization. The agency may then choose that either there is not something to be worried about or the assessment ought to continue to the following level. Usually, for this reason, the venture proponent engage an expert to set up an EIA report, which must be set up by a fuse of information amid all the four periods of the year under guidelines of "*comprehensive EIA*", except few exceptions of "*Rapid EIA*"¹⁵. Since, EIA represents a systematic process that examines the environmental consequences of the development actions, in advance¹⁴. The emphasis of an EIA is on prevention and, therefore, is more proactive than reactive in nature¹⁵. In India, the EIA process involves a number of steps, some of which are listed below (as per *S.O.1533 (E), [14/09/2006] - Environmental Impact Assessment Notification-2006*).

Screening: The screening is the main and most straightforward level in venture evaluation. Screening serves to clear those sorts of tasks, which from past experience are not liable to bring about critical natural issues. The action may take one of the accompanying a few structures which include measurements utilizing straightforward criteria, for example, size or area., comparing the proposition with rundown of activities seldom requiring an EIA (e.g. universities) or unquestionably requiring one (e.g. mines), and looking at these effects against set limits with complex examinations, yet utilizing promptly accessible information.

Preliminary assessment: If screening does not clear a venture, the project proponent might be required to embrace a preliminary Assessment. This includes adequate research, an audit of accessible information and master counsel keeping in mind the end goal to distinguish the key effects of the venture on the neighborhood environment, foresee the degree of the effects and quickly assess their significance to chiefs.

Formation of an EIA team: After investigating a preliminary evaluation, it is necessary to form the skillful team for complete EIA. This team usually involves: i. Commissioning and instructions an autonomous co-organizer and expert study group. ii. Include the key leaders who will arrange, back, allow and control the proposed extend, in order to describe the EIA. iii. Experts in several fields such as *Anthropologists* and *Social Scientists*.

Scoping: It is carried out to guarantee that the evaluation addresses every one issue to the decision makers. Most importantly the group's standpoint is widened by the exchanges (with the venture defenders, leaders, the administrative organization, logical organizations, neighborhood group agent and others) to incorporate all the conceivable issues and concerns raises by different gatherings. At that point the review group chooses essential effects for the EIA to contingent upon the premise of size, geological degree, or in light of the fact that the zone is extraordinary unique (e.g. soil disintegration, the nearness of a jeopardized species, or a close by verifiable destinations) or is an eco-delicate territory. With all the viewpoints, the *Expert Appraisal Committee* or *State level Expert Appraisal Committee* decides the *Terms of Reference* (ToR) and conveyed it to venture proponents within 60 days of form I¹⁵.

Recognition of probable impact: Recognition implies the response to the core query, i.e. "*what will happen as an after effect of the venture?*" If a preparatory appraisal has been done it will have comprehensively assessed the impact of the venture, additionally checking will have centered the review around the most vital issues for decision makers. Taking these discoveries into the record the full EIA contemplates now formally recognizes those effects which ought to be surveyed in detail. This distinguishing proof period of the review may utilize different techniques.

Predications: It forecasts answers of another core query: "what will be the degree of the changes". To the extent is practicable, expectation deductively describes the effects circumstances and end results and its optional and synergetic outcomes for nature and the nearby group. Predications take after an effect inside a solitary natural parameter (e.g. lethal liquid effluents) into its ensuing impacts in many orders (e.g. lessened water quality, unfavorable effects on fisheries, monetary impacts on angling towns, and coming about socio-social changes). Forecast draws on physical, natural, financial and anthropological information systems. In measuring impacts; it might utilize scientific

models, physical models, socio social models, financial models, tests or master judgments.

Evaluation: With all the prediction and evaluation is carried out for the predicated antagonistic effects to decide whether they are sufficiently noteworthy to warrant mitigation. The whole evaluation is not only based on comparison with laws, directions or acknowledged models but also with consultation with the decision makers and acceptability to the local or indigenous group or the overall population.

Mitigation: An extensive variety of measures are proposed to diminish, cure or adjust for each of the unfavorable effects assessed as significant like changing destinations, crude materials, working strategies, transfer techniques, transfer courses or areas, timing or building plans by introducing contamination controls, staged execution, finishing, unique social administrations or government funded training.

Documentation: the last step of EIA, which outline the summary and finding of EIA along with the major ecological and natural asset issues that required illumination and elaboration in context of proposed venture, discourse of choices for moderating unfavorable effects and for molding the venture to suit its proposed environment, and an examination of the tradeoffs included in picking between alternative options.

Once the EIA reports has been finished, the venture defender needs to submit 20 duplicates of the copies of the executive summary and other data or reports to the *State Pollution Control Board* (SPCB). On getting the required reports from the venture proponents, it is the duty of the SPCB to direct the public hearing which is mandatory for environmental clearance by the *Amendment to the EIA Notification of April 10, 1997*¹⁵. So to avoid conflict between government and public and other social issues, the public hearing carried out by publishing in at least two newspapers in the region of project 30 days prior to public hearing. The entire influenced individual, incorporating occupants living in and around the project state, NGO or people likely to be affected are permitted to have access to the executive summary containing the salient features of the project, both in English as well as the local language under the presence of SPCB delegate, District authority or nominee, state government delegate managing the venture and nominee from panchayat /municipality or same.

Finally, the application is assessed and evaluated by the *Impact Assessment Agency (IAA)*, constituted by *Ministry of Environment, Forest and Climate Change, (MoEF and CC)* which is the nodal agency for environmental clearance. The IAA has full right of section and review of the site or manufacturing plant premises before, amid on the other hand after the beginning of the venture. The evaluation and detailed scrutiny within 90 days from receipt of reports along with documents like the Final EIA report, the outcome of the public consultations including public hearing proceedings, submitted

by the applicant to the regulatory authority, formed by IAA carried out¹⁴.

After it a proceeding in a transparent manner, in which applicant is invited for furnishing necessary clarifications in person or through an authorized representative is called by the authority and on conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same¹⁵. If granted the clearance will be substantial for a time of five years for the beginning of the construction or operation of the venture. In this way, the environmental and social concerns are addressed during impact assessment in India and fate of projects and environment decided.

Underwhelming Results and loopholes

Although the purpose of introducing EIA in India was like other country in world to use it as a device for safeguarding that environmental anxieties, which are cohesive into the development project or programme planning process, however after more than 20 years, still it doesn't appear as a powerful device to " 'safeguard' the environment and socioeconomic arrangement of the communities in the country. Thus it is not surprising to know that out of the world's main 20 contaminated urban areas, 13 are in India¹⁶. India's high air contamination, positioned by the World Health Organization among the most exceedingly bad on the planet, is antagonistically affecting the life expectancy of its natives, decreasing most Indian lives by more than three years¹⁷. In India 660 million individuals – live in territories where fine particulate matter contamination is over India's gauges for what is viewed as protected, said the review by financial specialists from the University of Chicago, Harvard and Yale in their report 'Monetary and Political Weekly'¹⁶. The *Ganga* and *Yamuna* are positioned among the world's 10 most contaminated waterways¹⁸⁻¹⁹.

An assessment in February, positioned *Vapi* in Gujarat and *Sukinda* in *Odisha* among the 10 most naturally degraded zones on the planet²⁰. Similarly despite the mandates of the *National Green Tribunal*, city organizations keep on allowing concretization in green belts. Enormous green cover is decimated for the sake of improvement. Blasting land and interest for lodging units is prompting to change of land utilize and shrinkage of normal preservation zones, for example, timberlands, water bodies, badlands, asylums, groundwater rechargeable zones²⁰. It is disheartening to see that despite of such a great number of international treaties, laws, constitutionals mandate and amendments, India is still facing massive environmental degradation. One of the greatest worries identified with the nature of EIA report that are being completed is that , these reports are for the most part deficient and gave

false information. EIA reports overlook a few viewpoints while completing appraisals and critical data is found to preclude.

If we trace the evidence from history, In India, from 1980s many of the developmental projects were implemented²¹. Up to this point, EIA as another idea was not promptly comprehended and acknowledged as an apparatus in developing nations like India. More or less, till 1990 EIA was viewed as simply one more bureaucratic hindrance in the way of improvement. However situation does not changes over the year and the EIA is converted into the project justification tool rather than project planning tool. Many NGO and organisations like *Greenpeace*, *Centre for science and environment*, *South Asia Network on Dams, Rivers & People* and others had explored the loophole in EIA reports and there reports have highlighted following causes responsible for: -

Lack of adequate expertise and understanding for development of EIA: As things stand today, it is the obligation of the venture advocate to commission the preparation of the EIA for its venture. The EIA is really supported by an office or person whose essential intrigue is to get clearance for the venture proposed. There is minimal possibility that the last appraisal displayed is one-sided, regardless of the possibility that the advisor may give an unprejudiced evaluation that is incredulous of the proposed extend. Number of circumstances it is found that a consultancy firm which is working in the venture range has no specialization in the concerned subject. For instance for the planning of EIA report of the proposed oil exploration in drift of Orissa by the "Reliance Group" has been given to the life science, *Department of Berhampur college* which has no mastery on the investigation of turtles and its life cycle²².

The EIA record in itself is so massive and specialized, which makes it exceptionally hard to unravel to aid in the decision making process. Similarly The Environmental Impact Assessment (EIA) report for *Jaitapur* was directed by the *National Environmental Engineering Research Institute (NEERI)* of Nagpur, Maharashtra, established and financed by the Government of India. The report was dispatched and paid for by NPCIL, the administration claimed organization that is building the *Jaitapur* atomic power plant. This appointing of one government body by another makes conflict of interests, making it immediately unlikely for the EIA to be the unbiased and just assessment of environmental impacts that is needed²³. Similarly the *Ken Betwa EIA* Interlinking of Rivers Project, is loaded with gross blunders, is one-sided, distorts realities, and indicates natural absence of education and no seriousness. This EIA is led by *Agriculture Finance Corporation of India (AFCL now)* whose center subject is Agriculture Finance, not directing EIAs²⁴.

Overlooking environment friendly recommendations that have been made by other committee: In the mad race of cheap electricity, India, the third largest dam builder in the world with

5193 Large Dams, seems to be on a dam building spree and cascades of dams are coming up in some of the most eco-sensitive regions: *North Eastern States, Sikkim, Uttarakhand, Himachal Pradesh, Jammu and Kashmir and the entire Western Ghats Hotspot*^{25,26}. These dams are causing serious threats to the mega-diverse biodiversity of India. Many reports like the report of *Wildlife Institute of India* on terrestrial and aquatic ecology of *Alaknanda* and *Bhagirathi* recommended dropping 24 projects, however this recommendation is not accepted by *Expert Approval Committee (EAC)*²⁷. Similarly project like 300 MW *Alakanada* project are being sanctioned by MoEF without justifications despite of this fact it was rejected twice by the *Forest Advisory Committee*²⁸. Same case happen with the carrying capacity study of the *Teesta river basin* which suggested that no ventures ought to be taken upstream of *Chungthang* in North Sikkim, the EAC overturned this decision and chose to consider every single such venture. The proposals of the Western Ghats Ecology Panel headed by *Prof Madhav Gadgil* were additionally dismisses on grounds, for example, insufficient reviews²⁹⁻³⁰.

Poor quality of inputs to EIA's: From their initiation, the EIA reports have been a range of level headed discussion and conflict in matters of value^{31,32}. Analysts and NGOs have consistently conveyed this to the notice of the MoEF and CC, and the service has recognized this to be a noteworthy lacuna^{33,34}. Court fights keep on being loaded with inquiries of deficient baselines and red flags have been raised about the freedom of EIA specialists-who do affect evaluations in the interest of venture engineers-and their subsidizing, which is specifically fixing to their customer's fulfillment and accomplishment in getting clearances³⁵. Numerous EIA report for instance, the *Dhamra Port EIA* and Detailed Project Report show some genuine oversights and weaknesses in the investigation of effects, by overlooking the national significance of the *Bhitharkanika Reserve* and the worldwide significance of the *Gahirmatha turtle* reproducing shorelines³⁶.

A scrutinize report from *Greenpeace* expresses that the EIA reports neglects to depict completely the standard environmental condition, neglects to distinguish completely the potential biological effects, and inability to consider potential outrageous climate occasions and effects of environmental change³⁷. Thus on account of *Shongtong Karcham hydropower* extend, the EIA report expressed that exclusive three types of fish were found in the review region while in genuine there is the nearness of 51 types of fish in the upper compasses of the *Sutlej river*²⁴. Similarly in case of the *Rupsiabagar Khasiabara Hydro Power Project* in Uttarakhand, the EIA report arranged by the *WAPCOS* to get Environment Clearance for the *RKHPP* reports nearness of just 8 flying creature species and birds, while this zone is known for feathered creatures²⁴.

Mostly "copy-cut-paste" jobs: The quality of EIA report generally is generally poor and plagiarism is another tormenting issue that has undermined the target of EIA's, Ernst and Young,

had plagiarized one project's Rapid EIA report for another for a small hydel extend in Karnataka³⁸. Ministry of Environment has conceded its choice for giving environmental clearance for the 8,000 MW *Yadadri Thermal Power Station* in Telangana by TSGENCO due to a "lazy" approach in get ready documentation. It is found that the EIA specialists blameworthy of cut and paste jobs and in the report. At a few spots, it is said that coal will be transported from two ports and in some different spots, four ports are specified. Henceforth, total and particular insights with respect to coal import ports and coal transportation courses were not given³⁹. Prior a report titled as "*First Report On The Rufford's Innovation Grant 2006*" by *Ritwick Dutta* uncovered that an Environmental Impact Assessment (EIA) for a bauxite mining venture in *Ratnagiri, Maharashtra*, was replicated in any event to some extent from a Russian EIA for a bauxite mine. Realizing the pressure from courts, the Ministry of Environment and Forests had a year ago started the progression of accreditation of EIA specialists through the Quality Council of India and the National Accreditation Board for Education and Training. Despite the fact that it is a stage in the correct course, it can in no way, shape or form ensure a fair-minded report since the EIA advisors will keep on being locked in and financed by the venture defender.

Total Impacts of Projects are overlooked: While singular ventures are considered on the premise of the confirmation that the venture won't dirty past "passable limits", the total effect of activities in a valley or a district is neither contemplated nor requested by the evaluation procedure. Infact the present procedure does not have an instrument to know whether there are different activities in the area that will unfavorably influence nature. In case of *Uttarakhand*, the impromptu advancement is nullifying the nature of the mountains. In spite of number of Environmental Impact evaluation reports and natural laws, none of the laws are actualized in such delicate territories of Uttarakhand and the advancement is going unabated. The entire river basin in *Uttarakhand* has been converted into "engineer's playground"⁴⁰.

Dams and their development has altered the hydrological and different properties of river water⁴¹. Each dams increased the surface area for evaporation as they are having big reservoir. For creating the reservoirs and dams, explosive impacts are required to shape the mountains, and on a Richter scale, such impacts are comparable to a quake of the greatness⁴². In rapid urbanizing Asia, urbanization and environmental change are major concerns⁴³. Albeit surely not disregarded in national, local and urban arranging exercises, the rapid expansion of urban centers into their "fringe zones" (peri-urban, peri-agricultural, agricultural and undeveloped land) and the impact of urbanization on ecosystem sustainability are of critical and increasing importance to sustainable urban development, however, both issues are largely poorly understood and of ever increasing importance, particularly to urban planning and development^{44,45}.

Despite Poor History of Compliance the Promoter is allowed leeway for new tasks: A few businesses and foundations have an archived history of poor consistence. An illustration is of the Vedanta, which incorporates mines in the Western Ghats. In spite of this, the new activities are cleared without scrutinizing the plan or capacity of the promoter. Same is the situation with the Nuclear Power Corporation which has demonstrated poor record in Kaiga, however, is presently being considered for a mega atomic power extend in Jaitapur. Rather than punishing and notwithstanding such organizations and securing better execution in existing units, the leeway of new undertakings debilitates the entire procedure.

Unfair Sequencing of the Clearance Processes: In many tasks, the land is either procured or obtained first and the procedure for looking for natural and timberland clearances is started. This is disregarding the technique for nothing and educated assent from the influenced individuals. Having lost their property, there is almost no intrigue and significance left of people in general listening to prepare for the EIA administration.

Poor EAC functioning: The EAC's are mostly composed of retired civil servants and delegates from different scientific establishments and academicians. There is an absence of autonomous scientist, preservationist and common society agents in the EAC. What is of greater concern is the fact that at times EAC's were (and also is) constituted of persons who have a direct conflict of interest. *The Delhi High Court (in Utarkash Mandal Vs Ministry of Environment and Fores) Order dated 26-11-2009*, while considering the approval granted to a mine in Goa (*Borga mines*) critically looked at the composition of the EAC for mining projects. The High Court held as follows:

'As regards the EAC (mines) it is surprising that the 12 member EAC was chaired by a person who happened to be Director of four mining companies. It matters little that the four mining companies are not in Goa. Appointing a person who has a direct interest in the promotion of the mining industry as Chairperson of the EAC (Mines) is in our view an unhealthy practice that will rob the EAC of its credibility since there is an obvious and direct conflict of interest'

The situation has not changed much as even the present EAC's for thermal power plants and river valley projects reveal a clear conflict of interest and is clearly inimical to objective appraisal. Also, the EAC's present mode of functioning does not provide scope for critical appraisal or detailed scrutiny. Several projects are considered during a single day. Infact there are records of over 75 Industrial projects being considered on a single day for appraisal.

The results are quite evident. Hardly any detailed scrutiny takes place, minutes of the public hearings are rarely ever considered and projects are approved subject to general conditions which are applicable to all projects. In 2016 EAC approved 217

projects in six crucial sectors such as coal, mining and thermal power in three months⁴⁶.

Conclusion

These glaring escape clauses create the impression that EIA in India is emerging gradually; a general assessment of the EIA framework uncovers a few shortcomings, not just in the institutional structure, additionally in execution and real practice. The impact of EIA on basic leadership is frail, inferable from various reasons relating to deficient specialized and monetary assets, inadequacies in screening and scoping, improper coordination, unproductive public participation, and inadequate standard monitoring. However, despite this situation, there is a ray of hope in the form of NGOs, Independent reviewer and electronic media in which often highlights the open concerns. Last but not the least, like western countries, the EIA should be made an integral part of the environmental legal regime in India and public participation be made an essential feature of the decision-making process in environmental matters so that the potential dangers of the proposed project may be eliminated/ minimized at source and the gap of understanding, if any, between the project authorities and the general public, may be bridged to the maximum possible extent. The concept of deemed consent/clearance should be replaced by deemed refusal. In conclusion, barring few major weaknesses, which need to be removed immediately, the EIA notification is a welcome step taken with fair intent in the right direction. But there still remains a wide gap between principle and practice, which if not bridged at its earliest may frustrate the very purpose of the Notification. To bridge this gap a body of devoted and professionally competent persons with functional independence and financial soundness may be constituted by the Government of India. Along these lines, there is a decent trust that the EIA framework in India will fortify further not at all like created countries in not so distant future. The need is to tap the current open doors.

It is proposed that the taking after measures can improve the viability of the EIA framework in India. i. The arrangements of the EIA notice, including open hearings ought to be relevant to all until now absolved classes of tasks (including huge scale farming/monoculture estate ventures) which have natural effects. ii. The concentration of EIA needs to move from usage and misuse of common assets to preservation of common assets. Numerous EIA reports have a tendency to legitimize the requirement for the venture. iii. State and local governments ought to keep up a list of sound, free and skilled organizations that can do EIA s. also the EIA specialist those are making false reports ought to be boycotted and blacklisted for any consultancy report. iv. The concentration of EIA needs to move from use and abuse of normal assets to protection of characteristic assets. Numerous EIA reports have a tendency to legitimize the requirement for the venture, moving the concentration of the EIA from a procedure that gives experiences into the reasonability and attractive quality of the

venture, to one that discovers support for the tasks and on uncommon events one that offers oversimplified arrangements on minimizing effects of ventures officially proclaimed essential. v. All EIA reports ought to plainly state what the unfavorable effects that proposed activities will have are. This ought to be a different part and not covered up inside specialized points of interest. Based upon this the EMP plan ought to be likewise be drawn which ought to incorporate a particular arrangement of measures, which are to recognized to relieve these contacts with expenses and time span included.

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