

Historical background of EIA

LECTURE 19+20 (L19-L20)

Evolution of EIA

As the world progressed in science and technology, the various projects which were intended to provide **benefits** to the people started to show **negative** effects in terms of their effects on the environment, thus compelling us to consider alternatives. As such laws were introduced to counter the adverse effects, thus highlighting the need for **Environment Impact Assessment (EIA)**

The first country to give importance to EIA through its National Environmental Protection Act (**NEPA**) of **1969** was the United States . A large number of countries followed, which were having industries. Canada, Australia, the Netherlands and Japan adopted EIA legislation in 1973, 1974, 1981 and 1984, respectively. In July 1985, the European Community (EC) made EIA mandatory.

After this, Columbia was the first developing Latin American country to start a system of EIA in **1974**. In Asia and the Pacific region, Thailand and the Philippines have long established procedures for EIA. EIA was made mandatory in Sri Lanka in **1984**. The EIA process in Africa is developing, although a number of nations including Rwanda, Botswana and Sudan have some experience of EIA

The EIA has been considered as a **decision making tool** by various countries. The Organisation for Economic Co-Operation and Development (**OECD**) issued recommendations on EIA to its States in 1974 and 1979, and for

development aid projects in 1986. OECD issued guidelines for **good practices** in EIA in 1992 (**OECD, 1992**). UNEP, in 1987, set out goals and principles of EIA for the member countries and provided guidance on basic procedures for EIA in 1988.

The World Conservation Strategy pinpointed the need to integrate environmental considerations with development in 1980 . EIA became an integral part of **World Bank policy in 1987** which states that; Environmental issues must be addressed as part of overall economic policy. In 1989, the **World Bank** issued the **Operational Directive** on Environmental Assessment which was revised and updated in October 1991. Asian Development Bank in 1990 published guidelines for EIA (**ADB, 1990**). Importance of EIA was high lighted in the Brundtland Report in 1987 and at United Nations Earth Summit on environment and development held at Rio de Janeiro in 1992 (**UNCED, 1992**). As foreseen development of EIA, as a tool for decision-making world-over, has emerged through the following stages:

- (a) **No formal accounting**; decisions made on interest group lobbying and engineering feasibility; primary emphasis on economic development.
- (b) **Conventional cost-benefit analysis**; emphasis on efficiency criterion and engineering feasibility; major concern still on economic development.
- (c) **Innovative cost-benefit analysis**; use of multiple objectives and discount rates, imaginative proxy pricing mechanisms; economic development as one of the objectives.

(d)EIA mainly concerned with describing the **repercussions of the** proposals on bio-physical processes; **economic development still primary objective.**

(e)EIA with more attention paid to **socio-cultural** as well as bio- physical systems, **economic development not the sole objective.**

The History of evolution of EIA in various countries is presented in Table below:

Australia	Environmental Protection (Impact of Proposals) Act 1974
Bangladesh	No specific EIA legislation, however there was a Declaration that Environmental Impact Assessments should be carried out for all major development projects, 1995
China	Environmental Protection Law, 1979
USA (California)	California Environmental Quality Act (CEQA) of 1971
Canada	Federal Environmental Assessment and Review Process Guidelines Order 1984 , Canada
France	Law on Protection of Nature, 1978
India	Environment Protection Act, 1986
Japan	Principles for Implementing EIA by

	Environmental Agency, 1984
Malaysia	Environmental Quality (Prescribed Activity) (EIA) Order, 1987
New Zealand	Resource Management Act 1991 , New Zealand
Philippines	Environment Policy, 1975
Sri Lanka	National Environmental Act 1986
Thailand	Environmental Quality Act 1978
The Netherlands	EIA Policy, 1986
United States	US Environmental Policy Act, 1969
Vietnam	Environmental Protection Law, 1994
Western Australia	Environmental Protection Act 1986
West Germany	Cabinet Resolution, 1975

Evolution of EIA in India

EIA in India was started in 1976-77, when the Planning Commission asked the then Department of Science and Technology to examine the river-valley projects from the environmental angle. This was subsequently extended to cover those projects, which required approval of the Public Investment Board. These were administrative decisions. The Government of India enacted the Environment (Protection) Act on 23rd May 1986. To achieve the objectives of the Act, one of the decisions taken was to make EIA statutory. After following the legal procedure, a notification was issued on 27th January 1994 and subsequently amended on 4th May 1994, 10th April 1997 and 27th January 2000 making environmental impact assessment statutory for **30 activities**. This is the principal piece of legislation governing EIA in India. Besides this, the Government of India under Environment Protection Act **1986** issued a number of notifications, which are related to environmental impact assessment.

These are limited to specific geographical areas, and are summarised below:

***Prohibiting** location of industries except those related to Tourism in a belt of 1 km from high tide mark from the Revdanda Creek up to Devgarh Point (near Shrivardhan) as well as in 1 km belt along the banks of Rajpuri Creek in Murud Janjira area in the Raigarh district of Maharashtra (6th January 1989).

***Restricting** location of industries, mining operations and regulating other activities in Doon Valley (1st February 1989).

***Regulating** activities in the coastal stretches of the country by classifying them as coastal regulation zone and prohibiting certain activities (19th February 1991).

***Restricting** location of industries and regulating other activities in Dahanu Taluka in Maharashtra (6th June 91).

***Restricting** certain activities in specified areas of Aravalli Range in the Gurgaon district of Haryana and Alwar district of Rajasthan (7th May 1992).

***Restricting** industrial and other activities, which could lead to pollution and congestion in the north west of Numaligarh in Assam (July 1996).

ENVIRONMENTAL CLEARANCE PROCEDURE IN INDIA:

The EIA process in India is made up of the following phases:

- (1) Screening.**
- (2) Scoping and consideration of alternatives.**
- (3) Baseline data collection.**
- (4) Impact prediction.**
- (5) Environmental Impact Assessment (EIA)**
- (6) Assessment of alternatives, mitigation measures and environmental impact statement.**

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(7) Public hearing.

(8) Environment management plan (EMP).

(9) Decision-making.

(10) Monitoring the clearance conditions.

The Ministry of Environment and Forests (MOEF) has published guidelines for different sectors, which outline the significant issues to be addressed in the EIA studies.

The following **documents** are required to be submitted for clearance :-

- * Filled in **application form** (as per Schedule II of EIA Notification).
- * A **summary** of the project/feasibility report
EIA (EIS) report
- * **Risk analysis** on on-site emergency preparedness plan in case of projects involving particular substances.
- * **Site clearance** from MOEF for site-specific projects mentioned in the EIA notification.
- * **Consent** to establish from SPCB.(State pollution Control Board)
- * **NOC** from the local authorities (e.g., District Collector).
- * **Commitment** regarding the availability of water and electricity from the appropriate agencies.
- * **Comments/Observations/Recommendations** of the Chief Wildlife Warden in case a wildlife habitat/migration path exists within 25 km of project site.

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- * **Comprehensive summary** rehabilitation plan, where displacement of more than 1,000 people is anticipated.
- * Copy of the **application** forwarded to the state government, in case of diversion of forest land.
- * **Clearance** from the Airport Authority of India, if applicable.
- * Details of the **public hearing** conducted by SPCB and copies of the advertisements issued for public hearing.
- * Filled-in **environmental appraisal** questionnaires issued by MOEF, along with the attachments (mentioned in the questionnaire).