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MAD- 2020
Day – 31
DISASTER MANAGEMENT

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Question:

Do you believe Environmental Impact Assessment in India is sufficient? Critically analyse.

Answer:

Introduction:

- UNEP defines Environmental Impact Assessment (EIA) as a tool used to identify the environmental, social and economic impacts of a project prior to decision-making.
- It aims to predict environmental impacts at an early stage in project planning and design, find ways and means to reduce adverse impacts, shape projects to suit the local environment and present the predictions and options to decision-makers.
- By using EIA both environmental and economic benefits can be achieved, such as reduced cost and time of project implementation and design, avoided treatment/clean-up costs and impacts of laws and regulations.
- Environment Impact Assessment in India is statutorily backed by the Environment Protection Act, 1986 which contains various provisions on EIA methodology and process.
- The assessment is carried out by an Expert Appraisal Committee (EAC), which consists of scientists and project management experts.
- The basis in global environmental law for the EIA is the "precautionary principle".

In India, it is sufficient:

- It links environment with development for environmentally safe and sustainable development.
- EIA encourages the adaptation of mitigation strategies in the developmental plan.
- It provides a cost effective method to eliminate or minimize the adverse impact of developmental projects.
- It enables the decision makers to analyse the effect of developmental activities on the environment well before the developmental project is implemented.

But there exists certain challenges:

- There are several projects with significant environmental impacts that are exempted from the notification either because they are not listed in schedule I, or their investments are less than what is provided for in the notification.
- Public comments are not considered at the early stage. Also, a number of projects with significant environmental and social impacts have been excluded from the mandatory public hearing process. They are seldom available on time.
- The data collectors do not pay respect to the indigenous knowledge of local people.
- One of the biggest concerns with the environmental clearance process is related to the quality of EIA report that are being carried out. They are incomplete and provided with false data. The EIA document in itself is so bulky and technical, which makes it very difficult to decipher so as to aid in the decision making process.

- The EIA is actually funded by an agency or individual whose primary interest is to procure clearance for the project proposed.
- There is little chance that the final assessment presented is unbiased, even if the consultant may provide an unbiased assessment that is critical of the proposed project.
- There are so many cases of fraudulent EIA studies where erroneous data has been used, same facts used for two totally different places etc.
- There is no accreditation of EIA consultants, therefore any such consultant with a track record of fraudulent cases cannot be held liable for discrepancies.
- It is hard to imagine any consultant after being paid lakh of rupees, preparing a report for the project proponents, indicating that the project is not viable.
- Often, and more so for strategic industries such as nuclear energy projected, the EMPs are kept confidential for political and administrative reasons.
- Details regarding the effectiveness and implementation of mitigation measures are often not provided.
- Emergency preparedness plans are not discussed in sufficient details and the information not disseminated to the communities.

Way forward:

- Independent EIA Authority and Sector wide EIAs needed.
- Creation of a centralised baseline data bank.
- Dissemination of all information to local communities and general public.
- All those projects need to go through the process of environmental clearance, without exception.
- No industrial developmental activity should be permitted in ecologically sensitive areas.
- Public hearings should be applicable to all hitherto exempt categories of projects which have environmental impacts.
- The present executive committees should be replaced by expert's people from various stakeholder groups, who are reputed in environmental and other relevant fields.
- The EIA notification needs to build within it an automatic withdrawal of clearance if the conditions of clearance are being violated and introduce more stringent punishment for noncompliance. At present the EIA notification limits itself to the stage when environmental clearance is granted.
- Citizen should be able to access the authority for redressal of all violation of the EIA notification as well as issues relating to non-compliance.
- NGOs, civil society groups and local communities need to build their capacities to use the EIA notification towards better decision making on projects.

Conclusion:

- Hopefully, the new EIA Draft 2020 will cater to all the above mentioned issues and will help to save environment and promote sustainable development.

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