

MAHARASHTRA POLLUTION CONTROL BOARD

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No.BO/P&L Divn./B-5289

Date: 22 /12/2014

CIRCULAR

Sub : Effective implementation of EIA Notification-
Public Hearing.

Ref : Circular issued by the Board vide No.MPCB/
JD(WPC)/MS/B-1875, dtd.16/4/2013.

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In continuation of earlier circular dtd.16/4/2013 issued by the Board vide Reference above, it has been observed that the Regional Officers and Sub-Regional Officers (i.e. the Convener of the public hearing) are not scrupulously following due procedure laid down under EIA Notification, 2006, more particularly, under Appendix-IV, Clause-6.4 & 6.6 respectively and thereby, a number of objections are raised in respect of not following due procedure either in the Public Interest Litigation or Applications/ Appeals filed before the Hon'ble National Green Tribunal Benches.

The Clauses-6.4 & 6.6 are reproduced hereunder for ready reference.


- 6.4. Every person present at the venue shall be granted the opportunity to seek information or clarification on the project from the Applicant. The summary of public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.**
- 6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information.**

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Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

Henceforth, the Convener of the public hearing will be responsible to ensure the compliance of all the provisions in respect of conducting public hearing, which are specifically enumerated under the EIA Notification, 2006, including Notice of Public Hearing, the panel, the videography, the proceedings (recording of the proceedings & readover to the audience at the end of the proceedings explaining the contents in the vernacular language, statement of issues raised by the public and the comments of applicants as well as display of the proceedings of public hearing at the office of Panchayats, Zilha Parishad, District Magistrate and SPCB at the conspicuous part and on the website of MPCB etc.). The Convener will be responsible for communicating the proceedings of the public hearing to the concerned officer at Head Quarter and also to EIC to hoist it on the website of MPCB.

The above circular should be scrupulously followed alongwith earlier circular dtd.16/4/2013.


(Rajeev Kumar Mital)
Member Secretary

Copy submitted to: Hon'ble Chairman, MPCB, Office of the Addl. Chief Secretary, Environment Deptt., Govt. of Maharashtra, Room No.217, 2nd Floor, Annex Mantralaya, Mumbai-32 - for favour of information.

Copy to:

- 1) Joint Director-APC/WPC/Asstt.Secretary(Tech.)/Principal Scientific Officer/ Regional Officer(HQ)/Technical Advisor MPCB, Mumbai – for information and necessary action. They are requested to circulate the said circular to the officers under their control.
- 2) L.O./I/c L.O.(P&L Div.)/S.O., MPCB, Mumbai – for information.
- 3) R.O.-Mumbai/Navi Mumbai/ Thane/Kalyan/Raigad/Pune/Aurangabad/ Nagpur/ Nashik/Kolhapur/ Amravati/ Chandrapur, MPCB – for information and necessary action. They are requested to circulate the said circular to the officers under their control.
- 4) SRO-Mumbai-I/Mumbai-II/Mumbai-III/Thane-I/Thane-II/Tarapur-1/Tarapur-II/ Navi Mumbai-I/Navi Mumbai-II/Taloja/Kalyan-I/Kalyan-II/Kalyan-III/Raigad-I/ Raigad-II/ Raigad-III/Mahad/Kolhapur/Sangli/Ratnagiri/Chiplune/Pune-I/Pune-II/Pimpri-Chinchwad/ Satara/ Solapur/Aurangabad-I/Aurangabad-II/ Aurangabad-III/Nanded/Nashik/ Ahmednagar/ Jalgaon-I/Jalgaon-II/Nagpur-I/ Nagpur-II/Nagpur-III/Chandrapur/Amravati-I/ Amravati-II/Akola/ Parbhani/ Latur/Bhandara, MPCB – for information and necessary action.
- 5) All Asstt.Law Officers(P&L Divn.), MPCB, Mumbai- for information.
- 7) Asstt.System Officer, MPCB, Mumbai- for information and necessary action – He is instructed to place the said circular on the website of the Board, by giving reference of the earlier circular dtd.16/4/2013.

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