



MODULE 4

ENVIRONMENTAL LEGISLATION

- Prof. Rohan Dasgupta

OVERVIEW:

Environmental legislation is the collection of laws and regulations pertaining to:

- ✓ air quality,
- ✓ water quality,
- ✓ the wilderness,
- ✓ endangered wildlife and
- ✓ other environmental factors.



The umbrella of environmental legislation covers many laws and regulations, yet they all work together toward a *common goal*, which is:

- **regulating the interaction between man and the natural world to reduce threats to the environment and increase public health.**

OVERVIEW: ENVIRONMENTAL LEGISLATION IN INDIA



Act	Year	Action
The Water Act	1974	<ul style="list-style-type: none">✓ Prevention and control of water pollution✓ Maintaining and restoring the wholesomeness of water in the country
The Air Act	1981	<ul style="list-style-type: none">✓ Prevention, control and abatement of water pollution in India
The Environmental Act	1986	<ul style="list-style-type: none">✓ Providing the protection and improvement of the environment
Public Liability Insurance Act	1991	<ul style="list-style-type: none">✓ Providing from damages to victims of an accident which occurs due to handling hazardous chemicals
National Environment Apellate Authority Act	1997	<ul style="list-style-type: none">✓ Hearing appeals with respect to restriction of areas in which any industries, operations or classes of industries, operations or processes shall or shall not be carried out
The Prevention of Cruelty to Animals Act	1960	<ul style="list-style-type: none">✓ Preventing the infliction of unnecessary suffering or pain on animals✓ Amending the laws related to prevention of cruelty to animals

OVERVIEW: ENVIRONMENTAL LEGISLATION IN INDIA



Act	Year	Action
Wildlife Protection Act	1972	<ul style="list-style-type: none">✓ Efficiently protecting the wildlife of India; especially the endangered flora and fauna✓ Controlling of poaching, smuggling and illegal trade in wildlife and its derivatives
The Forest Conservation Act	1980	<ul style="list-style-type: none">✓ Conserving India's forests✓ Strictly restricting and regulating the de-reservation of forests or use of forest for non-forest purposes
The Scheduled Tribe and Other Traditional Forest Dwellers Act	2006	<ul style="list-style-type: none">✓ Recognizing the rights of forest dwelling Scheduled Tribes and other traditional forest dwellers over the forest areas inhabited by them✓ Proving a framework for the same
The Biological Diversity Act	2002	<ul style="list-style-type: none">✓ Recognizing the sovereign rights of states to use their own biological resources✓ Conserving biological resources✓ Facilitating access to biological resources in a sustainable manner

What is the similarity between these 5 actors?



They were all held by the court for poaching and hunting of *chincara* (an endangered species of blackbucks in Rajasthan, India) during the shooting of the movie *Hum Saath Saath Hai* under the Wildlife Protection Act (1972).



MINISTRY OF ENVIRONMENT AND FOREST (MoE&F)

Dec'12
Jun '13

The Ministry of Environment and Forest is the nodal agency in the administrative structure of the Central Government for the planning, promotion, co-ordination and overseeing the implementation of India's environmental and forestry policies and programmes.

The primary concerns of the Ministry are implementation of policies and programmes relating to conservation of the country's natural resources including its lakes and rivers, its biodiversity, forests and wildlife, ensuring the welfare of animals, and the prevention and abatement of pollution. While implementing these policies and programmes, the Ministry is guided by the principle of sustainable development and enhancement of human well-being.



MINISTRY OF ENVIRONMENT AND FOREST (MoE&F)

Dec'12
Jun '13

The Ministry also serves as the nodal agency in the country for the United Nations Environment Programme (UNEP), South Asia Co-operative Environment Programme (SACEP), International Centre for Integrated Mountain Development (ICIMOD) and for the follow-up of the United Nations Conference on Environment and Development (UNCED).

The Ministry is also entrusted with issues relating to multilateral bodies such as the Commission on Sustainable Development (CSD), Global Environment Facility (GEF) and of regional bodies like Economic and Social Council for Asia and Pacific (ESCAP) and South Asian Association for Regional Co-operation (SAARC) on matters pertaining to the environment.



MINISTRY OF ENVIRONMENT AND FOREST (MoE&F)

Dec'12
Jun '13

The broad objectives of the Ministry are:

- ✓ Conservation and survey of flora, fauna, forests and wildlife
- ✓ Prevention and control of pollution
- ✓ Afforestation and regeneration of degraded areas
- ✓ Protection of the environment and
- ✓ Ensuring the welfare of animals

These objectives are well supported by a set of legislative and regulatory measures, aimed at the preservation, conservation and protection of the environment.

In January 2015, this agency has been renamed to Ministry of Environment, Forest and Climate Change (MoEFCC).





Ministry of Environment, Forest and Climate Change

Government of India

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Smart e-Book of the Ministry

Hon'ble MOEFCC Shri Prakash Javadekar releasing Smart e-Book of the Ministry of Environment, Forest & Climate Change on 23-02-2015. Visit e-Book

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The Review Workshop of The Economics of Ecosystems and Biodiversity (TEEB)-India Initiative held during 21-22 July, 2015, MoEFCC

The Review Workshop of The Economics of Ecosystems and Biodiversity (TEEB)-India Initiative held during 21-22 July, 2015, MoEFCC

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All donations towards the Prime Minister's National Relief Fund (PMNRF) are notified for 100% deduction from taxable income under Section 80G of the Income Tax Act, 1961.

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Invitation of Comments & Suggestions on the Guideline on Sustainable Sand Mining 100.53 KB



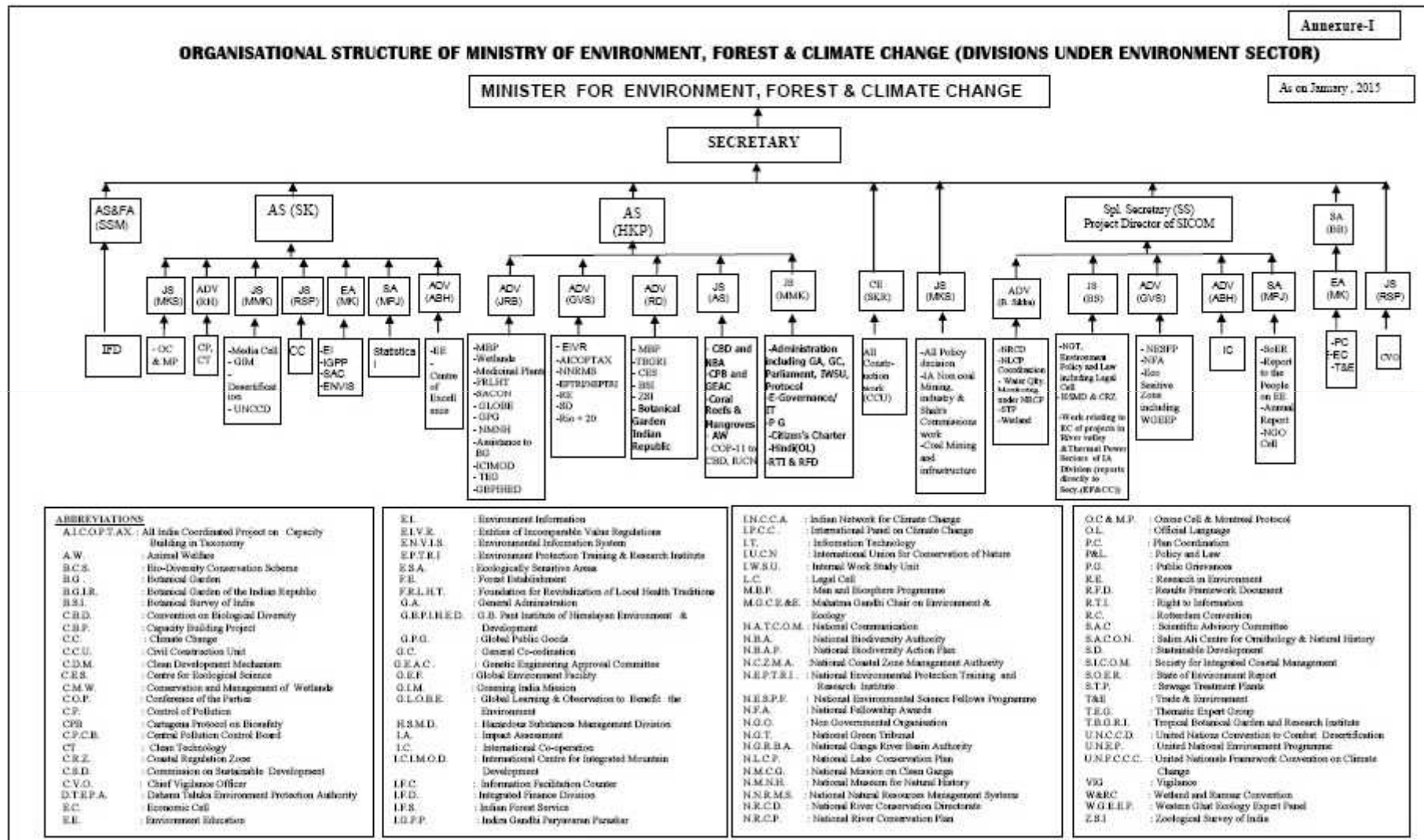
Draft Notifications For public comments including Draft Waste Management Rules, 2015 116.89 KB



Report on Truong River Basin Study - Cumulative impact assessment of proposed water projects 116.89 KB



MoE&F: ORGANISATIONAL STRUCTURE



Link: <http://www.moef.gov.in/sites/default/files/1%20Environment%20.pdf>

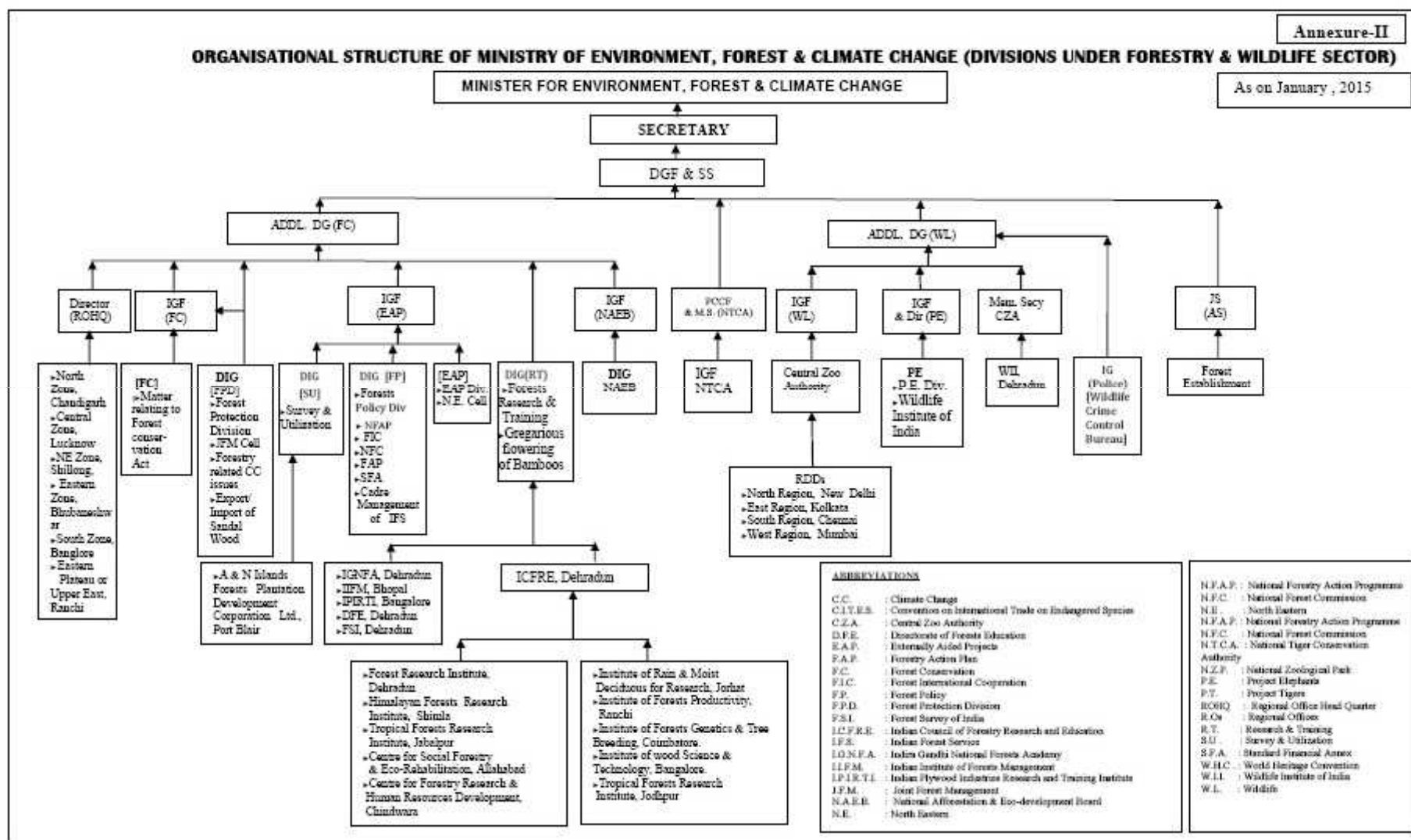


MoE&F: ORGANISATIONAL STRUCTURE

Annexure-II

ORGANISATIONAL STRUCTURE OF MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE (DIVISIONS UNDER FORESTRY & WILDLIFE SECTOR)

As on January, 2015



ABBREVIATIONS

C.C.	: Climate Change
C.I.T.E.S.	: Convention on International Trade on Endangered Species
C.Z.A.	: Central Zoo Authority
D.F.E.	: Directorate of Forests Education
E.A.P.	: Externally Aided Projects
F.A.P.	: Forestry Action Plan
F.C.	: Forest Conservation
F.I.C.	: Forest International Cooperation
F.P.	: Forest Policy
F.P.D.	: Forest Protection Division
F.S.I.	: Forest Survey of India
I.C.F.R.E.	: Indian Council of Forestry Research and Education
I.F.S.	: Indian Forest Service
I.G.N.F.A.	: India Gandhi National Forests Academy
I.I.F.M.	: Indian Institute of Forests Management
I.P.R.T.I.	: Indian Plywood Industries Research and Training Institute
J.F.M.	: Joint Forest Management
N.A.E.B.	: National Afforestation & Eco-development Board
N.E.	: North Eastern

N.F.A.P.	: National Forestry Action Programme
N.F.C.	: National Forest Commission
N.E.	: North Eastern
N.E.A.P.	: National Forestry Action Programme
N.F.C.	: National Forest Commission
N.T.C.A.	: National Tiger Conservation Authority
N.Z.P.	: National Zoological Park
P.E.	: Project Elephant
P.T.	: Project Tiger
ROHQ	: Regional Office Head Quarter
R.Os	: Regional Offices
R.T.	: Research & Training
S.U.	: Survey & Utilization
S.P.A.	: Standard Financial Annex
W.H.C.	: World Heritage Convention
W.I.I.	: Wildlife Institute of India
W.L.	: Wildlife

Link: <http://www.moef.gov.in/sites/default/files/2%20Forest.pdf>

CENTRAL POLLUTION CONTROL BOARD



Central Pollution Control Board (CPCB) of India is a statutory organization under the Ministry of Environment and Forests (MoEF). It was established in 1974 under Water (Prevention and Control of Pollution) Act, 1974.

The board is led by its chairman, who is nominated by the Central Government.

The current acting chairman is *Shri Shashi Shekhar*.

CENTRAL POLLUTION CONTROL BOARD: FUNCTIONS

Dec'12
Dec '13

- ✓ Advise the Central Government on any matter concerning prevention and control of water and air pollution and improvement of the quality of air.
- ✓ Plan and cause to be executed a nation-wide programme for the prevention, control or abatement of water and air pollution.
- ✓ Co-ordinate the activities of the State Board and resolve disputes among them.
- ✓ Provide technical assistance and guidance to the State Boards, carry out and sponsor investigation and research relating to problems of water and air pollution, and for their prevention, control or abatement.
- ✓ Plan and organise training of persons engaged in programme on the prevention, control or abatement of water and air pollution.

CENTRAL POLLUTION CONTROL BOARD: FUNCTIONS

Dec'12
Dec '13

- ✓ Organise through mass media, a comprehensive mass awareness programme on the prevention, control or abatement of water and air pollution.
- ✓ Collect, compile and publish technical and statistical data relating to water and air pollution and the measures devised for their effective prevention, control or abatement.
- ✓ Prepare manuals, codes and guidelines relating to treatment and disposal of sewage and trade effluents as well as for stack gas cleaning devices, stacks and ducts.
- ✓ Disseminate information in respect of matters relating to water and air pollution and their prevention and control.
- ✓ Lay down, modify or annul, in consultation with the State Governments concerned, the standards for stream or well, and lay down standards for the quality of air.
- ✓ Perform such other function as may be prescribed by the Government of India.



CENTRAL POLLUTION CONTROL BOARD: POWERS

- ✓ CPCB is entrusted with the powers and functions under the Air (Prevention and Control of Pollution) Act, 1981.
- ✓ It serves as a field formation and also provides technical services to the Ministry of Environment and Forests of the provisions of the Environment (Protection) Act, 1986.
- ✓ It co-ordinates the activities of the State Boards by providing technical assistance and guidance and resolve disputes among them.
- ✓ It is an apex organization in our country in the field of pollution control, as technical wing of MoEF.
- ✓ It advise the central government to prevent and control water and air pollution.
- ✓ It also advises the Governments of Union Territories about an industry or the pollution source causing water and air pollution.

STATE POLLUTION CONTROL BOARD: MAHARASHTRA



Maharashtra Pollution Control Board

महाराष्ट्र प्रदूषण नियंत्रण मंडळ

Maharashtra Pollution Control Board (MPCB) is implementing various environmental legislations in the state of Maharashtra, mainly including Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, Water (Cess) Act, 1977 and some of the provisions under Environmental (Protection) Act, 1986 and the rules framed there under like, Biomedical Waste (M&H) Rules, 1998, Hazardous Waste (M&H) Rules, 2000, Municipal Solid Waste Rules, 2000 etc.

MPCB is functioning under the administrative control of Environment Department of Government of Maharashtra.

MAHARASHTRA POLLUTION CONTROL BOARD: FUNCTIONS

- ✓ To plan comprehensive program for the prevention, control or abatement of pollution and secure executions thereof,
- ✓ To collect and disseminate information relating to pollution and the prevention, control or abatement thereof,
- ✓ To inspect sewage or trade effluent treatment and disposal facilities, and air pollution control systems and to review plans, specification or any other data relating to the treatment plants, disposal systems and air pollution control systems in connection with the consent granted,
- ✓ Supporting and encouraging the developments in the fields of pollution control, waste recycle reuse, eco-friendly practices etc.
- ✓ To educate and guide the entrepreneurs in improving environment by suggesting appropriate pollution control technologies and techniques
- ✓ Creation of public awareness about the clean and healthy environment and attending the public complaints regarding pollution.



MAHARASHTRA POLLUTION CONTROL BOARD: POWERS

- ✓ Power of entry and inspection of industries in order to obtain information.
- ✓ Power to collect samples of effluents and testing procedures to be followed in connection therewith.
- ✓ Consent of the Board is required for the establishment of new industries, their operations or processes, discharge of the sewage/trade effluent into any stream or well or sewer or land.
- ✓ Power to issue directions to the court for closure, prohibition or regulation of any industry, operation or process, or stoppage of supply of electricity, water or any other services.
- ✓ Power to give instructions for ensuring standards for emissions from automobiles.



ENVIRONMENTAL PROTECTION ACT, 1986

- **Environment Protection Act, 1986** is an Act of the Parliament of India.
- In the wake of the Bhopal Tragedy, the Government of India enacted the Environment Protection Act of 1986 under Article 253 of the Constitution.
- Passed in March 1986, it came into force on 19th November 1986.
- The purpose of the Act is to implement the decisions of the United Nations Conference on the Human Environments they relate to the protection and improvement of the human environment and the prevention of hazards to human beings, other living creatures, plants and property.
- The Act is an “umbrella” legislation designed to provide a framework for central government coordination of the activities of various central and state authorities established under previous laws, such as the Water Act and the Air Act.

ENVIRONMENTAL PROTECTION ACT, 1986: OBJECTIVES

- ✓ To co-ordinate the activities of the various regulatory agencies already in existence.
- ✓ Creation of an authority or authorities with adequate powers for environmental protection.
- ✓ Regulation of discharge of environmental pollutants and handling of hazardous substance.
- ✓ Speedy response in the event of accidents threatening environment and punishment to those who endanger human environment, safety and health



ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

In view of the prevailing rules and regulations of Government of India, proposed projects require the following approvals:

- ✓ **Environmental Clearance** from MoE&F
- ✓ **Consent To Establish** from State Pollution Control Board (SPCB)
- ✓ **Coastal Regulation Zone (CRZ) Clearance** from State Coastal Zone Management Authority (SCZMA)
- ✓ **Consent To Operate** from SPCB



ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

- Projects for Environmental Clearance:
 - As per Environmental Impact Assessment (EIA) notification 14th September, 2006 issued by MoE&F, **all new, expansion, product change or modernization of projects** require environmental clearance from state or central government.
 - Clearance from central government in the MoE&F is required for matters falling under Category A.
 - Clearance from state government in the State Environmental Impact Assessment Authority (SEIAA) is required for matters falling under Category B.

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

➤ Categorization of Projects and Activities:

- Categorization of Projects and Activities is based on the spatial extent of potential impacts on human health and natural & man-made resources.
- Example: Mining Lease Area; If area is more than or equal to 50 ha then the project falls in A category. If the area is less than 50 ha and more than 5 ha then the project falls under B category. If area is less than 5 ha, then the project is exempted from prior environmental clearance.
- List of projects or activities requiring prior environmental clearance is given in EIA notification dated 14th September 2016 (Link: <http://envfor.nic.in/legis/eia/so1533.pdf>)
- *Nuclear power projects and processing of nuclear fuels all fall in A category irrespective of size and extent.*

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

APPLICATION FOR PRIOR ENVIRONMENTAL CLEARANCE:

- ✓ Prescribed **Form 1** and Supplementary **Form 1A** (for building / construction projects / area development projects and townships), if applicable, along with a copy of the pre-feasibility project report.
- ✓ In case of construction projects or activities in addition to *Form 1* and the Supplementary *Form 1A*, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.



ENVIRONMENTAL CLEARENCE, CONSENT AND AUTHORIZATION

APPLICATION FOR PRIOR ENVIRONMENTAL CLEARENCE: FORM 1

- **Basic Information:** Name, location, size, cost, contact information, category
- **Activity:** Physical change, consumption of natural resources: use, storage, transport and handling or production of harmful substances; solid waste generation, air pollution, noise and heat, land and water pollution, accidents, cumulative effect
- **Environmental Sensitivity:** Protected areas, natural waters, boundaries, defense related, routes, densely populated areas, schools, hospitals, scarce resources, already polluted, earthquake, tsunamis, landslides
- **Terms of Reference (ToR):** Proposed for EIA studies

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

APPLICATION FOR PRIOR ENVIRONMENTAL CLEARANCE: **FORM 1A**

- **Land environment** (panaromic view of the project site and the vicinity)
- **Water environment**
- **Vegetation**
- **Fauna**
- **Air environment**
- **Aesthetics**
- **Socio-economic aspects**
- **Building materials**
- **Energy conservation**
- **Environment management plans**

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

PRE-FEASIBILITY STUDY:

- **Stage 1: Screening**

The projects requiring an Environmental Impact Assessment report shall be termed Category B1 and remaining projects shall be termed B2 and will not require an EIA. State level Expert Appraisal Committee (SEAC) will determine this.

- **Stage 2: Scoping**

Determination of detailed Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an EIA report. TOR shall be conveyed to the applicant by SEAC within 60 days of the receipt of Form 1.

- **Stage 3: Public Consultation**

Public consultation is usually in 2 stages: i) Public hearing and ii) Written responses

- **Stage 4: Appraisal (next page...)**

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

PRE-FEASIBILITY STUDY:

- **Stage 4: Appraisal**
The applicant shall apply to the MoE&F through a simple communication enclosing the following documents:
 - ✓ Final EIA Report (20 hard copies and 1 soft copy)
 - ✓ A copy of the video tape or CD of the public hearing proceedings
 - ✓ Final layout plan (20 copies)
 - ✓ Project feasibility report (1 copy)The regulatory authority shall consider the recommendations and convey the decision of the applicant within 45 days of the receipt of the application.

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

VALIDITY:

Validity of EC:

- River Valley Projects – 10 years
- Mining Projects – 30 years
- Others – 5 years

Post EC monitoring:

- Half-yearly compliance report

TRANSFERABILITY OF ENVIRONMENTAL CLEARANCE:

A prior EC granted for a specific project to an applicant may be transferred during its validity period to another legal person entitled to undertake the project on application of the transferor with a written No Objection by the transferor and the concerned authorities .

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

CONSENT:

After receiving the EC, the applicant has to obtain consent, which needs to be obtained in 2 phases:

- **CONSENT TO ESTABLISH –**

This consent needs to be obtained prior to establishing any industry or process. Site plan, topographical map, process flow sheet, details of pollution control devices, local body NOC etc. are required for this

- **CONSENT TO OPERATE/RENEWAL -**

Once the industry or the process plant is established, the applicant needs to obtain a consent to operate. It is given for a particular period and needs to be renewed regularly. Copies of all previous clearances, approvals and reports needs to be submitted to obtain this.

ENVIRONMENTAL CLEARANCE, CONSENT AND AUTHORIZATION

AUTHORIZATION:

Various other certifications from specific authorities also need to be obtained before the establishment of a new industry such as:

- **Coastal Regulation Zone**
- **Forest Clearances**
- **Genetic Engineering Clearances**
- **Clean Development Mechanism**



CASE STUDY: NAVI MUMBAI INTERNATIONAL AIRPORT



- **Navi Mumbai International Airport (NMIA)** is a proposed greenfield international airport, to be built in the Kopar-Panvel area of the Mumbai Metropolitan Region in India.
- This airport project is aimed at easing air traffic congestion at Mumbai's Chhatrapati Shivaji International Airport.
- The airport covers an area of 2,320 hectares. National Highway 4B will provide the main road access to the airport from the east, whereas the Aamra Marg will allow access from the west. The planned Sewri-Nhava Sheva Trans Harbour Link will connect the airport with Mumbai. The new airport will have a 10-lane approach road to its terminal building flanked by its two runways.

CASE STUDY: NAVI MUMBAI INTERNATIONAL AIRPORT



Objections were raised by MoE&F on the current proposed location of the Navi Mumbai International Airport near the Kopra Panvel area, apparently because the construction of the airport would involve reclamation of low-lying areas in an ecologically fragile zone and destruction of several hectares of mangroves.

Its construction would damage mangrove cultivation in the 20.4 square kilometres (5,000 acres), besides the diversion of Gadhi and Ulwe rivers, which according to the Union Environment and Forests Ministry is a very serious issue considering the destruction Mumbai faced during the 26 July 2005 floods. As a result of these new developments other locations were considered.

CASE STUDY: NAVI MUMBAI INTERNATIONAL AIRPORT



The NMIA has been given an environmental clearance in November 2010.

Before the project starts, there will be a four-fold increase in the mangrove area.

The distance between the runways has been reduced from 1.8 km to 1.55 km to save River Gadhi.

However, a 90 m hill will have to be cut because its removal was unavoidable as the approach to the runway was not possible otherwise. The ecological value of the hill was zero.

CASE STUDY: NAVI MUMBAI INTERNATIONAL AIRPORT

WAITING FOR GREEN CLEARANCE

TURBULENCE GALORE
Owing to clearance delays and land acquisition issues, the cost of the project has shot up

Initial project cost (in 2006-07) **₹4,766 crore**

Rise in the last five years **₹14,573 crore**

291 hectares Cidco is yet to acquire the 291 hectares required for the project.

CHIEF MINISTER
Prithviraj Chavan, had in the legislative council, said that the project cannot start unless the land issue gets resolved. Chavan said villagers have refused to carry out their land required

PROJECT DETAIL

LOCATION: It is approximately from the Chhatrapati International Air

MISSED DEADLINE
The earlier date of completion was 2012, which has been extended to 2017

THE PLAN: The project is to build a 10-lane airport with 10 passenger terminals. All four terminals are yet to be completed

The airport was first stuck owing to the union Ministry of Environment and Forest's refusal to issue environment clearance, as the original plan suggested destruction of mangroves and natural water bodies

The plan got a green nod after the City and Industrial Development Corporation (CIDCO) shifted its original site southwards to minimise the possible damage to the ecology. The clearance came in November 2010. CIDCO is awaiting the final forest clearance

Delay likely for Panvel airport nod

MoEF claims airport project could have effect on nearby Karnala bird sanctuary

MoEF has also raised an issue regarding the impact of the project on the nearby Karnala bird sanctuary

AGE CORRESPONDENT
MUMBAI, MARCH 27

The Union ministry of environment and forests (MoEF) has expressed reservations about the Navi Mumbai International Airport project, stating that it could have an effect on the nearby Karnala Bird Sanctuary.

This might delay the MoEF clearance, which is the last leg of the government approval. However, a team from the ministry has decided to visit the project site for an inspection.

The project's success seemed bleak when it was revealed last year that the airport fell within the 10 km radius of the sanctuary. However, an anomaly regarding the "reference point" used to arrive at the airport's "buffer area" was later corrected by the MoEF's general manager, J.G. Kulkarni.

Final clearance in for Navi Mumbai airport

Ketaki Ghogre
ketaki.ghogre@hindustantimes.com

MUMBAI: The last administrative approval before construction of the Navi Mumbai international airport can begin has been acquired, with the Centre granting it a forest clearance.

The city and industrial development corporation (CIDCO), which is overseeing the project, was given the go-ahead by the forest advisory committee, set up under the Union ministry of environment and forests, to divert 250 hectares of forest land required for the airport.

"Now there are no clearances pending, and the project can take off soon," said chief minister Prithviraj Chavan. He said the land compensation issue would also be sorted out soon.

CIDCO had received clearance from the National Wildlife Board in June, and a coastal regulatory

DELAY INCREASES COST

WITH NO construction work done on the Navi Mumbai airport in the last two years, the project cost has seen a threefold hike

FROM THE estimate of ₹4,766 crore in 2006-07, the cost has risen to ₹14,573 crore in 2011.

ary would be entertained by the Centre.

With all clearances in place, the herculean task before the state government is to negotiate a rehabilitation package with the 10 villages that will be displaced, without which CIDCO will not get an approval to issue work tenders.

And the state has to move swiftly, as a panel appointed by the PM to boost investments in key infrastructure projects has set January 31, 2014, as the deadline for awarding the contract for building the airport.

CIDCO officials said there has been a breakthrough, with many villagers now open to the compensation of 22.5% developed land, as long as it is handed over before they are moved.

bird sanctuary

... calculation, which stipulated the airport's centre as the reference point. This shifted the boundary upwards, but a few approximations regarding the "buffer area" still affect the project, CIDCO said.

... bird hits with incoming aircraft. Its team will visit the site to take stock of the situation and we hope all doubts are addressed.

... Apart from the MoEF clearance, another remaining hurdle is the negotiation with project affected people (PAP) of the 12 villages located at the airport site.

... The villagers had demanded ₹20 crore per acre, which the CIDCO had rejected. A proposal for stakeholding in the project is now being deliberated between the government

CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)



- **Mumbai Trans Harbour Link (MTHL)**, also known as **Sewri-Nhava Sheva Trans Harbour Link**, is a proposed 22 km, freeway grade road bridge connecting the Indian city of Mumbai with Navi Mumbai, its satellite city.
- When completed, it would be the longest sea bridge in India.
- The project is estimated to cost ₹11000 crore and is officially estimated to be completed in 2019, although as of 2015, construction has not begun, tendering has not been completed (despite three attempts) and funding remains uncertain.

CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)

- The bridge will begin in Sewri, South Mumbai and cross Thane Creek north of Elephanta Island and will terminate at Chirle village, near Nhava Sheva.
- The road will be linked to the Mumbai Pune Expressway in the east, and to the proposed Western Freeway in the west.
- The sea link will contain a 6 lane highway, which will be 27 meters in width, in addition to edge strip and crash barrier.



CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)



Flamingos and other migratory birds at the Mahul-Sewri mudflats

CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)

Environmental Legislation Interferes:

- The Maharashtra State Road Development Corporation had obtained clearance for the project in March 2005, but the certificate was valid only for 5 years and lapsed due to the delays in the bidding process.
- The MoEF granted environmental clearance to this project in October 2012, but laid down 11 conditions that the MMRDA had to follow. Some of the conditions were:
 - ✓ It should not effect the tidal flow of water between the high tide and low tide line
 - ✓ No reclamation would be allowed even for landing areas in CRZ I, II, III and IV areas.
 - ✓ The land link will have to be in the form of a bridge up to non-CRZ areas. or reclamation

CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)

Environmental Legislation Interferes: continued...

- ✓ MMRDA will have to replant 5 times the number of mangroves cut or destroyed during the construction.
- ✓ Construction work should not be carried out during the period when migratory birds come to the area
- ✓ Addition noise abatements measures to be taken during construction work
- ✓ No dredging is allowed



CASE STUDY: MUMBAI TRANS HARBOUR LINK (MTHL)

- ✓ Environmental activists are opposed to the clearance. They point out there was no public hearing following the second application for environmental clearance. They believe that the sea link is not allowed under the Coastal Regulation Zone (CRZ) notification of 2011 and would damage bird habitat.
- ✓ The MTHL received coastal regulation zone clearance from the MoEF on 19 July 2013.
- ✓ However, the project ran into a major hurdle in April 2015, when the forest advisory committee (FAC) of the MoEF withheld its clearance for the project stating that it affects "existing mangroves as well as the flamingo population".

The background is a collage of three elements: a globe in the upper left, a book with 'LAW' on its cover in the lower left, and a gavel in the lower right. The text 'Thank you!' is centered over the collage in a black, cursive font.

Thank you!