


MAHARASHTRA POLLUTION CONTROL BOARD

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No. MPCB/JD (WPC)/MS/ B-1875

Date/6/04/2013.

Circular

Sub.: Effective implementation of EIA Notification-Public Hearing.

Ref.: Circular No. MPCB/RO(HQ)/B-4289, dtd. 04/08/2012.

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Vide above referred circular detailed procedure of conducting Public Hearing as per EIA Notification was brought to the notice of all concerned for its effective Implementation. In spite of the above circular some lacunae were observed in conducting Public Hearing by the Board officials.

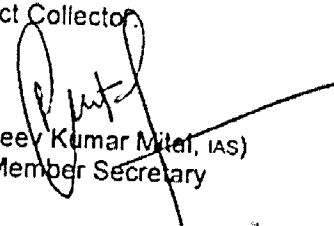
1. It has been observed in one of the case that, the officer below the rank of District Magistrate/Addl. District Magistrate was appointed as Chairman of Public Hearing Committee, resulting in displeasure of Ministry of Environment & Forests, Govt instructing to re-conduct said Public Hearing. Because of such negligence, Public Hearing will have to be re-arranged at the cost & loss of time.
2. Also it is observed that, in some cases the RO/SRO are receiving applications directly without notice of the head office and the matter is kept pending at their level for long period. This shall be avoided by following above instructions given in the circular under reference.

Here, following important points shall be noted and followed scrupulously.

1. As per Procedure for conducting Public Hearing as laid down in EIA Notification, 2006 and amended in 2009 "The District Magistrate or his or her representative not below rank of Additional Dist. Magistrate assisted by a representative of SPCB, shall supervise and preside over the entire public hearing process". In no case, hearing should be conducted by officer below rank of Additional Dist. Magistrate
2. The request letter for Public Hearing from Project Proponent shall be received at Head Office. The RO/SRO shall inform/guide Project Proponent for the same.

3. After receipt of such proposal at Head Office, the Project Proponent shall be directed to submit required number of copies of the project in English and Marathi with draft EIA, all relevant documents, application and initial probable expenditure amount for conducting public hearing (this will be finalized subsequently by concerned RO/SRO) at concerned RO/SRO.
4. All ROs/SROs shall take proper precaution of timely inward and then shall inform in writing to JD(WPC) about its receipt accordingly.
5. Minutes of the Public Hearing duly approved by all Committee Members and Chairman shall be sent to the Board office without loss of time with CD for hosting on our website and submitting to concerned authorities at State/Central.
6. Any lapse in this matter will be viewed seriously and concerned official will be held responsible for the same.

Henceforth, due care shall be taken at the time of receiving the proposals and presence of appropriate authority as Chairman of the Public Hearing Committee / Panel during conducting Public Hearing. The provisions for the appointment of Chairman of Public Hearing Committee shall be brought to the notice of District Collector.


(Rajeev Kumar Mittal, IAS)
Member Secretary

Copy to – All Regional Officers/Sub-Regional Officers, MPCB, for information.
EIC- Shall put this circular on MPCB website.