

IA-Z-11/4/2025-IA-II(IND-I)
(Comp. No:278710)
Government of India
Ministry of Environment, Forest and Climate Change
(IA Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003
Dated: 25th November, 2025

OFFICE MEMORANDUM

Subject: Clarification with respect to ‘Specific Condition’ in Environmental Impact Assessment (EIA) Notification, 2006 – Reg.

The Ministry has received representations requesting procedural facilitation for the establishment of Industrial Estates/Complex in terms of the provisions contained in the Specific Condition in the EIA Notification, 2006, as amended, wherein individual projects and/or activities may be set up on the basis of appraisal done for grant of Environmental Clearance (EC) to the Industrial Estate/Complex, precluding the need for separate appraisal for each individual project and/or activity again.

2. The ‘Specific Condition’ of the EIA Notification, 2006 provides the following:

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre –defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

3. The matter has been examined in the Ministry and it is noted that as per the extant provisions under the ‘Specific Condition’ of the EIA Notification, 2006, once an Industrial Estate/ Complex/ Export processing Zones/ Special Economic Zones/Biotech Parks/ Leather Complex (herein after referred to as ‘Industrial Estate/Complex’ for the sake of brevity) with homogeneous types of industries and those with a pre-defined set of activities (not necessarily homogeneous) obtain EC, individual industries including proposed Industrial housing within such estates/complexes will not be required to take prior EC, subject to certain conditions. It is further noted that while the homogenous type of industries have been explained in the EIA Notification, 2006 as those contained in Items 4 (d), 4 (f), 5 (e), 5 (f), there is a need to provide greater clarity on what constitutes pre-defined set of activities so as to enable a comprehensive appraisal of the entire Industrial Estate/Complex, thereby obviating the need for fresh appraisal of each individual project and/or activity within the already appraised Industrial Estate/Complex.

4. **Defining ‘pre-defined set of activities’:** It is clarified that the ‘pre-defined set of activities’ in respect of an Industrial Estate/ Complex would mean essential information needed for a comprehensive environmental appraisal of the project by the Expert Appraisal Committee (EAC)/ State Level Expert Appraisal Committee (SEAC) to adhere to precautionary principle during the appraisal process. Accordingly, the following details furnished as a part of the Environmental Impact Assessment (EIA) / Environmental

Management Plan (EMP) Report shall constitute pre-defined set of activities in terms of the Specific Condition of the EIA, Notification, 2006:

- i. Information regarding various categories of project(s) and/or activity(ies) proposed to be set up in the Industrial Estate/Complex as per the schedule of EIA Notification, 2006, as amended, along with other proposed Industries/Operations/Processes not covered under the schedule of EIA Notification, 2006. In addition, information on the proposed number of such projects/activities/ Industries/Operations/Processes including their categorization into Red, Orange, Green, Blue and White as per the extant Central Pollution Control Board (CPCB) Classification.
- ii. Information regarding proposed common infrastructure such as greenbelt, boilers, Common Effluent Treatment Plant (CETP), Common Bio-medical Waste Management Facility (CBWTF), road infrastructure, water supply, drainage system, Treatment Storage and Disposal Facility (TSDF), Sewage Treatment Plant (STP), Effluent Treatment Plant (ETP), Municipal Solid Waste (MSW) management facility, Electricity related infrastructure etc., along with proposed timelines for the construction and commissioning of common infrastructure.
- iii. Proposed layout plan clearly indicating the key zones/areas earmarked for the location of Projects/Activities/Industries/Operations/Processes and common infrastructure.
- iv. Information on the quantity of effluents, emission and waste likely to be generated in the industrial Estate/Complex and the environmental safeguards/mechanism proposed for treatment, storage and safe disposal of such effluents, emission and waste, in accordance with the emission/effluent discharge standards, as applicable.
- v. Information about the organizational structure for management of the Industrial Estate/Complex, proposed to be put in place by the project proponent, which shall be legally responsible for ensuring adherence to the Terms and Conditions of prior environmental clearance and responsible for their violation throughout the life of the Estate/Complex.

5. No need for separate EC for Project/Activity included during comprehensive appraisal of Industrial Estate/Complex: Upon comprehensive appraisal of EIA/EMP reports in respect of Industrial Estate/Complex by the EAC/SEAC and grant of environmental clearance in respect of such project by the competent regulatory authority, separate appraisal shall not be required for establishing each individual project or activity within such Industrial Estate/Complex including their modernization, expansion, or change in product mix and they shall be regulated through Consent to Establish (CTE)/Consent to Operate (CTO) issued under Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974. The concerned State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC) shall in addition to the environmental safeguards deemed appropriate as per site conditions and project specifications, also prescribe the environmental safeguards issued by the Ministry vide Office Memorandum (OM) dated 9th August, 2018 for all the projects and activities as per the schedule of EIA Notification, 2006 and OM dated 9th June, 2015 issued by the Ministry in respect of environmental safeguards for the Building & Construction projects, at the time of grant of CTE/CTO for the individual projects and/or activities located within such Industrial Estates/ Complex.

6. No requirement for amendment in the EC for Industrial Estate/Complex if there is no increase in pollution load of the Industrial Estate/Complex:

- (a) Any change in the layout of the Industrial Estate/Complex or any change in the number of projects or activities in any category of project or activities from the Environmental clearance conditions, without any change in the overall parameters of the project in terms of

quantity of effluents, emission and waste etc. would not require an amendment of the EC subject to furnishing particulars of such changes on PARIVESH portal in the prescribed format before implementing such changes, whereupon a system generated acknowledgement will be issued by the concerned Regulatory Authority.

(b) However, any increase in the overall pollution load of the Industrial Estate/Complex from the estimated load at the time of appraisal due to an increase in the number of units of any category or addition of a new category of project or activity and/or inclusion of production of a new product, or enhancement of existing products, or for any such reason after the grant of EC, shall require a separate appraisal for amendment in EC by the concerned EAC after due diligence.

7. No need for separate EC for 13 categories of projects or activities listed in the OM dated 27.04.2018 within Industrial Estate/Complex provided they were part of the Appraisal process of the Industrial Estate/Complex:

- a. It is further clarified that if any of the 13 categories of projects or activities listed in the OM dated 27.04.2018 are proposed to be established within an Industrial Estate/Complex, the EIA/EMP report of such Industrial Estate/Complex shall explicitly state this fact. The details of such projects shall also be included in the overall information about the Industrial Estate/Complex made available during the public consultation. Once the EIA/EMP reports of the Industrial Estate/Complex have been comprehensively appraised by the EAC/SEAC, and EC has been granted by the competent regulatory authority in respect of these projects, no separate appraisal shall be required for the individual projects or activities belonging to the said 13 categories, as long as they were already appraised by the EAC/SEAC within that Industrial Estate/Complex.
- b. However, if any of the 13 categories of projects and/or activities are proposed to be set up in an Industrial Estate/Complex after the grant of EC and were not included during the appraisal process for grant of EC for the Industrial Estate/Complex, then a separate appraisal for such project and/or activity shall be required, including public consultation.

8. Provision for existing Industrial Estate/Complex to avail of the provisions of the current OM: The existing Industrial Estate/Complex may continue to operate as it is or can avail of the abovementioned provisions after submitting their applications for amendment in the prescribed form on PARIVESH portal. The prescribed form shall include details about the number and type of industrial units which have already been set up or in the process of being set up; the number and type of industrial units which are proposed to be set up; the existing pollution load; the capacity of the CETP and other effluent treatment plant and the additional capacity required; the existing environmental safeguards put in place and their treatment capacity and shall include an update on the latest compliance status of the General and Specific conditions of the Industrial Estate/Complex including the compliance of the environmental safeguards related to common pollution control and abatement infrastructure. Other details as may be required may also be included in the aforementioned format. Depending upon the information furnished as mentioned above, the amendment proposal may be appraised by the sectoral EAC exercising due diligence and also incorporating the requisite conditions for grant of EC to the Industrial Estate/Complex in accordance with the foregoing provisions. After such appraisal and subsequent grant of amended EC, the said Industrial Estate/Complex shall be governed by the provisions as laid down in paras 6 and 7 above.

9. Common environmental pollution control, prevention and abatement infrastructure to comply with the prescribed regulations: The facilities like Common Effluent Treatment Plant (CETP), Common Biomedical Waste Treatment Facility (CBWTF),

Treatment, Storage and Disposal Facility (TSDF), Municipal Solid Waste (MSW) Management Facility etc. shall comply with the rules and regulations as prescribed by CPCB/Ministry from time to time.

10. **Adherence to the timeline and milestone for installation of the common environmental pollution control, prevention and abatement infrastructure by the project proponent for Industrial Estate/Complex:** The responsibility for the establishment, operation, and maintenance of all the common environmental infrastructure and facilities like CETP, STP, Green belt, TSDF, CBWTF etc. shall rest with the Project Proponent of the Industrial Estate/Complex who shall indicate the timelines and milestone for installation of the common environmental pollution control, prevention and abatement infrastructure. The said details and timeline shall form part of the CTO and also form part of the allotment letter/sale deed/lease deed issued by the Industrial Estate/Complex to individual allottees. The Industrial Estate/Complex shall adhere to the timeline committed for the construction and final commissioning of the common environmental pollution control, prevention and abatement infrastructure.

11. **Project proponent of the Industrial Estate/Complex to be legally responsible for enforcement of EC condition for the Industrial Estate/Complex:** As already mentioned in the Specific Condition to the EIA Notification, 2006, as amended, the project proponent shall furnish information about the organizational structure for management of the Industrial Estate/Complex, proposed to be put in place, which shall be legally responsible for ensuring adherence to the Terms and Conditions of prior environmental clearance and responsible for their violation throughout the life of the Estate/Complex.

12. **Project proponent of the Individual Project or Activity to be legally responsible for compliance of the environmental safeguards in respect of their Project or Activity:** The project proponent for individual projects or activities which are established within the Industrial Estate/Complex shall be responsible for ensuring compliance of the environmental safeguards issued by the Ministry vide Office Memorandum (OM) dated 9th August, 2018 and OM dated 9th June, 2015, as applicable, as well as those prescribed by the State Pollution Control Board (SPCB) while granting Consent to Establish (CTE) and/or Consent to Operate (CTO). For example, the responsibility for managing the effluent at the outlet of an individual project or activity, including compliance with the prescribed discharge standards, shall rest with the respective project proponent. However, the responsibility for managing the effluent received at the outlet of any common facility after having undergone primary treatment within the individual Units as per standards prescribed in this regard by the Project Proponent as per extant guidelines, including compliance with the final effluent discharge standards, shall lie with the Industrial Estate/Complex.

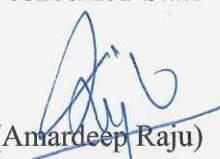
13. **Effluent management by individual units within Industrial Estate/Complex in case of its commissioning prior to the operationalization of the Industrial Estate /Complex following due diligence by SCPB at the time of grant of CTO:** Any individual project or activity dependent on common infrastructure shall be required to submit a detailed scheme for effluent management to the project proponent of the Industrial Estate/Complex as well as to the State pollution control board/pollution control committee concerned in the event of commencement of its operations prior to the commissioning of the common facilities. The CTO for such units shall be granted by the State Pollution Control Board/Pollution Control Committee only after due diligence and verification so as to satisfy itself that the pollution control/abatement mitigation measures are appropriate and adequate in all respects.

14. **No transfer of EC of Industrial Estate/Complex without completion of 50% of the common environmental pollution control, prevention and abatement infrastructure development by the project proponent:** The Environmental Clearance (EC) granted for an

Industrial Estate or Complex cannot be transferred unless at least 50% of the common infrastructure for pollution control, prevention and abatement and environmental safeguards as prescribed in the concerned Environment Clearance approved by the Regulatory Authority, including any amendments thereto, has been put in place by the transferor prior to the submission of the transfer application to the regulatory authority concerned and the same has been duly verified by the registered Environmental Auditor engaged by the Project Proponent or by the Environmental Engineer of the concerned State Pollution Control Board/Pollution Control Committee. The transferee shall clearly undertake completion of the aforesaid balance infrastructure development and/or environmental safeguards stipulated within the timelines prescribed in the EC or such timelines as may be prescribed by the competent authority while approving such transfer. The transferee shall assume full responsibility for compliance with all the conditions stipulated in the Environmental Clearance and/or in the approval letter for such transfer and shall ensure adherence to all applicable environmental laws, rules, and regulations governing the construction, operation and maintenance of the Industrial Estate/Complex and its common pollution control, prevention and abatement/mitigation infrastructure. Additionally, common infrastructure for pollution control, prevention and abatement and environmental safeguards as prescribe in the concerned Environment Clearance approved by the Regulatory Authority must be developed by the Project Proponent within three years from the date of issuance of the original Environmental Clearance under the aforesaid provision and must be duly verified by the registered Environmental Auditor engaged by the Project Proponent or by the Environmental Engineer of the concerned State Pollution Control Board/Pollution Control Committee.

15. After the completion the aforesaid period of three years, no Consent to Operate shall be granted to the individual Units which are being set up or have been set up following grant of Consent to Establish by the concerned State Pollution Control Boards/Pollution Control Committees till such time as the common infrastructure for pollution control, prevention and abatement and the environmental safeguards as prescribed in the concerned Environment Clearance approved by the Regulatory Authority has been put in place by the Project Proponent and the same has been duly verified by the registered Environmental Auditor engaged by the Project Proponent or by the Environmental Engineer of the concerned State Pollution Control Board/Pollution Control Committee.

This is issued with the approval of the Competent Authority.


(Amardeep Raju)
Scientist E

To

1. Chairman/Member Secretary, CPCB
2. The Chairman of all Expert Appraisal Committee
3. Chairpersons/Member Secretaries of all State/UT PCBs/PCCs
4. Chairpersons/Member Secretaries of all SEIAAs/SEACs
5. All Officers of IA Division

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4. Sr. PPS to DGF&SS
5. Sr. PPS to AS(AG)/JS(RA)
6. Website, MoEFCC/Guard File