

Centre to rank states on faster green nods, fewer details sought

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In a controversial move, the Union Ministry of Environment, Forests and Climate Change has decided to “incentivise states” by ranking them on the basis of “efficiency and timelines in grant of environmental clearances”.

The State Environment Impact Assessment Authority (SEIAA) which clears projects in the shortest period of time, has a high rate of clearance, and seeks fewer “essential details” will be ranked the highest.

“It has been decided to incentivise the states through a star-rating system, based on efficiency and timelines in grant of EC (environmental clearance). This is intended as a mode of recognition and encouragement as well as for prompting improvements where needed,” the ministry said in an order issued on Monday.

The order lists the parameters for the rating system:

- * An SEIAA will get 2 marks if it takes less than 80 days on average for granting clearance; 1 for less than 105 days; 0.5 for 105-120 days; and 0 for over 120 days.
- * The state authorities will also be rated on the percentage of disposal of fresh Terms of Reference (TOR) or TOR amendment proposals pending for over 30 days. After a project is screened, the authority provides the client a Terms of Reference (TOR) document which defines the purpose and structures of the project, committee, meeting, negotiation etc. The ministry has allotted 1 mark for SEIAAs which clear over 90 per cent TORs; 0.5 for 80-90 per cent; 0 for less than 80 per cent clearance.

States clear bulk of projects

State authorities carry out the bulk of the Environmental Impact Assessments for proposed projects. While major ‘Category A’ projects like highways are cleared by the Centre, the rest, including mining, thermal plants, river valley and infra projects, fall under the purview of state bodies, except in case of huge projects.

- * Similarly, for disposal of fresh environmental clearances as well as environmental amendment proposals pending for over 100 days, SEIAAs will get 1 mark for over 90 per cent clearance; 0.5 for 80-90 per cent clearance; and 0 for less than 80 per cent.
- * The state authorities will also be rewarded for seeking fewer environmental details. If the percentage of EDS (essential details sought) cases is less than 10 per cent, the SEIAAs will get 1 mark; if it is 20 per cent, they will get 0.5; and if it is over 30 per cent, they will get 0.
- * SEIAAs will get 1 mark if a proposal is accepted in less than 5 days; 0.5 for 5-7 days; and 0 for more than 7 days.
- * The rating system also takes into account disposal of complaints: 1 mark if all complaints are redressed; 0.5 if 50% complaints are redressed; and 0 for less than 50%.
- * Based on these parameters, if an SEIAA gets more than 7 marks, it will be ranked as 5-star (the highest ranking). The state authorities can be ranked as 5,4,3,2 and 1-star, depending on their cumulative score. Any SEIAA which gets a total of less than 3 marks will get no star.

The ministry said in its order that the decision comes in the backdrop of a meeting chaired by the Cabinet Secretary on November 13 last year, which raised the issue of action taken to enable “ease

of doing business”, especially in the context of “ranking of states based on the time taken in according clearances”.

Ministry officials were not available for comment on Wednesday.

Criticising the move, environmentalists warned that the state authorities, whose mandate is to ensure protection of the environment, will now “compete” to clear projects swiftly, to increase state rankings.

The SEIAAs are responsible for providing environmental clearance for a bulk of the infrastructure, developmental and industrial projects. Their main purpose is to assess the impact of the proposed project on the environment and people, and to try and minimise this impact.

“This order is absolutely absurd. How can you grade an institution that is mandated to protect the environment according to the speed at which projects are cleared? The time frame for clearances was anyway brought down to 75 days, which was a matter of concern, and done with the express purpose of clearing projects at the cost of the environment,” said environmental lawyer Ritwick Dutta.

“In India, the biggest projects are given environmental clearances by the Environment Ministry under Category A. The SEIAAs give over 90 per cent clearances across the country, primarily for construction projects. The World Bank itself has discounted the principle of ease of doing business, admitting that it does not work. This order is like telling a forest officer that the more he visits a forest, the less marks he will get. It violates every provision of the law,” he said.

Under former Environment Minister Prakash Javadekar, the time period for providing environmental clearance to a project was reduced from 105 days to 75 days in order to “streamline clearance processes”.

In a reply to Lok Sabha on these clearances in March 2020, Javadekar had said that 69,414.32 hectares of forest land was diverted for non-forest purposes between 2014-15 and 2018-19.

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