



Recent Advances in Environment & Forest Laws with Special Reference to Oil, Petroleum & Gas Sector

Shillong
23.01.2025

Dr. Vimal Kumar Hatwal
Member Secretary (Industry-2), IA Division
Ministry of Environment, Forest and Climate Change
New Delhi

Presentation Outline

- EIA Notification, 2006
- Provisions of EIA, 2006 related to Oil, Petroleum & Gas Sector
 - Exploratory Drilling
- Systemic Reforms in EC Granting Process
 - Screening Stage
 - Scoping Stage
 - Public Consultation Stage
 - Appraisal Stage
- Best practices to adopt for EC application in PARIVESH 2
- Analysis for EDS in Industry-2 Sector
- Challenges
- Action Plan: 2025

EIA Notification, 2006 – 14th Sep, 2006

38 categories of Projects (or) Activities requires prior Environment Clearance

Listed in the Schedule to the EIA, 2006.

- i. All new projects or activities
- ii. Expansion, modernization of existing projects
- iii. Any change in the product mix in existing projects
- iv. Any change in the raw material mix in existing projects

Threshold limit

- Spatial extent of potential impacts
- Potential impacts on human health and natural and man-made resources.

Below the lowest threshold limit exempted from EC.

Category 'A'

Scoping
Public Consultation
Appraisal

Regulatory Authority: MoEF&CC

Expert Appraisal Committees (EAC)

Category 'B'

Screening (Based on nature and location)

Category 'B1'

Scoping
Public Consultation
Appraisal

Category 'B2'

Direct appraisal based on proponent application with EMP

Regulatory Authority: State Environment Impact Assessment Authority (SEIAA).

State Expert Appraisal Committees (SEAC)

Item 1(b) of the Schedule

Project or Activity		Category with threshold limit		Conditions if any
		A (MoEF&CC)	B (SEIAA)	
1(b)	Off-shore and onshore oil and gas exploration, development and production	All projects in respect of off-shore and onshore oil and gas development and production except exploration		<p>Note 1: Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey</p> <p>Note 2: All project in respect of off -shore and onshore oil and gas exploration are categorized as 'B2' projects"</p>

Exploratory Drilling

- Onshore and offshore oil and gas exploration activities are categorized as a Category 'B2' project¹.
- This categorization exempts these exploration activities from the requirement of:
 - Environmental Impact Assessment (EIA)
 - Public Hearing
 - Baseline Data
- **However, needed:**
 - State level appraisal
 - EMP
 - Risk Assessment
 - Other State Level Clearances

Systemic Reforms – Screening Stage

- **Fortnightly EAC Meetings**
- **Online Proposal Processing:** via PARIVESH at both central and state levels
- **GIS-based** Decision Support System (DSS) for analysis of Environmental Sensitivity and Location Validation
- **Know Your Approval:** Project planning tool available with proponent/user agency to check the approval needed and their approving authority

Systemic Reforms – Scoping Stage

- **Validity of ToR** for all projects/activities increased from 3 to 4 years and for River Valley/HEPs from 4 to 5 years
- **Standard ToR for Expansion Proposals:** Standard ToR for expansion proposals of existing projects without EAC/SEAC referral
- **Flexibility in Data Collection:** Flexibility in collecting baseline data before the Terms of Reference (ToR) grant, with data not older than 3 years

Systemic Reforms – Public Consultation

- **Public Hearing** notice reduced to 15 days for rescheduling¹
- **Supervision** delegated to District Level Officer or Sub-Divisional Officers (if confining to the territorial jurisdiction) authorized by the DM¹
- **Allowing up to 50%** phase-wise expansion within existing premises without additional land acquisition under para 7(ii)(a) of EIA Notification, 2006²
- **Public Hearing may be exempted** if at least 50% of the project is physically implemented, where EC validity expires before completion³

¹S.O. 2163(E) dated 09th May, 2022

²OM dated 11th April, 2022

³S.O. 1247 (E) dated 18th March 2021

Systemic Reforms – Appraisal

- **Clarification on EC validity:** Up to 2 years for Stage-II FC processing is excluded for projects on forest land under EIA 2006¹
- **EC validity** for petroleum projects extended to 10 years, with a 1-year further extension²
- Validity of the Certified Compliance Report is increased up to **one year**. Proponents may approach CPCB/SPCB if CCR isn't issued within 3 months³

¹OM dated 11th April, 2022

²S.O. 1807(E) dated 12th April, 2022

³OM 8th June, 2022

Others

- Industries requiring prior EC under the EIA Notification, 2006 are **exempted** from obtaining separate CTE¹
- Guidelines issued to **surrender ECs** due to issues like land acquisition, court cases, or financial constraints, even after partial or no implementation²
- 'Zero' period from April 2020 to March 2021 in EC and ToR validity calculations **considering COVID-19 Impact**
- **Workshop for E & P Operators:** Organized in June 2023 to educate E&P operators on the EC process and PARIVESH portal

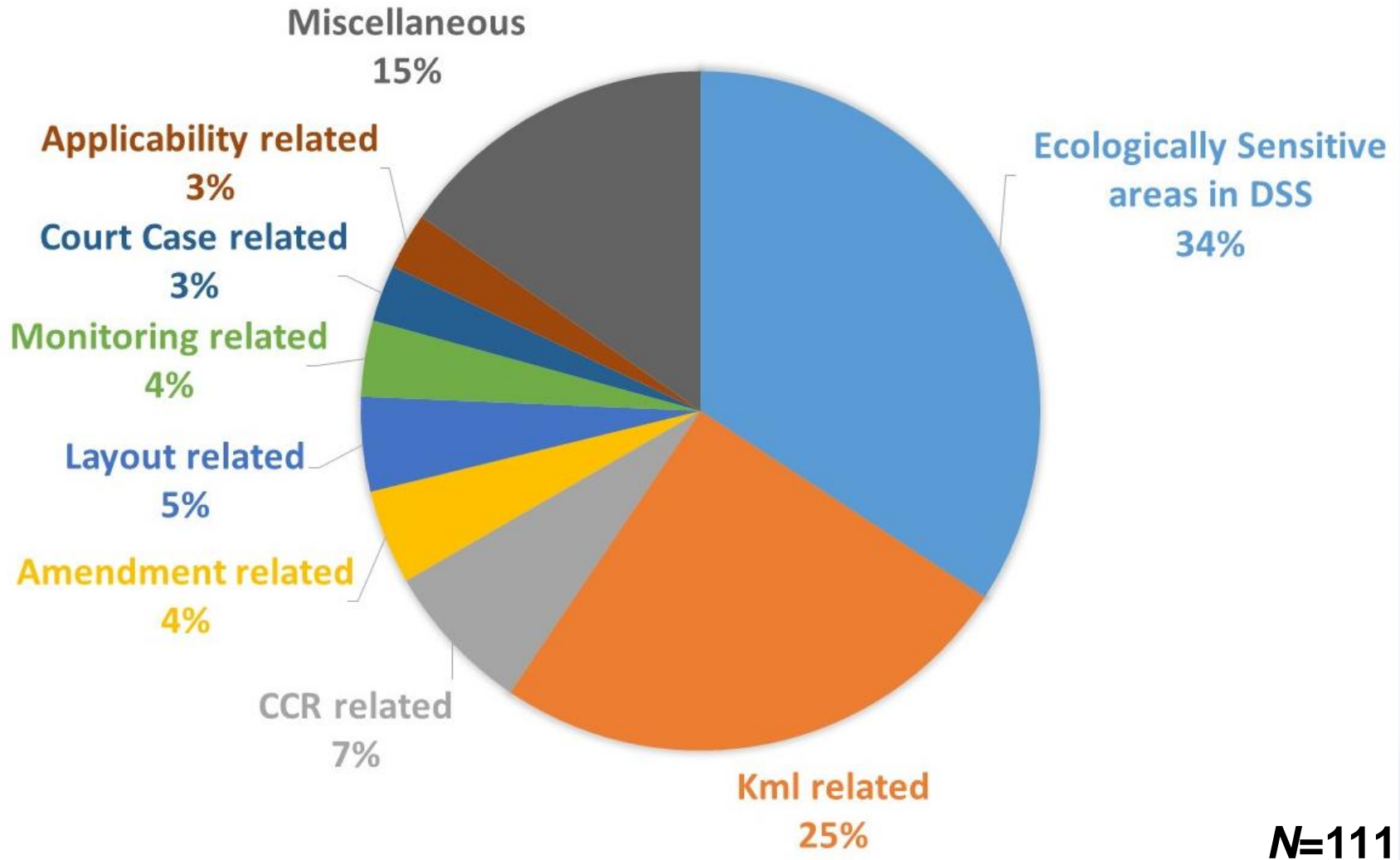
¹G.S.R. 703 (E) dated 12.11.2024 and G.S.R.702 (E) dated 12.11.2024

²OM dated 29th March, 2022

Best practices to adopt for EC application

- Information should be consistent in all the submitted documents (FR, FORM A & B, C etc.)
- Facts must not be **CONCEALED**
- Present the Facts of Public Hearing. Written representation shall be included
- Project proponent should come prepared with consultant about the project
- Form-1 shall be clearly filled inline with information given in FR
- **'Know Your Approval'** should be checked beforehand

Analysis of EDS in the Sector



N=111

- Maximum EDS are related to .kml and DSS

Example: Proposed CBM Exploratory Drilling (10 wells)



- Location of the wells is not known
- Not possible to analyze the proposal in DSS

Example: With Best Practices



- Clearly defined locations with a 500-meter buffer zone
- Sensitive areas around the proposed wells/activity can be identified and analyzed in DSS

Challenges: Post - EC Monitoring

- In earlier EC only total number of wells are mentioned. However, there is no specific mention of individual well names, precise locations, or latitude/longitude coordinates
- Decommissioning and restoration plans are not being effectively implemented in their true spirit
- No common TSDF facility nearer to operational areas
- Drill cuttings are being disposed of in a pit at site, without having HDPE lining

Action Plan: 2025

- Existing PARIVESH 2 is being upgraded by enabling **Artificial Intelligence (AI) Tools** for scrutiny of proposals
- **Harmonization** of the EC conditions
- Monitoring and Compliance through PARIVESH 2
- Joint interactive session with oil and gas companies along with DGH **is proposed in March, 2025** for expediting the EC process

धन्यवाद
Thank you!



vk.hatwal@gov.in