

## What is Environment Impact Assessment (EIA)?

- Environmental Impact Assessment or EIA is the process or study which predicts the effect of a proposed industrial/infrastructural project on the environment.
- It prevents the proposed activity/project from being approved without proper oversight or taking adverse consequences into account.
- A signatory to the Stockholm Declaration (1972) on Environment, India enacted laws to control water (1974) and air (1981) pollution soon after.
- Under the Environment (Protection) Act, 1986, India notified its first EIA norms in 1994, setting in place a legal framework for regulating activities that access, utilise, and affect (pollute) natural resources.
- The 1994 EIA notification was replaced with a modified draft in 2006. Earlier this year, the government redrafted it again to incorporate the amendments and relevant court orders issued since 2006, and to make the EIA “process more transparent and expedient.”

## Issues in the current system

- A facade of legal paperwork for a range of de facto concessions enjoyed by industries.
- Lack of administrative capacity to ensure compliance often renders long lists of clearance conditions meaningless.
- Periodic amendments exempting one category of industries or the other from scrutiny.

## Key-highlights of the new draft

- The new draft exempts a long list of projects from public consultation.
- All inland waterways projects and expansion/widening of national highways will be exempt from prior clearance. These include roads that cut through forests and dredging of major river.
- The 2020 draft also exempts most building construction projects of built-up area up to 1,50,000 sq m. This is a reiteration of the Environment Ministry’s December 2016 notification that was set aside by the National Green Tribunal in December 2017. The government subsequently moved the Supreme Court but did not get any relief.

The two most significant changes in the new draft are the provisions for post-facto project clearance and abandoning the public trust doctrine. Projects operating in violation of the Environment Act will now be able to apply for clearance. It is a reiteration of a March 2017 notification for projects operating without clearance.

## 6 Sukhna Lake becomes a ‘living entity’

**Context:** The Punjab and Haryana high court has declared Sukhna Lake a “living entity” or “legal person” with rights, duties and liabilities of a living person. It also declared all citizens of Chandigarh as loco parentis (in the place of a parent) to save the lake from extinction.

### About:

- Sukhna Lake is situated at the foothill of Shivalik Hills in the city of Chandigarh.
  - The Lake was created in 1958, by damming a seasonal stream SukhnaChoe, which cascade from the Shivalik Hills.
  - Sukhna Reservoir was also designed by Le Corbusier (Chief Architect of Chandigarh city) and the Chief Engineer P L Verma in the year 1974.
- Several migratory birds like cranes, Siberian ducks, storks etc., can be seen during the season.

### The decision:

- The court observed that Sukhna Lake is required to be declared as a legal entity for its survival, preservation and conservation.