

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 4 | Issue 3

2021

© 2021 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com>)

This Article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of **any suggestion or complaint**, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at **International Journal of Law Management & Humanities**, kindly email your Manuscript at submission@ijlmh.com.

Environment Impact Assessment in India & The Challenges Ahead

SAKSHI PANDEY¹ AND SHRINKHALA SWAROOP²

ABSTRACT

The continuous degradation of natural resources has created many problems for the existence of humans on earth. The rapid growth in industrialization and the technological advancement have exploited the environment in many ways which has resulted in severe noise, air and water pollution. This called for the need of environmental laws and regulations which are the basis of the environmental impact assessments that is sine qua non for sustainable development. Environmental Impact Assessment is a term used to describe the total process of assessing the environmental effects of a development project. Environmental Impact Assessment predicts the likely environment impacts of project to reduce unacceptable impacts and offers various options and alternatives to the decision makers. EIA is also a mainstay of environmental management processes globally. The present study focuses upon the adoption of Environment Impact Assessment in leading nations in the worth, Growth & development of EIA in India & the challenges ahead with the arrival of Draft Notification of 2020.

I. INTRODUCTION

The American grown concept focuses on problems and natural resource constraints which may affect the viability of project and usefulness of environment. It helps in analyzing to what extent the project will adversely affect the people, their homeland, the developmental activities of that area and moreover their livelihood. Once the potential impacts are evaluated and it is realized what amount of destruction the project is capable of causing, it identifies & suggests measures to minimize those harmful effects in order to improve the viability of the project. EIAs help in determining the impact and any project which is going to be undertaken in future before its approval, and since its inception many countries have now adopted this progressive policy as we run over the general principle prevention is better than cure. The methodology helps the local planning authorities to understand the hazardous environmental effects of a project or development, before its approval and hence helps in identifying whether the project should be

¹ Author is a student at NALSAR University of Law, Hyderabad, India.

² Author is an Assistant Professor at Department of Law, Prestige Institute of Management & Research, Indore, India.

undertaken or not. The process only commences once it has received a formal sanction by legislative framework of the nation.

EIA probably represents innovation in environmental management techniques as it attempts to establish a valid connection between the organization & environment by measuring the impact of the activity which organization is going to undertake on the environment.

It was developed in the 1960s as a way of enabling organizations to identify and assess their environmental connections and any negative and positive consequences of their decision-making and activities. The ‘impact’ referred to in EIA is the difference between what would happen with the action and what would happen without it. In terms of an EIA, impacts can be both positive and negative. The researchers have undertaken this project in order to critically analyze the statutory provisions relating to Environmental Impact Assessment and its implementation in India.

The **International Association of Impact Assessment** (IAIA) offers a definition of EIA as:

The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made.³

The role of EIA is formally recognized in Principle 17 of the Rio Declaration on Environment & Development: “Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.”⁴In a Nutshell we can say that EIA:

- | |
|--|
| <ul style="list-style-type: none"> • Helps in anticipating the probable effects of the proposed activity on the overall natural system i.e. water, air, soil, health of the living organisms. |
| <ul style="list-style-type: none"> • The effect over the anthropogenic system is also analyzed i.e. infrastructure settlement etc. |
| <ul style="list-style-type: none"> • Social & economic system of the nation. |

³ Roel Sloopweg, *Strategic Environmental Assessment: Putting biodiversity and stakeholders interests on the decision maker's agenda*, NBSAP, (June.12-17,2009) https://www.cbd.int/doc/nbsap/nbsapcbw-eur-02/nbsapcbw-eur-02-sevs-01-en.pdf?ved=2ahUKEwjCqZK0kcjuAhVMxDgGHdZLC2cQFjABegQIAhAF&usq=AOvVaw1rMIx1YZ05kDiY_ENWABQv&cshid=1612163870997

⁴ Rio Declaration on Environment and Development 1992, United Nations (UN), Principle 17 p. no 4 (1992) <https://www.jus.uio.no/lm/environmental.development.rio.declaration.1992/portrait.a4.pdf>

- Provides appropriate reasons & opportunities to highlight environmental issues.
- EIA has a public nature i.e. the process helps the interested people, groups. Institutes & organizations to come forward and raise their issues & concerns. Input provided by the public helps in prioritizing the environmental problems.
 - An example demonstrating the importance of public participation is a Ukrainian project where the public brought 20 points of concern over a local oil and gas development, which were then addressed in the final assessment.⁵

II. HISTORICAL EVOLUTION & DEVELOPMENT

(A) The American Evolution: The American-grown policy that has often been compared to be the Magna Carata has now been emulated into a number of nations & international organizations, and is now considered as a premise routine by all of them. The environmental review process and public participation was the need of the hour when NEPA took its roots in the American legislation.

The National Environmental Policy Act (NEPA)⁶, the legislation which is responsible for bringing the idea of “environment protection” to the forefront of American Policy, is the first federal law which has also been also connoted as the Magna Carta of the environmental laws.⁷ The act is known as the genius invention of Senator Henry M. "Scoop" Jackson⁸, whose idea led to the formation of the bill in the year 1968 and guided it through his Senate Interior and Insular Affairs Committee and then towards the full Senate in 1969. It was then approved and passed without any significant opposition & hindrance in the Senate on Dec 20th, 1969 and the House on December 22, 1969, and was signed to law by Richard M. Nixon⁹ on January 1, 1970. The act was formulated to be the national policy of the country to encourage productive and enjoyable harmony between man and his environment.

⁵ Chileyene Nyapi, *A legislative proposal for public participation to oil & gas decision making in Nigeria*.

⁶ An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "NATIONAL ENVIRONMENTAL POLICY ACT OF 1969."

⁷ Much like the Magna Carta protected people from the dangers of monarchical rule, NEPA protects people by providing transparency in federal projects. Both the Magna Carta and NEPA espouse the ideals of public participation and democracy by giving citizens a voice in government decisions. In its purpose, NEPA aims “to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.

⁸ Henry Martin "Scoop" Jackson (May 31, 1912 – September 1, 1983) was an American politician who served as a U.S. Representative (1941–1953) and U.S. Senator (1953–1983) from the state of Washington

⁹ Richard Milhous Nixon was the 37th president of the United States, serving from 1969 until 1974. A member of the Republican Party, Nixon previously served as the 36th vice president from 1953 to 1961, having risen to national prominence as a representative and senator from California

Sec. 2 of the act stated the purpose for which it was formed which were as follows:

To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.”¹⁰ Recognizing the intense impact of a man’s activity on the natural environment and taking into consideration population growth, high-density urbanization, expansion of industries, exploitation of natural resources, the technological advancements & many related factors it was realized that it is very critical to maintain & restore the quality of environment for the welfare and development of man. Hence, the American policy urged that the federal government in co-operation with the state & local governments including public private organizations shall use all the possible means to promote the co-existence of man & environment in order to fulfill the social economic & other important requirements of the present and future generations of America.¹¹

It was also directed by the congress that all the policies, regulations and laws of United States shall be in harmony with the policies of the present act. All the agencies of the federal government were also directed to review their administrative regulations & procedures which would somehow create a hindrance in the full compliance of the said act.¹²

A brand new council was established by this act known as Council on Environmental Quality which required an environmental Impact statement from major federal projects.

Before NEPA, there was a complete absence of any legal machinery in the international community on the environment sustainability and management. Once it was integrated into the domestic policy of U.S, other market leaders took a step ahead and followed its path. In 1972, the UN held its first Conference on the Human Environment in Stockholm. The Stockholm Conference proclaimed that “a point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences.”¹³

¹⁰National Environmental Policy Act (NEPA) , Sec 2

¹¹National Environmental Policy Act (NEPA) , Sec 101

¹²National Environmental Policy Act (NEPA),Sec 103

¹³ The United Nations Conference on the Human Environment, having met at Stockholm from (5 to 16 June 1972) having considered the need for a common outlook and for common principles to inspire and guide the peoples of the world in the preservation and enhancement of the human environment, Proclaims that: A point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences. Through ignorance or indifference we can do massive and irreversible harm to the earthly environment on which our life and well being depend. Conversely, through fuller knowledge and wiser action, we can achieve for ourselves and our posterity a better life in an environment more in keeping with human

This proclamation had been picked up by the Commission from NEPA and has been translated into an international priority. Following the conference at Stockholm, there came the Brundtland Commission Report¹⁴ in the year 1987 titled as 'Our Common Future' emphasizing over the concept of sustainable development. The report encouraged the nations to focus upon sustainable development & the concept of human survival. Under this report emphasis was laid over managing the environmental resources in way that would lead to sustainable development. It can be said that NEPA led the international community towards recognizing & addressing the impact of human action over the environment and laid the foundation for subsequent conferences and reports on environment. The subsequent conferences including UN Conference on Environment and Development in Rio de Janeiro in 1992¹⁵ and the more recent Rio+20¹⁶ in 2012 all can be said to have NEPA as a basis of their evolution.

1. Adoption of EIA in Canada: The Environmental Impact Assessment was adopted in the year 1973 by Canada by introducing a Federal Cabinet Directive. After this, the Canadian Environmental Assessment Act (CEAA)¹⁷ was passed in the year 1992 which was enforced in the year 1995. To be precise the process under CEAA is triggered whenever a project is proposed by the federal authority to be carried out within the domestic boundaries of Canada. Keeping aside the permits, licenses & approvals that trigger CEAA 1992, there are other lists also which indicate when and under what circumstances comprehensive studies are required.

needs and hopes. This was one of the proclamations mentioned in Declaration of the United Nations Conference on the Human Environment

¹⁴ Formerly known as the world commission on environment and development (WCED), the mission of the Brundtland Commission is to unite countries to pursue sustainable development together. The Chairperson of the Commission, Gro Harlem Brundtland, was appointed by United Nations Secretary-General Javier Pérez de Cuéllar in December 1983. At the time, the UN General Assembly realized that there was a heavy deterioration of the human environment and natural resources. To rally countries to work and pursue sustainable development together, the UN decided to establish the Brundtland Commission. Gro Harlem Brundtland was the former Prime Minister of Norway and was chosen due to her strong background in the sciences and public health. The Brundtland Commission officially dissolved in December 1987 after releasing *Our Common Future*, also known as the Brundtland Report, in October 1987. The document popularized and defined the term "Sustainable Development". *Our Common Future* won the University of Louisville Grawemeyer Award in 1991. The organization Center for Our Common Future was started in April 1988 to take the place of the Commission

¹⁵ **United Nations Conference on Environment and Development (UNCED)**, by name **earth summit**, conference held at Rio de Janeiro, Brazil (June 3–14, 1992), to reconcile worldwide economic development with protection of the environment. The Earth Summit was the largest gathering of world leaders as of 1992, with 117 heads of state and representatives of 178 nations in all attending. By means of treaties and other documents signed at the conference, most of the world's nations nominally committed themselves to the pursuit of economic development in ways that would protect the Earth's environment and nonrenewable resources.

¹⁶ The United Nations Conference on Sustainable Development - or Rio+20 - took place in Rio de Janeiro, Brazil on 20-22 June 2012. It resulted in a focused political outcome document which contains clear and practical measures for implementing sustainable development. In Rio, Member States decided to launch a process to develop a set of Sustainable Development Goals (SDGs), which will build upon the Millennium Development Goals and converge with the post 2015 development agenda. The Conference also adopted ground-breaking guidelines on green economy policies.

¹⁷ CANADIAN ENVIRONMENTAL ASSESSMENT ACT, 1992 S.C. 1992, c. 37

On April 26, 2012, the Conservative Government tabled Bill C-38 proposed to repeal the existing *Canadian Environmental Assessment Act* (“*CEAA, 1992*”) and to replace it with the *Canadian Environmental Assessment Act, 2012* (“*CEAA, 2012*”)¹⁸.

2. Adoption of EIA in Germany: In 1975, the “Cabinet Directive on the Environment Assessment Principle for Federal Public Measures was promulgated whereby the possible environmental consequences of all federal planning and authorization procedures were subject to examination.¹⁹ Following this, the “Act on Implementation of the Council Directive on the Assessment of the Effects of Certain Public and Private Projects on the Environment” was issued in 1990 in compliance with the European Directive. In addition to stipulating the type of projects requiring EIA and the necessary procedures, this law also incorporates them into the authorization procedures for the concerned acts.²⁰

Similarly, Australia, Chile, New Zealand ran upon the same parlance and introduced Environmental impact assessment within their boundaries. The list went on and also was extended up to the international organizations. The World Bank, the Organization for Economic Co-operation and Development, and the World Health Organization are just a few international groups that have developed NEPA-like mechanisms for environmental review.

The History of evolution of EIA in various countries is presented in Table below:

Australia	Environmental Protection (Impact of Proposals) Act 1974
Bangladesh	No specific EIA legislation, however there was a Declaration that Environmental Impact Assessments should be carried out for all major development projects, 1995
China	Environmental Protection Law, 1979
USA (California)	California Environmental Quality Act (CEQA) of 1971

¹⁸ The Canadian Environmental Assessment Act, 2012 (“CEAA 2012”) came into force on (July 6, 2012) Under CEAA 2012, thousands of projects, which due to their potentially significant adverse environmental effects would have previously been subject to federal environmental assessment requirements, will no longer be reviewed. CEAA 2012 takes a “project list” approach, where an environmental assessment is only required for particular projects included in the list of “designated projects.” However, for most of those projects an assessment is not automatic, and will only be undertaken where the federal government exercises its discretion to conduct an assessment

¹⁹ Ministry of environment Government of Japan , <https://www.env.go.jp/earth/coop/coop/document/10-eiae/10-eiae-2.pdf>.

²⁰ Current Environmental Impact Assessment System (1995)”, *Study Group for Environmental Impact Assessment System*.

Canada	Federal Environmental Assessment and Review Process Guidelines Order 1984, Canada
France	Law on Protection of Nature, 1978
India	Environment Protection Act, 1986
Japan	Principles for Implementing EIA by Environmental Agency, 1984
Malaysia	Environmental Quality (Prescribed Activity) (EIA) Order, 1987
New Zealand	Resource Management Act 1991, New Zealand
Philippines	Environment Policy, 1975
Sri Lanka	National Environmental Act 1986

TABLE 2.0**(B) Evolution & Development of EIA in India**

Provision related to the protection of environment can be seen in the Constitution of India as well as other policies and laws. India is under an international obligation to protect the environment under Stockholm Declaration passed in United Nations Conference on the Human Environment, 1972. Within five years of Stockholm Declaration, the Constitution of India was amended to include Protection and Improvement of Environment as constitutional mandate. The protection and improvement of environment is now a fundamental duty under Constitution. By the 42nd Amendment Act 1976, Article 51-A was inserted which said that it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.²¹

1. Chronological Events

The Five Year Plans as proposed by the government for the economic development of the country enshrined in it some of the basic principles of EIA. For the first time, in the Fourth Five Year Plan 1969-1974 the concern for EIA in national planning of economy was recognized.

The Indian experience with EIA started in the year 1976-1977 when the department of Science & Technology was asked to examine the river valley project from the environment perspective

²¹ CONSTITUTION OF INDIA, art. 51-A, *amended by* The Constitution (42nd Amendment) Act, 1976.

by the Planning Commission.

Under the Fifth Five Year Plan 1974-1979, the National Committee on Environmental Planning and Co-ordination was launched under the Department of Science and Technology for the assessment of matters related to environmental quality.

The Sixth Five Year Plan 1980-1985 was the first plan in which environment was considered as an instrument of national development. The environment and principle of EIA was considered in all the later Five Year Plans also.

The National Water Policy (NWP), 1987 was framed for the environmental impact assessment of water resources of the country. The National Forest Policy, 1988 have also included in it the objectives of EIA.

In the New Industrial Policy 1991, the location policy was implemented on industries other than non-polluting industries such as electronics, computer software and printing, and they were restricted from being established within 20 km. of the metropolitan cities having population above 4 million. The policy had also been subject to various changes.

EIA has been recognized under the Policy Statement on Abatement of pollution 1992. It recognized the problem of environmental pollution, hazardous chemical wastes, water deterioration, ambient air and water, quality human activities and population growth.

In India, before 1994 when the EIA Notification was passed, EIA was only an administrative action which was discretionary for the concerned administrative authorizes.

In the year 1994, the Ministry of Environment & Forest under the Environmental Protection Act, 1986, promulgated an EIA Notification making the environment clearance a mandate & further Public hearing in EIA was added in the year 1997.

However after 2000, EIA was diluted as the government brought a new EIA notification in the year 2006. The National Environment Policy, 2006 was the first initiative which contained strategic provisions for environmental protection.

The EIA draft notification of 2020 has replaced the previous one. It has been redrafted to incorporate the necessary changes & the court orders which have been issued since 2006, in order to make the process more transparent and viable.

If we talk about the history of legal framework related to EIA in India, it can be said that there has been the discussion of EIA in many industrial & Environmental legislations in India, but the formal & Comprehensive legislative policy was brought at a very later stage i.e. only by the policy of 2006.

2. Below mentioned are the list of Laws & Regulations which somehow included the element of EIA within their umbrella.

EIA Under Industrial Laws in India	EIA under Environmental Laws in India
<p>1. Pre- Constitution Phase</p> <p>a. Indian Explosive Act,1884:</p> <p>b. The land Acquisition Act, 1894</p>	<p>1. Resource Conservation Laws:</p> <p>a. Indian Forest Act, 1927</p> <p>b. Wildlife Protection Act,1972</p> <p>c. Forest Conservation Act 1970</p>
<p>2. Post-Constitution Phase:</p> <p>a. Industries (Development & Regulation Act of 1951)</p> <p>b. Ancient Monuments and Archaeological Sites and Remains act, 1995</p> <p>c. Ancient Monuments Preservation Act,1904</p> <p>d. Merchant Shipping act,1958</p> <p>e. Atomic Energy Act,1962</p> <p>f. Radiation Protection Rules 1971</p> <p>g. Factories Amendment Act 1987</p> <p>h. The Motor Vehicles Act, 1988</p>	<p>3. Anti- Pollution Laws</p> <p>a. Water(Prevention & Control of Pollution) Act, 1974</p> <p>b. Air (Prevention & Control of Pollution) Act. 1981</p> <p>c. Environmental Protection Act, 1986</p>
	<p>4. Dispute Redressal Legislation</p> <p>a. Public Liability Insurance Act, 1991</p> <p>b. National Environment Tribunal Act 1995</p>

The problem with most of these enactments was that they do not talk about EIA in particular & in a comprehensive manner which is the reason of the lack of development of EIA principles at an early stage in India. It was the Environment Protection Act, 1986 after which number of legislation were passed which were concerned with the principles of EIA.

By the authority given by the Environment Protection Act, 1986 to the central government, it formed a draft relating to EIA Notification in the year 1992. The final draft was passed in the year 1994 which mandated to follow the EIA principles for the environmental clearance of the project by the government. The Notification contained certain regulations which were necessary to be followed by the projects for their approval. The EIA Notification of 1994 is the draft passed by the central government under the powers conferred upon it by Environment Protection Act, 1986 as a subordinate legislation. Before 1994, there were no specific legislative provisions regarding Environmental Impact Assessment. The Notification of 1994 has made EIA mandatory for the projects mentioned in its Schedule to get the environmental clearance from the government. It includes the concept of public hearing which is subject to certain exemptions. The Notification of 1994 established an Impact Assessment Agency (IAA) under the Ministry of Environment and Forest for the evaluation of the application presented by the project promoter. The Impact Assessment Agency may call for expert advice for the evaluation of the applications. Several Amendments were made to this Notification which included in it provisions for making site visiting optional, exempting certain category of projects from public hearings, time period for public hearings etc. A new EIA Notification was passed in the year 2006 which overtook the earlier notification of 1994.

3. The Draft Notification of 2006

The Notification of 2006 created the devolution of power to states, exclusion of local participation. It brought considerable changes in the Regulations which can be said to be lacuna in the enforcement of EIA principles. A Grievance Redressal mechanism was created known as National Environment Appellate Authority established under the National Environment Appellate Authority Act, 1997. Any person aggrieved by the order of clearance may appeal to this authority within thirty days of the order of clearance. Thus, before 1994 as such there were no regulations regarding Environmental Impact Assessment, neither it was mandatory to conduct EIA.

4. THE DRAFT NOTIFICATION OF 2020

The Union Ministry of Environment, Forest and Climate Change has proposed another Draft Notification of the Environment Impact Assessment (EIA) to revise the EIA Notification 2006

with a plan to expand the creation and accessibility of a couple of medications. The draft EIA Notification 2020 has been delivered to welcome remarks from public with respect to it.

The expansion emphasizes the set up standards of public investment in ecological administration. Without a doubt, the draft warning's relapse and weakening of ecological rules struggle with the set up standards of global law.

In spite of the fact that the draft acquaints a few changes with increase the medication creation, many have condemned it for some confounded changes.

Re-Categorisation of Projects: The draft EIA Notification 2020 re-arranges all the ventures and exercises identified with the creation of mass medications and intermediates for a few diseases from 'A' classification to 'B2' class.

Leeway Post-facto: The draft expresses that the ventures or exercises can get freedom post-facto. It infers that those undertakings can likewise look for leeway that disregard the Environment (Protection) Act, 1986 (EPA).

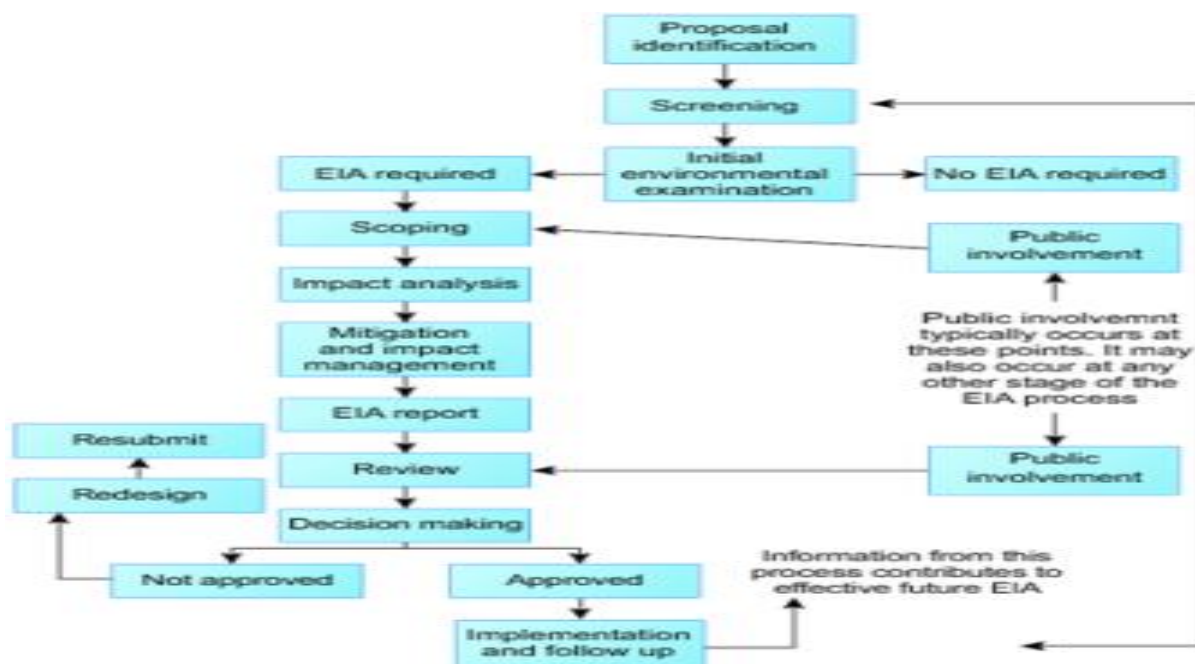
Exclusion of ventures: The new draft absolves different tasks from the EIA including the "essential" projects marked by Government, public thruways and inland streams projects. The Draft EIA states that such activities will be put in open space.

Issue with respect to time allocated for public remarks: These have additionally been issues in regards to the course of events declared to welcome public remarks on the Draft Environment Impact Assessment (EIA) Notification 2020.

Exclusion to Construction Projects up to 150,000 sq m: The Draft additionally excludes up to 150,000 sq m development projects from the appraisal. These activities would now be able to acquire climate leeway after examination by state-level master evaluation advisory group. Prior, the exclusion was conceded to development ventures of up to 20,000 sq. m or above.

The 2020 draft notice has a statement devoted to definitions to a few terms identified with EIA. It very well might be advantageous as in it combines the EIA leads and has the capability of mitigating some equivocalness in the current law.

III. THE EIA PROCESS IN INDIA



This figure shows the main stages of the EIA process as a flow chart. ‘Proposal identification’ runs to ‘Screening’, which runs to ‘Initial environmental examination’. This splits into two: on the right, ‘No EIA’ required; on the left, ‘EIA required’. ‘EIA required’ runs to ‘Scoping’, which runs to ‘Impact analysis’, which runs to ‘Mitigation and impact management’, which runs to ‘EIA report’, which runs to ‘Review’, which runs to ‘Decision making’. This splits into two: on the right, ‘Approved’, which runs to ‘Implementation and follow up’, which runs to ‘Information from this process contributes to effective future EIA’; on the left, ‘Not approved’, which runs to ‘Redesign’, which runs to ‘Resubmit’.

The diagram also shows that public involvement typically occurs at the ‘Scoping’ and ‘Review’ stages, although it may occur at any other stages in the EIA process.

A 2009 review of the EIA Directive by the European Commission (EC, 2009) noted that while EIAs have been innovative in helping to integrate environmental considerations and public opinion into projects and development, a number of problems remain relating to:

- the appropriate use of screening criteria to determine if EIAs are needed
- quality control of the data and data gaps
- quality of the process and methodological rigour
- lack of harmonized procedures for involving the public
- focus on site boundaries

- trans-boundary problems involving more than one member state
- lack of coordination between EIA and other directive

Social problems are directly linked with environmental issues which have to be solved in sustainable ways. One of the major ways of attaining this will be through poverty eradication. Poverty can be eradicated only by solving the issues such as - scarcity of food, health coverage, clean water, etc.

Taking care of poor people is to be stressed upon. One of the most important initiatives taken is establishment of International Development Targets, transformed into Millennium Development Goals. These now strongly influence the direction, focus and effect on internal actions. Poverty Goal is the most important to be looked into.

MDG is facing 3 main challenges –

1. Most economically managing the resources so that the focus on priority goal does not compromise the other goals and resources are being optimally utilized.
2. Second challenge is in the design and delivery of poverty eradication. It is said that to eradicate poverty and improve the standard of living will also improve health issues and education opportunities. But this is debatable that it is sustainable.
3. All the countries should integrate the principle of sustainable development but it is seen as an opportunity as well as a challenge. To achieve this goal it is required to use integrated cross sectorial and comprehensive approach to guide the design and implement development. Such an approach is referred to an integrated assessment and focuses on ensuring that sustainability aspects are incorporated into policy design and decision making.

IV. CONCLUSION

EIAs have often been criticized for having too narrow spatial and temporal scope. At present no procedure has been specified for determining a system boundary for the assessment. Some international agencies have moved almost directly from tried and tested techniques such as cost-benefit analysis to experimental use of integrated assessment with sustainability decision rules/criteria. It is clear that new approaches are needed to improve our ability to undertake such integrated assessment. The main purpose of EIA is to facilitate the systematic consideration of environmental issues as part of development decision-making. It does so primarily by assembling and analyzing information on the potential environmental effects of specific development proposals and how they can be best prevented or mitigated. EIA takes place before major decisions are taken and, ideally, while feasible alternatives and options to a

proposed action are still open. Thus, there are a number of key stages at which EIA can build environmental considerations into project planning and design.

The standard quality of EIA is achieved by Sustainability, utility and integrity. EIA should give detailed statement on impact of proposals, any adverse effects and alternatives if available and this should be made available to public. It should address environmental effects like cultural change, economic and fiscal effects, landscape visual effects. It gives a detailed account on the type, nature, magnitude, extent, timing, duration, uncertainty, reversibility and significance of the Environmental impacts. It should be capable to modify and improve design, ensure efficient resource use, enhance social aspects, identify key impacts and measures for mitigating them, inform decision-making and condition-setting, avoid serious and irreversible damage to the environment and protect human health and safety.
