

F.No.L-11011/77/2017-IA-III  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA Division)

Indira Paryavaran Bhawan,  
Jor Bagh Road, New Delhi - 3  
Dated: October, 2017

Circular

Sub: Prior Environmental Clearance for manufacturing of Insecticides - Compliance of the directions of the National Green Tribunal - reg.

The Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986 mandates the requirement of prior environmental clearance for all the projects/activities listed in the Schedule to the Notification. Pesticide is one of the items included in the Schedule, and thus requiring prior environmental clearance.

Hon'ble National Green Tribunal, Principal Bench at New Delhi vide their order dated 27<sup>th</sup> July, 2017 in Original Application No.116 of 2017 in the matter of 'Karukampally Vijayan Biju Vs Union of India & Ors' has directed as under:-

*'We direct and hold that the expression 'pesticides' squarely takes within its ambit and scope the expression 'insecticides' as well. Resultantly, all the manufacturers of insecticides and particularly the private respondents are liable to take prior EC in terms of the Notification of 2006.'*

*'We direct MoEF&CC to issue a public notice and a general circular to all the Pollution Control Boards and other competent authorities informing them about this judgement of the Tribunal and providing a period of six weeks to the private respondents and all other manufacturers of insecticides to apply for obtaining the EC for manufacturing of such insecticides. If such applications are filed within the specified time, MoEF&CC shall process the same and pass appropriate orders expeditiously.'*

In compliance of the above directions of the Hon'ble Tribunal, all the manufacturers of insecticides are hereby directed to apply for obtaining the environmental clearance for manufacturing of insecticides. In case of failure, this Ministry and all other concerned authorities shall take appropriate action in accordance with law against such manufacturers of insecticides.

*Bhat*  
18/10/17  
(Gyaneshi Bharti)

Joint Secretary to the Government of India

Copy for necessary action to:-

1. The Chairman/Member Secretary of all SEIAAs
2. The Chairman/Member Secretary all State/UT Pollution Control Boards/Committees

CIDP  
VRS  
23/10/2017