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EIA: HC restrains Centre from publishing final notification

Draft notification not published in Kannada

SPECIAL CORRESPONDENT
BENGALURU

The High Court of Karnataka on Wednesday restrained the Union Ministry of Environment, Forests and Climate Change from publishing the final notification based on the draft notification of the Environment Impact Assessment (EIA)-2020 till the next date of hearing on a PIL petition.

The court, however, clarified that the Ministry can take all further steps based on the draft EIA-2020 except issuing final notification, and the Ministry could move the court for vacating the order against publishing the final notification if reasonable time to file objections and

suggestions were provided after publicising draft EIA-2020 in Kannada language.

A Division Bench comprising Chief Justice Abhay Shreenivas Oka and Justice Ashok S. Kinagi passed the interim order on the petition filed by United Conservation Movement Charitable and Welfare Trust, Bengaluru, seeking a stay on the draft EIA-2020 complaining that notification was not published in Kannada language.

The draft EIA-2020, dated March 23, 2020, gave 60 days as per the law for public and other stakeholders to submit objections and suggestions. Later, taking note of COVID-19 lockdown, the last date to respond was initially extended till June 30, and again extended till August 11.

The Bench, however, noted that Ministry's counsel could not give a positive assurance on behalf of the Ministry that a reasonable time would be given to submit objections and suggestions after publicising the notification in Kannada.

The Bench noted that many people, not knowing English and Hindi languages, could not have responded in view of the lockdown and non-availability of notification in Kannada.

Earlier, the Ministry's counsel said that a proposal to extend the August 11 deadline to submit objections and suggestions is being considered and a decision is expected shortly and clarified that the Ministry was committed to giving wide publicity for the draft EIA-2020.

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It was also contended on behalf of the Ministry that the draft notification was required to be published in the official gazette only in English and Hindi languages, and the Ministry had already directed all the State

Environment Impact Assessment Authorities to publicise the draft EIA-2020 in local languages, including in Kannada, which could not be done so far owing to constraints of COVID-19 pandemic.

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