

## Procedure for seeking an Environmental Clearance (EC) at Dzongkhag Level

### 1. Check if the project requires EC

1. If the proposed project is listed under the “[Green Category](#)” then the activity will not be subjected to Environmental Assessment (EA) process. However, exempted activities must obtain approvals/clearances/development consents from concerned agencies as required under relevant Legislation.
2. If the proposed project is listed under the “[Blue Category](#)” then the activity shall be assessed at Initial Environmental Examination (IEE) level by Designated Competent Authority or NECS as applicable. Dzongkhag Administration is one of the competent authority to assess activities at IEE level.
3. If the proposed project is listed under the “[Red Category](#)” then the activity will require undergoing Environmental Impact Environment Studies (EIA). The activities under Red list shall be reviewed by the NECS.
4. If the proposed project is not listed under any of the above mentioned categories, then the activity shall be assessed at IEE level and shall be reviewed and assessed by NECS.

### 2. The proposed project requiring EC will be subjected to Initial Environmental Examination (IEE)

#### a. For projects subjected to IEE, the following shall apply:

- **Check download section** and see whether specific IEE form is available for the proposed project. If yes, fill up those IEE forms. If no, fill up IEE form for General Projects 2017.
- Submit duly filled IEE form along with relevant clearances to Dzongkhag Administration for review and assessment for listed projects or directly submit the application to the relevant CAs or to the National Environment Commission Secretariat (NECS) if not listed under their competency.

### 3. Assessment and Review of applications by Dzongkhag Administration:

- Administrative staff or officer will review completeness of the application as per the [checklist for processing Environmental Clearance and Renewal from download section](#).
- If the documents submitted are not in line with the checklist, communicate in writing to the applicant.
- If the documents submitted are in line with the checklist, remit application fees as per the [instruction of Officer](#) to the Accounts/Revenue Section who will issue Revenue Money Receipt (RMR).
- Submit a copy of RMR along with the application to Dzongkhag Administration.
- Administrative staff or officer will acknowledge the receipt of an application within 2 working days from the receipt of an application.
- Administrative staff or officers will maintain record of the application/project.
- Reviewing officer will assess the application as per Chapter III of Regulation for Environmental Clearance of Projects (RECOP) 2016, as follows:

- Review the application as per the reviewer's guideline
- Conduct site visit.
- Seek additional information. If applicant request clarification on the additional information, provide clarification/assistance in person/or electronically. Concerned officer will verify and sign the letter seeking the additional information.
- The applicant shall ensure that the additional information sought is submitted within three months for projects subjected to IEE.
- The reviewing officer will update on the status of the application.
- Upon completion of review process, the reviewing officer shall submit the application for decision.

#### **4. Decision on EC by NECS**

- The Dzongkhag Environment Officer will prepare an agenda for the Dzongkhag Environment Committee (DEC) meeting.
- The Dzongkhag Environment Officer will prepare presentation and present to the DEC.
- The DEC will make a decision to issue/reject EC or subject the application for further studies and review.
- To make a decision on the application, a minimum quorum of two-third of its total members is required.
- The DEC will maintain minutes of the DEC meeting inclusive of project details, DEC decision and follow up action.
- Communicate the decision of the DEC to the applicant:
- If EC is approved, Environment Officer will issue EC signed by chairman of the DEC.
- Any appeal regarding decision on EC may be dealt in line with section 86 of RECOP, 2016.

#### **5. After issuance of EC (NECS)**

- Project files will be recorded and maintain proper filing by Environment Officer.
- DEC shall prepare/develop monitoring plan and accordingly conduct compliance monitoring of the projects.
- In case of non-compliance or violations, take the following actions as per Chapter VII of RECOP 2016:
  - Compliance agreement.
  - Levy penalty.
  - Other sanctions.
  - Collect reports of Detailed Implementation Plan (DIP), Contingency Plan, Self-monitoring report, and emission reports from holders annually unless specified otherwise.
  - Holder shall fulfill reporting requirements as per EC and relevant provisions of the Environmental Legislations.
  - Holder shall appoint Environmental Focal Person and inform Dzongkhag administration accordingly.
  - Holder shall conduct self-monitoring as per the section 59 of RECOP, 2016 and report as per format issued by Dzongkhag Administration.