

Environment Conservation Rules (ECR), 1997



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Environment Conservation Rules, 1997

- In exercise of the powers conferred by section 20 of the Bangladesh Environment Conservation Act 1995, the Government made Environment Conservation Rules, 1997.
- It has come into force on 28 August 1997.



Amendments of the Rules

- **These Rules were amended three times**
 - 17 February 2002
 - 26 August 2002
 - 01 April 2003
- **The Rules were amended**
 - to follow the present need as well as
 - to specify different sections *like* inclusion of Certificate of Fitness, Pollution Under Control Certificate, Fees for Environmental Clearance Certificate and other services etc.



Major Features of the Environment Conservation Rules, 1997





Declaration of Ecologically Critical Area

Section 3 :

- The Government shall take the following factors into consideration while declaring any area as Ecologically Critical Area:
 - (a) human habitat;
 - (b) ancient monument;
 - (c) archeological site;
 - (d) forest sanctuary;
 - (e) national park;
 - (f) game reserve;
 - (g) wild animals habitat;
 - (h) wetland;
 - (i) mangrove;
 - (j) forest area;
 - (k) bio-diversity of the relevant area; and
 - (l) other relevant factors.



Ecologically Critical Areas of Bangladesh

Govt. has already declared 8 areas as Ecologically Critical Area

Sl.No	Name of Wetland	District	Area (ha)
1	Strip of 10 km. outside the Sundarbans Reserved Forest	Khulna, Bagerhat, Satkhira	762, 034
2	Sea Front of Cox's Bazar and Teknaf	Cox's Bazar	10465
3	St Martin's Island	Cox's Bazar	590
4	Sonadia Island	Cox's Bazar	4916
5	Hakaluki Haor	Moulvibazar	18383
6	Tanguar Haor	Sunamganj	9727
7	Marjat Baor	Jhenaidaha	200
8	Gulshan Lake	Dhaka city	20



Procedure for issuing Environmental Clearance Certificate

Section 7:

- For the purpose of issuance of Environmental Clearance Certificate, the industrial units and projects shall, in consideration of their site and impact on the environment, be classified into the following four categories: -
 - (a) **Green;**
 - (b) **Orange – A;**
 - (c) **Orange – B;** and
 - (d) **Red.**



GREEN Category

- Assembling and manufacturing of electronics goods like TV, Radio, Clocks, Watches, Telephones, Toys etc.
- Book binding
- Rope, Mats, Bamboo and Cane goods
- Assembling of motorcycles, bicycles and toy cycles
- Musical Instruments, Scientific and Mathematical Instruments (Ex. manufacturing)
- Sports goods
- Gold Ornaments (Shops only)
- Medical and Surgical Instruments (Excluding production)
- Laundry, etc.

[\(Details in Schedule-1\)](#)



ORANGE-A Category

- Dairy Firm, Poultry
- Grinding/husking of wheat, rice, turmeric, pepper, pulses etc.
- Weaving and Handloom
- Shoes and Leather goods
- Saw mill/wood sawing
- Printing press
- Plastic and rubber goods
- Dry cleaning
- Restaurant
- Production of Salt
- Agricultural Machinery and equipment
- Bread, Biscuit, Chocolate factory, etc.

[\(Details in Schedule-1\)](#)



ORANGE-B Category

- PVC items, Artificial fiber
- Glass factory
- Life saving drug
- Edible oil
- Jute mill
- Aluminum products,
- Galvanizing
- Carbon Rod, Re rolling
- Clinic and Pathological lab
- Soap
- Engineering works
- Cold storage
- Garments and sweater production
- Ship breaking, etc.

[\(Details in Schedule-1\)](#)



RED Category

- Tannery
- Urea, TSP fertilizer
- Chemical dyes, polish, varnish, enamel
- Power plant
- Mining projects (coal, limestone, natural gas, mineral oil etc.)
- Cement
- Fuel or refinery
- Paper and Pulp
- Sugar
- Explosives
- Asbestos
- Pesticides, fungicides and herbicides
- Battery
- Hospital
- Tobacco
- Life saving drugs, etc.

[\(Details in Schedule-1\)](#)



Procedure for issuing Environmental Clearance Certificate

Section 7 (6) a:

- For Green Category:
 - (i) general information about the industrial unit or project;
 - (ii) exact description of the raw materials and the manufactured product; and
 - (iii) no objection certificate from the local authority;



Procedure for issuing Environmental Clearance Certificate

Section 7 (6) b:

- **For Orange – A Category:**

- (i) general information about the industrial unit or project;
- (ii) exact description of the raw materials and the manufactured product;
- (iii) no objection certificate from the local authority;
- (iv) process flow diagram;
- (v) Layout Plan (showing location of Effluent Treatment Plant);
- (vi) effluent discharge arrangement;
- (vii) outlines of the plan for relocation, rehabilitation (if applicable);
- (viii) other necessary information (if applicable);



Procedure for issuing Environmental Clearance Certificate

Section 7 (6) c:

- **For Orange – B Category:**

- (i) Report on the feasibility of the industrial unit or project (applicable only for proposed industrial unit or project);
- (ii) Report on the Initial Environmental Examination of the industrial unit or project, and also-
 - the process flow diagram,
 - layout Plan (showing location of Effluent Treatment Plant),
 - design of the Effluent Treatment Plant (ETP) of the unit or project

(these are applicable only for a proposed industrial unit/project).

(Cont.)



Procedure for issuing Environmental Clearance Certificate

- (iii) Report on the Environmental Management Plan (EMP) for the industrial unit or project, and also
 - the Process Flow Diagram,
 - layout Plan -showing location of Effluent Treatment Plant (ETP),
 - design of the ETP and information about the effectiveness of the ETP of the unit or project,
- (these are applicable only for an existing industrial unit/project);
- (iv) No objection certificate from the local authority;
- (v) Emergency plan relating adverse environmental impact and plan for mitigation of the effect of pollution;
- (vi) Outline of the relocation, rehabilitation plan (where applicable);
- (vii) Other necessary information (where applicable).



Procedure for issuing Environmental Clearance Certificate

Section 7 (6) d:

- **For Red Category:**

- (i) Report on the feasibility of the industrial unit or project (applicable only for proposed industrial unit/project);
- (ii) Report on the IEE relating to the industrial unit/project, and also the ToR for the EIA of the unit/project and its Process Flow Diagram; or

EIA report prepared on the basis of TOR previously approved by the DoE, along with the Layout Plan (showing location of Effluent Treatment Plant), Process Flow Diagram, design and time schedule of the ETP of the unit or project, (these are applicable only for a proposed industrial unit/project);

(Cont.)



Procedure for issuing Environmental Clearance Certificate

- (iii) Report on the EMP for the industrial unit or project, and also-
 - the Process Flow Diagram,
 - Layout Plan (showing location of Effluent Treatment Plant),
 - design and information about the effectiveness of the ETP of the unit or project.
- (these are applicable only for an existing industrial unit/project);
- (iv) No objection certificate of the local authority;
- (v) Emergency plan relating adverse environmental impact and plan for mitigation of the effect of pollution;
- (vi) Outline of relocation, rehabilitation plan (where applicable)
- (vii) Other necessary information (where applicable)



Pollution under Control Certificate

Section 7A:

- Within two months after the vehicle is fitted with the apparatus specified in sub-rule (1) of rule 4 and registration and fitness certificate for the vehicles is issued, or as the case may be, within two months after the certificate is renewed, by the BRTA under the Motor Vehicles Ordinance, 1983 (LV of 1983), the owner of the vehicle in accordance with Form-4.



Restriction on import & Marketing of environmentally harmful apparatus

Section 7B:

Before importation/marketing of the environmentally harmful apparatus mentioned in rule 4(1), the person importing/marketing, as the case may be shall obtain written approval from the DG by demonstrating and proving its effectiveness.



Validity period of Environmental Clearance Certificate

Section 8:

The period of validity of an Environmental Clearance Certificate shall be, in case of Green Category, three years from the date of its issuance and in other cases one year.



Appeal

Section 9:

- (1) In the petition of an appeal under section 14, the grounds of the appeal against the relevant notice, order or direction shall be stated clearly and briefly.
- (2) Each appeal shall be accompanied by the following documents: -
 - (a) a certified copy of the notice/order/direction against which appeal is filed;
 - (b) a copy of the Environmental Clearance Certificate (if any);
 - (c) a Treasury Chalan showing proof of deposit of the appeal fee of Taka one thousand; and
 - (d) any other paper relevant to the appeal.



Determination of Environmental Standards

Section 12:

- The standards for Air, Water, Sound, Odor and other components of the environment shall be determined in accordance with the standards specified in Schedules 2,3,4,5,6,7 and 8 of the Rules.



Information of Special Incident

Section 17:

- If, at any place, **discharge or emission** of environment pollutants occur in excess of the prescribed standards or if **any place is under threat** of facing such discharge or emission as a result of **any accident or unforeseen incident**, then the person or persons in charge of that place shall immediately inform the Director General of the occurrence or the threat.