

Assessing and Comparing Environmental Assessment Pathways in Nepal

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Abstract

National Environmental Impact Assessment Guideline (NEIAG), 1993, is the major guiding legal document for the project level environmental assessment in Nepal which has provided the concrete methods for impact identification, prediction and evaluation for the proposals to be implemented. Environment Protection Act, 1997 (EPA-1997) and Environmental Protection Regulations, 1997 (EPR-1997) highlighted the categories and thresholds of the proposals requiring Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA), requirements of public hearing particularly for EIA, environmental monitoring by concerned ministries for IEE and Ministry of Environment (MoE) for EIA, Environmental Audit for EIA, punishments of five to twenty-fifty lakhs for implementing proposals without the approval of Environmental Assessment (EA) reports, timeline of fifteen days public notice, approval of IEE report within twenty-one days and sixty days for EIA report, provisions for Supplementary Environmental Impact Assessment (SEIA) and brief formats of the reports. Environment Protection Act, 2019 (EPA-2019) and Environment Protection Regulations, 2020 (EPR-2020) has advanced the existing provisions of EPA-1997 and EPR-1997. Brief Environmental Study (BES) has been added as a new project level environmental assessment required for the particular projects. EPA-2019 and EPR-2020 has empowered the provincial and local governments for conducting and approving the proposals to be executed in respective level of governments. Public hearing is made mandatory for all levels of environmental assessments. Proposals implemented without the approval and/or violating the provisions of approved reports are charged with the amount of fine up to five lakhs for BES, up to ten lakhs for IEE, and up to fifty lakhs for EIA. Requirement of Strategic Environmental Analysis (SEA) for plans, policies and programs is a new legal concept of environmental assessment at strategic level. The timeline for approval of Scoping Document (SD), Terms of Reference (ToR), BES and IEE report is within fifteen days of report submission, within sixty days of report submission for EIA report, submission of final BES, IEE and EIA report is mandatory within two years of SD and ToR approval and initiation of proposal implementation is within three years of EA report approval. The recent legal provisions also have provided room for updating of BES report, IEE report and Environmental Management Plan (EMP) as per the requirement of the proposal implementation. Blacklisting the consultants for not assuring the standards of reports as required by the government, detail formats of reports, language of the reports to be in Nepali language and alternative analysis of the mitigation measures for particular impact and suggestion of the best mitigation measures are some additional provisions in the newer legal provisions.

Keywords: *Alternative Analysis, Environmental Assessment Reports, Scoping Document, Strategic Environmental Analysis, Terms of Reference*

Introduction

National Environmental Impact Assessment Guideline, 1993 (NEIAG-1993) was promulgated with the objective to assess environmental impacts likely to be caused by a project, and promote its positive impacts and mitigate or eliminate adverse impacts by undertaking preventive and other effective measures after integrating the environmental impacts in the planning cycle of all

the projects to be initiated in Nepal, prior to their initiation, so as to make the economic benefits from development projects sustainable. This guideline provided thresholds for conducting Initial Environmental Examination (IEE) in Annex-1 and Environmental Impact Assessment (EIA) in Annex-2. Also this guideline has provided concrete methods for impact identification, prediction and evaluation during the environmental assessment

of the proposals. Environment Protection Act and Environment Protection Regulations were consequently promulgated in 1997 which elaborated the detail process and provisions of environmental assessment in Nepal. The process of Scoping, preparing Terms of Reference (ToR), requirements of legal deeds, requirements of public hearing, public notices and letter of recommendations from respective Village Development Committees (VDCs) and concerned stakeholders, timeline for collection of suggestions and comments, letter of recommendations from concerned bodies, forwarding and approving the documents etc. were highlighted comprehensively. After federalism, GoN has recently formulated and promulgated Environment Protection Act, 2019 (EPA-2019) and Environment Protection Regulations, 2020 (EPR-2020). These recently promulgated environmental laws have focused on the federal structures of impact assessment, strategic level of environmental assessments, shortened timelines for various aspects of the assessments, interventions in the environmental monitoring and environmental audit process and provisions. This study aims to review the comparative process and provisions on environmental assessment envisioned in EPA-1997 and EPA-2019. Similarly, the amendments in EPR-2020 over EPR-1997 have been compared.

Methods

NEIAG-1993, EPA-1997, EPA-2019, EPR-1997 and EPR-2020 were reviewed and the major provisions regarding environmental assessment were reviewed. The technical and administrative procedures and provisions for environmental assessment in these laws were compared and major variations and additional provisions of the laws were also assessed.

Comparative Analysis of the Environmental Assessment Provisions

Provisions as per EPA, 1997 and 2019, and EPR, 1997 and 2020

1. Types of Project Level Environmental Assessment: EPA 1997 and EPR 1997 were

the environmental laws promulgated and implemented prior to federalism in Nepal. Hence, these laws emphasized on each and every development projects in Nepal that needs environmental assessment and approval prior to their implementation. The laws had identified two types of project level environmental assessment through IEE and EIA. The projects listed under Schedule-1 of EPR-1997 had to undergo through IEE and the projects under schedule-2 had to undergo through EIA.

The EPA-2019 has identified three types of project level environmental assessments through BES, IEE and EIA. Section (3) of EPA-2019 has envisioned that proponents are required to prepare, approve and implement environmental assessment of any development proposals as mentioned in schedules 1, 2 and 3 of EPR-2020. The proposals under schedule-1, schedule-2 and schedule-3 of EPR-2020 requires BES, IEE and EIA respectively.

2. Thresholds of Impact Assessment: There were 12 (*aa to aha*) categories of proposals that require IEE in schedule-1 and 12 categories of proposals (*aa to aha*) that require EIA in schedule-2 of EPR-1997. Proposals that were not listed in these schedules but had investment of five to twenty-five crore Nepalese Rupees (NRs) required to conduct and approve IEE report and proposal with investment more than twenty-five crore NRs required to conduct and approve EIA report.

Schedules 1, 2 and 3 of EPR-2020 have identified the categories of proposals that needs to go through BES, IEE and EIA respectively. There are 11 (*ka to ta*) categories of proposals that require BES in schedule-1, 12 categories of proposals (*ka to tha*) that require IEE in schedule-2 and 12 categories of proposals (*ka to tha*) that require EIA in schedule-3. EPR-2020 has not provided the absolute monetary threshold for the proposals however the integration of monetary threshold within some of the proposals can be observed in these schedules.

3. Approval of EA Reports: EPA-1997 and EPR-1997 had provision of EA report approval by

concerned ministry for IEE reports and Ministry of Environment (the ministry with the name 'Environment' integrated/disintegrated along with the name of other ministry) for EIA reports.

EPR-2019 and EPR-2020 have provided the provision for the submission and approval of the respective reports by central, provincial and local government under their jurisdiction. Regarding the proposals of central government, EIA report has to be submitted to Ministry of Forests and Environment (MoFE) whereas the BES & IEE report has to be submitted to the concerned ministries for central government proposals. Regarding the proposals of provincial government, it has dedicated the power of submission and approval of the respective assessment report as per the provincial environmental law. Similarly, regarding the proposals of local government, the act has provision of submission and approval of EIA report as per respective provincial environmental law where as for the submission and approval of BES and IEE report provision has been made as per the local government environmental law.

4. **Public Hearing:** Rule (7-2) of EPR-1997 had mandated to conduct public hearing once at Village Development Committee (VDC) or Municipality where the proposal was going to be implemented for the only proposals that required EIA.

Section (3) sub-section (5) of EPA-2019 has significantly stated for conducting public hearing for all kind of environmental assessments. Hence, any plans, policies & programs requiring SEA at strategic level and any proposals requiring BES, IEE and EIA has to conduct public hearing. As per Rule (6) of EPR-2020, proponent requires to notify the concerned stakeholders through various means of media, conduct at least one public hearing or more than one as per requirement, collect the concerns of the stakeholders in written form i.e. minutes and also in audio-visual records and integrate these concerns in the respective environmental assessment reports.

5. **Environmental Monitoring:** Rule (13) of EPR-1997 had mandated environmental monitoring and evaluation of approved EA reports by concerned ministries for IEE and MoE for EIA (i.e. approving bodies).

Section (39) of EPA-2019 has indicated MoFE and Department of Environment (DoEnv) as the institutions responsible for the monitoring of all the provisions and activities as mentioned by the act. Similarly, provincial governments and local governments are also responsible for environmental monitoring of their respective proposals, provisions and activities as envisioned in their respective environmental laws. Rule (45) of EPR-2020 has initiated the provision of self-monitoring of respective proposals by the proponents and submitting those monitoring reports to the concerned ministries including MoFE and DoEnv in each six months of period.

6. **Environmental Audit:** Rule (14) of EPR-1997 has mandated MoE for environmental audit. Environmental audit of the EIA approved proposals had to be conducted after two years when the proposal had been implemented and delivered the services, distribution and productions.

Section (13) of EPA-2019 has emphasized in the environmental audit of the approved EIA report after the implementation of the proposal. Environmental audit shall be carried out within twenty-four to thirty months when the proposal has initiated the distribution of the service and has been implemented. MoFE or designated institution/body are the institutions for environmental audit of the approved EIA reports.

7. **Punishments:** Section (18) of EPA-1997 had provision of punishment for implementing any proposal without the approval of EA reports and/or violating the provisions of approved EA reports during implementation and violation of any regulations or guidelines produced as per the act. Proponent had to pay up to NRs Five lakhs to NRs Twenty-Five lakhs (as amended in 2016) punishment amount for those proposals implemented without the approval of EA reports

or the proposals implemented with the violation of the provisions in approved EA reports.

Section (35) of EPA-2019 has provision of punishment for implementing any proposals without the approval of environmental assessment reports and/or violating and not implementing the provisions as mentioned in approved reports. The amount up to NRs Five Lakhs for BES, up to NRs Ten Lakhs for IEE and up to Fifty Lakhs for EIA is the absolute figure of punishment for either implementing the proposal without the approval of assessment reports and/or violating and not implementing the provisions mentioned in approved reports. Also, the proponent requires to pay fine of three folds of the punishment amount that has been mentioned earlier and the proponent neglects to implement the suggestions that has been already notified for violating the environmental rules.

8. Timelines: Timeline for various legal deeds has been clearly mentioned in the previous and recent environmental laws of Nepal.

8.1 *Timeline for publishing public notices:*

Rule (4-1) of EPR-1997 had provision of publishing Fifteen days' public notice in daily newspaper during the conduction and preparation of SD for EIA. Similarly, as per Rule (7-2) of EPR-1997, fifteen days' public notice had to be published in national daily newspaper seeking suggestions and concerned stakeholders while conducting IEE and EIA. Prior to the approval of EIA report by MoE, thirty days' public notice had to be published in national daily newspaper. Altogether, at least one number of fifteen days' public notice in national daily newspaper had to be published for IEE and at least two number of fifteen days' public notice and at least one number of thirty days' public notice in national daily newspaper had to be published for EIA as per EPR-1997.

EPR-2020 has provisions of publishing at least two number of public notices for BES and IEE {Rule-6(4): for Public Hearing and

Rule 7(3): public notice for public concern} and at least four number of public notices for EIA {Rule (4) sub-rule (2) for preparing Scoping Document, Rule-6(4): for Public Hearing; Rule 7(3): public notice for public concern and Rule 9(6): public notice along with the exposure through website for public concern} and the timeline of these all notices is for seven days. Also, the Regulations has envisioned to publish all the public notices in local newspaper for BES and IEE whereas all the public notices for EIA has to be published in national daily newspaper.

8.2 *Timeline for approval of EA reports:* Rule (11-1) of EPR-1997 mentioned that any proposal requiring IEE had to be approved by concerned ministry within twenty-one days of report submission. Similarly, Rule (11-5) of the rule had mandated MoE to approve EIA reports of the proposals within sixty days of report submission.

EPR-2020 has provided timeline for approval period of Scoping Document {Rule-4 (7)}, Terms of Reference {Rule-5(4)}, BES and IEE Report {Rule-9(8-ka)}, to be fifteen days of report submission and approval of EIA report to be thirty-five days of report submission {Rule-9(8-kha)}. Similarly, concerned ministries need to forward the Scoping Document {Rule:5(4)} and EIA report {Rule:8(4)} to MoFE within 15 days of registration.

8.3 *Timeline for collection of deeds:* EPA-1997 and EPR-1997 had not provided the clear timeline for collection of deeds and letter of recommendation letters from local governments. However, Rule 8(9) of EPR-2020 has provision of collecting the letter of recommendation letters from concerned local levels and concerned offices within 15 days of request letters registered at such offices. If recommendation letters are not received within this timeline, proponent can forward the environmental assessment reports to the approving bodies for the approval process.

8.4 *Timeline for submission of EA reports:* EPA-1997 and EPR-1997 had no such provisions of timeline for submitting EA reports after the approval of ToR and SD. However, Rule 8 (11) of EPR-2020 has mandated any proposal with approved ToR and SD, the EA report of which has to be submitted for approval within two years of ToR and SD approval. If the proponent fails to submit EA reports within two years of approval of ToR and SD, proponent needs to prepare and approve ToR and SD from the very beginning. However, Rule 8 (12) has provision for extension of time for one year if the proponent convinces the concerned ministries approving ToR and SD document with the valid reasons of delay in submitting the EA reports.

8.5 *Timeline for implementation of EA reports:* EPA-1997 and EPR-1997 had no such provisions of timeline for implementation of approved EA reports. But Rule 13 (1) of EPR-2020 has provision of initiation of implementation of the proposal within three years of the approval of the EA reports. However, Rule 13 (3) of EPR provides with the provision for extension of time for one year with the valid reasons. If the proponent fails to initiate the implementation of the proposal within the extended timeline, environmental assessment needs to be conducted and approved from the very beginning i.e. preparation and approval of ToR and SD.

9. **Supplementary Assessments:** Rule (11 *Kha*) of EPR-1997 had provision regarding supplementary EIA for the particular proposals requiring the updates in approved EIA reports (Additional Provision in 2016 amendments).

Section (11) of EPA-2019 and Rule (11) and Rule (12) of EPR-2020 has provided and highlighted with the provision of supplementary environmental assessment. Any changes in the physical infrastructure, design and form; transfer or alter the structure of the project;

add the forest area or increase the capacity of the project with approved EIA can go through supplementary environmental impact assessment. For supplementary EIA, proponent has to follow all the procedural steps as required after the approval of Terms of Reference (ToR) report and Scoping Document (SD) report from MoFE but doesn't require to approve ToR and SD again.

10. **Formats:** EPR-1997 under Schedule-3, Schedule-4, Schedule-5 and Schedule-6 had provided the concise formats on ToR of IEE, ToR of EIA, format of IEE report and format of EIA report respectively.

EPR-2020 has provided detailed formats of required reports and documents. Schedule-4 of EPR is associated with the format of public notice of, and schedule-5 for format of, Scoping Document (SD). Schedule-6, schedule-7 and schedule-8 is associated with the format of Terms of Reference (ToR) of BES, IEE and EIA respectively. Schedule-9 of EPR has maintained the format for public notice to be published for environmental assessment. Schedule-10, schedule-11 and Schedule-12 has provided the format of BES, IEE and EIA reports respectively. Schedule-14 has the format for receiving the letters of recommendation from the local governments and concerned offices.

Additional Provisions for Environmental Assessment in EPA-2019 and EPR-2020

1. **Strategic Environmental Analysis (SEA):** Section (9) of EPA and Rule (10) of EPR has established the need and approval of SEA report at strategic level. The law has articulated for conduction and approval of SEA for plans, policies and programs (3Ps) of GoN publishing the notice of such in *Nepal Rajpatra*. Also, Section (3) sub-section (5) of EPA has provision for conducting public hearing of any proposals that implies to SEA too and Schedule-15 of EPR has provided thirteen points basis of SEA.

2. **Updating of IEE and BES Report:** Rule (12) of EPR has indicated the updating of BES and IEE

report as required. Any changes in the physical infrastructure, design and form; transfer or alter the structure of the project; decrease in the capacity of the project or require to add or reduce the total number of tree felling in approved BES and IEE report can go through updating of the environmental assessment. The concerned ministry approving BES and IEE report are responsible for approving and updating such reports as per the requirements. Section (10) of EPA also has provision of preparing, approving and implementing the Environmental Management Action Plan (EMAP) prior to the implementation of the proposal; the detail of which has not been emphasized and described in the EPR.

3. **Team Composition:** Schedule-13 of EPR, has provided the academic qualification and experiences of the human resources eligible for conducting environmental assessment. The basic requirement of academic achievement is Master's Degree in respective subject and the basic requirement of the experience is the involvement in preparation of at least three numbers of environmental assessment reports. For the involvement in the conduction and preparation of BES report, human resource with Master's Degree in Environmental Science, Environmental Engineering & Environmental Management and Master's Degree in the subject related to the concerned proposal with the involvement in the preparation of at least three numbers of EA reports is mandatory where as additional human resource with Master's Degree in Natural Resource Management, Forest Science, Zoology & Botany along with the involvement in the preparation of at least three numbers of environmental assessment report is mandatory for involvement in conducting and preparing IEE and EIA report. EPR has also provided the space for the human resources with the provided academic achievement of Bachelor's Degree and engagement in the preparation of environmental assessment report for five years of period to be eligible for conducting and preparing environmental assessment reports.
4. **Blacklisting:** Section (6) of EPA has provision of blacklisting the consultants up to five years and prohibiting to conduct & prepare the EA reports if they fail to maintain quality and standard of such reports as mentioned by GoN.
5. **Language of the Assessment Reports:** Rule 7 (7) of EPR has mandated the submission of EA reports in Nepali language. However, the reports can be prepared in English language for donor funded projects with executive summary and summary report in Nepali language.
6. **Alternative Analysis:** Section (4) of EPA has envisioned the alternative analysis of the mitigation measures in details and adoption of the best mitigation measure with the valid references and reasons of implementation. However, the formats of EA reports mentioned in various schedules of EPR has provided the options of alternative analysis to other concerns of the projects rather the alternative analysis of mitigation measures. Table 1 shows the overall comparisons of the provisions for environmental assessments in EPA-1997 and 2019, and EPR-1997 and EPR-2020.

Table 1: Comparative analysis of environmental provisions as per EPA-1997 and 2019, and EPR-1997 and 2020

| S.N. | Components | EPA-1997 and EPR-1997 | EPR-2019 and EPR-2020 | Remarks |
|------|--|---|--|---|
| 1. | Project Level Environmental Assessment | IEE and EIA | BES, IEE, EIA | BES level assessment has been added in EPA-2019 & EPR-2020 |
| 2. | Screening | IEE as per Schedule-1 and EIA as per Schedule-2 of EPR | BES as per Schedule-1, IEE as per Schedule-2 and EIA as per Schedule-3 of EPR | BES level assessment has been added in EPR-2020 |
| 3. | Approving Body | IEE by concerned Ministry and EIA by MoE | BES and IEE by concerned Ministry and EIA by MoFE | Provincial and Local Governments are mandated to approve concerned projects |
| 4. | Public Hearing | Only EIA required public hearing | SEA, BES, IEE and EIA all require public hearing | EPA-2019 has made public hearing mandatory for all level of environmental assessments |
| 5. | Environmental Monitoring | Concerned ministries for IEE and MoE for EIA were designated for environmental monitoring | Concerned ministries for BES and IEE and MoFE/DoEnv are designated for Environmental Monitoring | EPR-2020 has provision of Self-monitoring by proponent to be conducted at each six months and report to be submitted to concerned ministries and/or DoEnv |
| 6. | Environmental Audit | 1) Required only for EIA 2) To be conducted by MoE 3) Conducted after two years of implementation of the proposal | 1) Required only for EIA 2) To be conducted by MoFE or designated body, 3) Conducted after two years and within six months (24 to 30 months) of implementation of the proposal | |
| 7. | Punishment | NRs five to NRs twenty-five lakhs for implementing proposals without the approval of EA reports and/or violating the provisions of approved EA reports | When the proposals are implemented without the approval of EA reports and/or violating the provisions of approved EA reports, NRs up to five lakhs for BES, NRs up to NRs ten lakhs for IEE and NRs up to NRs fifty lakhs for EIA has been indicated | EPR-2020 has provision for charging up to three folds of the punishment amount if the proponent violates the previous concerns and charges |
| 8. | Timelines | 1) Fifteen days' public notice required to be published during EA, 2) IEE report to be approved within twenty-one days of report submission by concerned | 1) Seven days' public notice required to be published during EA, 2) ToR, BES report and IEE report to be approved within twenty-one days of report submission by concerned ministries and MoFE | Amendment of EPR-1997 in 2016 BS had highlighted the change in the timeline of certain provisions particularly for National Pride Projects, projects requiring quick response in terms of natural disasters and the |

| S.N. | Components | EPA-1997 and EPR-1997 | EPR-2019 and EPR-2020 | Remarks |
|------|--|--|--|---|
| | | <p>ministries and EIA report required to be approved within sixty days of report submission by MoE,</p> <p>3) No provision of timeline for collection of deeds and letter of recommendations</p> <p>4) No provision of timeline for the submission of EA reports after the approval of ToR and SD reports</p> <p>5) No provision of timeline for the implementation of approved EA reports</p> | <p>shall approve the SD for EIA within fifteen days of report submission and EIA report within sixty days of report submission,</p> <p>3) Proponent requires to register request letter to the office of local government and concerned offices and office of local government and concerned offices requires to provide letter of recommendations within 15 days of the request letter registered</p> <p>4) Proponent needs to submit EA report for approval within two years of approval of ToR and SD documents</p> <p>5) Proponent needs to initiate the implementation of the proposal within three years of approval of EA reports</p> | <p>projects, of which, the government required immediate implementation in Rule (11-ka).</p> <p>1) Timeline for publication public notice and collection of suggestions/comments of such proposals, for the purpose of scoping, was shortened to seven days from fifteen days.</p> <p>2) The Timeline for publishing public notice for preparing IEE and EIA reports was shortened for seven days from fifteen days.</p> <p>3) The timeline for approving the IEE report or forwarding the EIA report for approval was shortened to five days from twenty-one days.</p> <p>4) Similarly, publication of public notice by MoE prior to the approval of the report was shortened to seven days from fifteen days.</p> |
| 9. | Formats | Concise formats of ToR of IEE, ToR of EIA, IEE report and EIA reports had been highlighted in Schedule-3, Schedule-4, Schedule-5 and Schedule-6 of EPR-1997 | Detail formats on ToR of BES, IEE and EIA, formats of BES, IEE and EIA reports, format of SD, formats for public notices, formats for letter of recommendation to be collected has been provided | |
| 10. | Strategic Environmental Analysis(SEA) | No provision of SEA | SEA for any plans, policies and programs of GoN are envisioned in the laws | |
| 11. | Supplementary Environmental Impact Assessment (SEIA) | Provision regarding SEIA was added in amendments in 2016 BS and no provision of updating of IEE reports | Provision regarding SEIA, updating of BES and IEE report, updating of EMAP has been envisioned as per the required conditions | |
| 12. | Team Compositions | No provision for the composition of teams for carrying environmental assessment | Schedule-13 has provided required team composition for carrying environmental assessment | |

| S.N. | Components | EPA-1997 and EPR-1997 | EPR-2019 and EPR-2020 | Remarks |
|------|------------------------------|--|---|--|
| 13. | Blacklisting the Consultants | No provision for blacklisting the consultants carrying environmental assessment for fraud and low-quality reports | EPA has highlighted the provision regarding the consultants carrying environmental assessment when fraud and low quality reports | |
| 14. | Language of the Reports | All the reports required to be produced in English language | All the reports required to be produced in Nepali language except for the proposals being implemented through donors | The donors funded proposals also requires to produce a summary report in Nepali language |
| 15. | Alternative Analysis | Alternative analysis on the domain of project features, design, location, no forest option, no project option, time, construction materials etc. had been included | Alternative analysis on the domain of project features, design, location, no forest option, no project option, time, construction materials etc. has been included in the formats provided in the schedules. EPA has highlighted the alternative analysis of mitigation measures and best mitigation measures to be provided and adopted. | |

Conclusion

Environmental assessment provisions were categorized into IEE and EIA in EPA-1997 and EPR-1997, whereas EPA-2019 and EPR-2020 have made additional provision of BES for respective proposals. The provision of public hearing was only focused for EIA in EPA-1997 and EPR-1997 whereas the requirement of public hearing has been made mandatory for all level of environmental assessments as per EPA-2019 and EPR-2020. Concerned ministry was empowered with the environmental monitoring of IEE and MoE was empowered with the environmental monitoring by EPA-1997 and EPR-1997, whereas environmental monitoring of BES, IEE and EIA has been empowered for MoFE and self-monitoring of such approved reports by concerned proponent and submission of such monitoring reports to concerned ministry, MoFE and DoEnv. The timeline for environmental audit has been revised by EPA-2019 and EPR-2020 to within twenty-four to thirty months of service delivery by the proposal implementation. The provision of punishment for not conducting environmental assessment and/or violating the provisions of approved environmental assessment has been revised in recent legal provisions. Similarly, the time to be taken by approving agency for approving EA reports has been revised. Approving agency had to approve IEE report within twenty-one days of submission as per EPA-1997 and EPR-1997 whereas EPA-2019 and EPR-2020 has highlighted the approval of ToR, SD, IEE and BES reports of the respective proposals within fifteen days of submission. Similarly, the timeline for approval of EIA report, as per EPA-1997 and EPR-1997, has been shortened from sixty

days of submission to thirty-five days of submission by MoFE. The timeline for publishing respective public notices has been shortened from fifteen days to seven days for all project level environmental assessments. Strategic Environmental Analysis has been legalized and made mandatory for all plans, policies and programs of GoN. Besides the provision and process of supplementary EIA, these laws have highlighted the provisions regarding updating of BES and IEE reports as per the requirements of the proposals. Also, the provision of reviewing and updating Environmental Management Plan (EMP) has been emphasized in EPA 2019 and EPR 2020. EPA-2019 and EPR-2020 have also highlighted the right of provincial and local government proposals for their environmental assessments and approval by respective governments.

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