

F.No. J-13012/12/2015-IA.I(T)
Government of India
Ministry of Environment, Forest and Climate Change

3rd Floor, Vayu Block,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi-110003

Dated: 10.10.2019

To

The Authorized Signatory
M/s Udupi Power Corporation Ltd (UPCL).
Adani House, Nr Mithakhali Circle Navrangpura,
Ahmedabad. Pin- 380009.

Phone: 079-25557289; **Fax:** 079-25557401; **E-mail:** santosh.singh1@adani.com.

Sub: 1600 MW (Phase-II: 2x800 MW) Udupi Expansion Coal based Thermal Power Project in the premises of 1200 MW (Phase-I: 2x600 MW) Thermal Power Plant at Yellure Village, Taluk Udupi, District Udupi, Karnataka to 2x800 MW by addition of by M/s Udupi Power Corporation Ltd.reg. -ToR.

Sir,

This has reference to your online application No. **IA/KA/THE/114552/2019** dated application on 14.8.2019 for grant of ToR for establishing 1600 MW Udupi Thermal Power Project in District Udupi, Karnataka. It has been noted that the Environmental Clearance for the 2x800 MW (Phase-II) Udupi Power Project has been accorded by the Ministry vide letter dated 1.8.2017. Further, a corrigendum has been issued vide letter dated 26.2.2018 for incorporating the CRZ recommendations for laying of pipeline facilities (intake of cooling water and outfall for discharge of treated water or cooling water) which are permissible activities in the CRZ. The said Environmental Clearance has been suspended by the Hon'ble NGT vide Orders dated 14.3.2019 in OA No.578/2018 in the matter of Janajagrithi Samithi vs Union of India & Ors.

2. It has been noted that The Hon'ble NGT, Delhi vide their orders dated 14.3.2019 in the matter of Janajagrithi Samithi vs Union of India & Ors regarding above mentioned power plant held the ECs pertaining to operating power plant (2x600 MW) illegal and violative of EIA Notifications, 1994 and 2006. Further, Hon'ble NGT suspended the EC dated 1.8.2017 issued for establishing Phase-II: 2x800 MW Project.

3. It has been noted that further, NGT has formed a Committee comprising of three members: - i. (Senior Scientist, CPCB (Nodal Agency)), ii. Senior Representative, IIT Chennai, Senior Scientist, iii. Senior Scientist, IIT Bangalore, to assess the environmental damage on account of the environmental violations in the areas of fly ash management, ash pond, ambient air quality, fugitive emissions, etc. and submit the report in three months. Awaiting such report, M/s Udupi Power Corporation Ltd. has been directed to pay an interim Environmental Compensation of Rs.5 Crores with the

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CPCB. This would be subject to assessment of final damages by the Committee of Experts. The amount shall be deposited within a month.

4. It has been noted that for the second phase (Phase-II: 2x800 MW) of the project for which EC was issued on 1.8.2017, NGT prescribed the following ToRs to complete the EIA process to address the shortcomings observed by the Tribunal:

- i. Baseline data of the area in relation to the existing project of 2x600 MW shall be scrupulously collected.
- ii. In addition to the above, the State of Karnataka shall get a carrying capacity study of the area carried out.
- iii. The baseline data and the carrying capacity study shall be considered as components for studying the impact in relation to the proposed expansion.
- iv. Fresh Public Hearing shall be conducted strictly in accordance with the procedure laid down in Appendix IV of EIA Notification, 2006 ensuring wide participation of the people affected by the project.

6. It has been further noted that, after completion of the above, report shall be submitted to the MoEF&CC to be placed before the Expert Appraisal Committee for appraisal as required under Stage IV of the EIA Notification, 2006. The entire exercise shall be completed within a period of one year. In the meanwhile, EC dated 1.8.2017 shall remain suspended and shall not be acted upon.

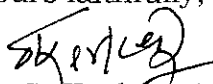
7. The Ministry vide letter No.L-11011/5/2017-IA.I(T) dated 21.8.2019 requested M/s Udupi Power Corporation Ltd. to carry out the EIA studies as per the directions of Hon'ble NGT and requested Karnataka State Pollution Control Board to conduct carrying capacity study of the region.

8. The proposal for grant of ToR has been considered by the EAC (Thermal Power) in its 32nd meeting held on 23.8.2019. Based on the recommendations of the Re-constituted EAC (Thermal Power) in its meeting held on 23.8.2019 and the information/clarifications and documents submitted by you with regard to the above-mentioned project proposal, **the Ministry hereby prescribes the following TOR in addition to the ToRs prescribed by the Hon'ble NGT in vide Order dated 14.3.2019:-**

- i. The cumulative impact assessment of entire plant (existing and proposed) shall be carried out especially the air quality predictions by using a standard Model by considering the variations in topography such as hilly terrain, valley, coastal area, undulated area, and variations in weather class (Stability Class- A, D & F) to provide the near true representation of plume dispersions from flue gas.

This issues with the approval of the Competent Authority.

Yours faithfully,


(Dr. S. Kerketta)
Director, IA.I

Copy to:-

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
4. The Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (SZ), Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road, Koramangala II Block, Bangalore - 560034.
5. The Principal Secretary, Environment Department, Department of Environment, 708, M S Building, 7th Floor, Near-Vidhana Soudha, Ambedkar Veedhi, Bengaluru, Karnataka 560001.
6. The Chairman, Karnataka Pollution Control Board, Karnataka State Pollution Control Board, "Parisara Bhavan", #49, 4th & 5th Floor, Church Street, Bangalore-560001.
7. The District Collector, Udipi District, Govt. of Karnataka, Rajathadri, Manipal, Karnataka 576104.
8. Guard file/Monitoring file.
9. Website of MoEF&CC.

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Director, IA.I