

No.J-12011/58/2008 -IA-I
Ministry of Environment, Forest & Climate Change
Government of India
(IA-I Division)

3rd Floor, Vayu Wing
Indira Paryavan Bhavan
Jor Bagh Road, New Delhi – 3

Date: 24th June, 2015

To,

The Executive Engineer
Water Resource Department
Godavari Marathwada Irrigation Development Corporation
Government of Maharashtra
Sinchan Bhavan,
Osmanabad

Subject: Krishna Marathwada Lift Irrigation Project in Osmanabad (Maharashtra) by M/s. Godavari Marathwada Irrigation Development Corporation, Government of Maharashtra – for Environmental Clearance (EC) regarding

Sir,

This has reference to your letter No. LID/SK/3665 dated 17.10.2013 and subsequent letter No.OIC/TS-3/4077 dated 7.7.2014 and 16.7.2014, 16.3.2015, 18.3.2015 and 30.4.2015 on the above mentioned subject.

2. The above referred proposal was considered by Expert Appraisal (EAC) Committee for River Valley and Hydroelectric Power Projects (RV&HEP) in this Ministry, in its meetings held on 10-11th December, 2013; 11.8.2014 and 23- 24th April, 2015. The comments and observation of EAC of this project may be seen in the minutes of meeting available on Ministry's web-site.

3. It is noted that the proposed project involves lifting of 21 TMC of water from existing Ujjani reservoir (acting as enroute reservoir) and 2.66 TMC water from Bhima Sub-basin and to provide irrigation facility to drought prone western part of the Marathwada Region in 87,188 ha of area by 2 lift irrigation schemes (LIS). The LIS-I proposes to utilize 10.41 TMC of water in five stages from Ujjani reservoir, LIS-II proposed to divert 4.91 TMC water through Bhima Sina Link existing Tunnel. Remaining 2.66 TMC water is to be utilized from free catchment below Sina Kolegaon project up to Ghatne barrage on Sina River. The gross command area (GCA) is 136431 ha, culturable command area (CCA) - 108985 ha and irrigable command area is 87188 ha. The project involves construction of 6.65 m high and 220 m long barrage across river Sina for irrigating 87,188 ha. The total land requirement is about 4559.9 ha, which is mainly barren & agricultural land. No forest land is involved. Yedshi Ramling Wildlife Sanctuary is present within 10 km radius from the command area of the project, however not form the part of command area and hence unaffected. Total estimated cost of the project is about Rs. 4845.05 crores.



4. Public hearing for the project was conducted on 3.4.2012 at Parimal Mangar Karyalaya, Near Akashwani Kendra, Naikwadi Nagar, Osmanabad District of Maharashtra.

5. The project was earlier considered by EAC in its meeting held in December, 2013 and committee sought additional information. During the discussions, the committee noted that the construction was already started on the project, and as such there was violation of EIA Notification, 2006. EAC was informed that such cases are to be dealt in terms of the MoEF OM No.J-11013/41/2006-IA.II (I) dated 12.12.2012 & 27.6.2013. Accordingly, the project proponents were required to submit an affidavit along with an undertaking not to execute works without obtaining EC and furnish photographs of the site from all four sides of the project. MoEF, issued directions to the project proponent u/s 5 of the EP Act, 1986 on 12.2.2014 to 'stop and suspend all works on the project'. Simultaneously, the Department of Environment, Govt. of Maharashtra was requested vide letters dated 12th February & 26th June, 2014 to take necessary action under the relevant provisions of the Act, for the said violation.

The project was reconsidered by EAC in its 76th meeting held in August, 2014. The committee noted that the process to deal with the violation occurred into the matter was already started, and the MoEF & CC had written letters to Govt. of Maharashtra to take necessary action under the relevant provisions of the EP Act, 1986. In response to the directions issued by the Ministry on 12th February, 2014, GMIDC submitted resolution of Board of Directors and an undertaking to the Ministry. The project proponent categorically stated that there will not be recurrence of violation of EIA Notification, 2006 and subsequent amendments thereon, and committed to protect and improve the overall environment through appropriate measures as per the proposed Environment Management Plan (EMP).

EAC in its meeting held in April, 2015, noted that based on the MoEF & CC directions, Department of Environment, Government of Maharashtra vide letter dated 25.2.2015 has written to Maharashtra Pollution Control Board to take action against the unit under clause (a) of Section 19 of the Environment (P) Act, 1986. Accordingly, the Maharashtra Pollution Control Board has filed a case (RCCNo.21/2015) against M/s Godavari Marathwada Irrigation Development Corporation, Osmanabad and vide their letter dated 27.1.2015 informed the Department of Environment, Government of Maharashtra (Registration receipt of District Courts, Maharashtra, Registration No. 300021/2015 dated 17.1.2015 & Case code.203003001042015- Chief Judicial Magistrate, Osmanabad).

The Committee after due consideration of the relevant documents submitted by the project proponent and clarifications furnished in response to its earlier observations, mentioned the all actions/procedures were completed.

6. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponents and clarification furnished in response to observations, have recommended grant of environmental clearance to the project. Accordingly Ministry of Environment, Forest and Climate Change hereby accords necessary environmental clearance to the above project as per the provisions of Environment impact Assessment Notification 2006 and subsequent amendment in 2009, subject to compliance of following conditions:

Part A: Specific Conditions

- (i) The project proponent has to prepare the R&R benefits & plan for PAFs as per the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" which has come into effect since January, 2014.
- (ii) For the land losing households will be as per the National Rehabilitation and Resettlement Policy 2007 or as per the State Rehabilitation and Resettlement Policy whichever is more beneficial to project affected persons (PAFs) Adequate publicity of the compensation package of NRRP 2007 shall be given in the affected villages. All R&R issues shall be completed before commissioning of the project.
- (iii) The implementation of R&R shall be closely monitored and is to be ensured that all project affected families (PAFs) get adequate & timely compensation before commissioning of the project
- (iv) A Monitoring Committee for R&R shall be constituted which must include representatives of project affected persons including from SC/ST community and at least a woman beneficiary
- (v) All the commitments made during the public hearing shall be fulfilled completely by the State Government in letter and spirit.
- (vi) The equipment likely to generate high noise levels during the construction period or otherwise shall meet the ambient noise level standards as notified under the Noise Pollution (Regulation and Control) Rules, 2000 as amended in 2010 under the Environment Protection Act (EPA) 1986.
- (vii) Conjunctive use of surface water shall be planned to check water logging as well as to increase productivity.
- (viii) Water User Association/s (WUAs)/Co-operative shall be formed and involvement of the whole community for disciplined use of available waters shall be ensured.
- (ix) The On Farm Development (OFD) works shall be completed and WUAs (Water User Associations) shall be made functional before commencement of irrigation.
- (x) Occurrence of stagnant pools/slow moving water channels during construction and operation of the project providing breeding source for vector mosquitoes and other parasites. The river should be properly channelized so that no small pools and puddles are allowed to be formed. Even after taking precaution, due to unforeseen situations, breeding of mosquito and resultant malaria borne diseases can increase. If such a situation arises, it will be responsibility of the project authorities to take all steps i.e. residual insecticide spray in all the project area and surrounding 3 km. area keeping the flight range of mosquitoes in consideration.
- (xi) The proposed greenbelt development in both sides of canals with 44 different plant species, both sides of the approach road with 20 different plant species, downstream of canal side/pump-house with 20 different plant species in consultation with State Forest Department should be implemented fully. Allocated amount of Rs. 683.73 lakhs for this purpose should be fully utilized and not to be diverted for any other purpose. Proposed nursery with native species should be taken-up in consultation with State Forest Department and allocated amount of Rs.

5.00 lakhs for this purpose should be fully utilized and not to be diverted for any other purpose.

- (xii) The proposed Biodiversity Conservation & Management Plan in consultation with State Forest Department should be taken-up. Allocated amount of Rs. 10 lakhs for this purpose should be fully utilized and not to be diverted for any other purpose.
- (xiii) Yedshi Ramling Wildlife Sanctuary is present within 10 km radius from the command area of the project, however does not form the part of command area. As such, as contained in this Ministry's OM No.J-11013/41/2006-IA-II(I) dated 2.12.2009, this EC is subject to the project proponent obtaining prior clearance from forestry and wildlife angle including clearance from the Standing Committee of the National Board for Wildlife as applicable. Further, the grant of environmental clearance does not necessarily implies that forestry and wildlife clearance shall be granted to the project and that their proposal for forestry and wildlife clearance will be considered by the respective authorities on their merits and decision taken. The investment made in the project, if any, based on environmental clearance so granted, in anticipation of the clearance from forestry and wildlife angle shall be entirely at the cost and risk of the project proponent and Ministry of Environment, Forest & Climate Change shall not be responsible in this regard in any manner.
- (xiv) Any other clearance from any other organization/department if required should be obtained.
- (xv) No project work shall be undertaken till the EC is granted. Any violation reported at any later stage shall lead to revocation the EC.

Part-B: General Conditions

- (i) Adequate arrangements for providing free fuel like kerosene/wood/LPG shall be made at the project cost for the labour engaged in the construction works so that indiscriminate felling of trees is prevented
- (ii) Medical facilities as well as recreational facilities shall also be provided to the labourers.
- (iii) The labourers to be engaged for construction works shall be thoroughly examined by health personnel and adequately treated before issuing them work permit.
- (iv) Water sprinkling arrangements shall be made to suppress the fugitive emissions
- (v) Potable drinking water and proper sanitary facilities shall be provided for the labour force
- (vi) Restoration of construction area including dumping sites of excavated materials shall be ensured by leveling filling up of borrow pits landscaping etc. The area should be properly treated with suitable plantation.
- (vii) Environmental parameters shall be monitored and six monthly monitoring reports shall be submitted to the concerned Regional Office of the Ministry and to Ministry of Environment, Forest & Climate Change, New Delhi for their review.

7. The Project Proponent shall provide full cooperation and all required documents/ data to the Officials from concerned Regional Office of the Ministry who would be monitoring the implementation of environmental safeguards.
8. The responsibility of implementation of environmental safeguards rests fully with the Godavari Marathwada Irrigation Development Corporation and Water Resources Department, Government of Maharashtra.
9. Besides the above stated conditions, the Project Proponent shall also implement all other environmental safeguards, as proposed in the EIA/EMP report and other reports from time to time. The Government of Maharashtra may also like to monitor implementation of EMP at regular intervals.
10. The Environmental Management Plan (EMP) shall be strictly adhered to and a sum of Rs. 20053.72 lakhs, the budgetary provisions for implementation of EMP shall be fully utilized and not to be diverted for any other purpose. In case of revision of the project cost due to price level change, the cost of EMP shall also be updated proportionately.
11. In case of change in the scope of the project, the same shall be intimated to the Ministry and fresh approval, if required, shall be taken from the Ministry.
12. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary and to take action including revoking of the clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time-bound and satisfactory manner.
13. This clearance letter is valid for a period of 10 years from the date of issue of this letter for commissioning of the project.
14. A copy of the clearance letter shall be marked to concerned Panchayat / Zilla Parishad/Municipal Corporation Urban local body and local NGO, if any, from whom any suggestion/representations were received while processing the proposal. The clearance letter shall also be put on website by the project proponent.
15. State Pollution Control Board / Committee shall display a copy of the clearance letter at the Regional Office, District Industries Centre and Collector's/ Tehsildar's Office for 30 days.
16. The project proponent should advertise at least in two local newspapers widely circulated in the region around the project one of which shall be in vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the State Pollution Control Board / Committee and may also be seen at Website of the Ministry of Environment, Forest & Climate Change at <http://www.moef.nic.in>
17. After 5 years of the commissioning of the Project a study shall be undertaken regarding impact of the project on the environment and downstream ecology. The study shall be undertaken by an independent agency decided in consultation with the Ministry.



18. The project proponent shall also submit six monthly reports on the status of compliance of stipulated EC conditions including the results of monitored data (both in hard copies as well as by email) including the respective Regional Office of MOEF and Zonal Office of CPCB and SPCB.

19. Any appeal against this environmental clearance shall lie with the National Green Tribunal if preferred within a period of 30 days from the date of issue, as prescribed under Section-10 of the National Green Tribunal Act 2010.

Yours faithfully,



(B. B. Barman)
Director

Copy to:

1. The Secretary, Min. of Water Resources, Shram Shakti Bhawan, Rafi Marg, New Delhi
2. The Secretary (Irrigation), Government of Maharashtra, Mantralaya, Madam Cama Road, Mumbai – 400 032 (Maharashtra)
3. The Secretary, Department of Environment, Government of Maharashtra, 5th Floor, New Administrative Building, Mantralaya, Madam Cama Road, Mumbai – 400 032 (Maharashtra)
4. The Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. Cine Planet, Sion Circle, Mumbai-400 022.
5. The Chief Engineer, Project Appraisal Directorate, Central Water Commission, Sewa Bhawan, R. K. Puram, New Delhi – 110 066.
6. Regional Office (WR), Ministry of Environment & Forests, Kendriya Paryavaran Bhavan, Link Road No-3, Ravi Shankar Nagar, Bhopal-426 016
7. EI- Division, Ministry of Environment & Forests, New Delhi-110003
8. PS to JS (BS)/Director (BB)/PVS Rao (Sci-C).
9. NIC Cell -with a request to upload in MoEF& CC website.
10. Guard file/Notice Board



(B. B. Barman)
Director