

**Minutes of the 312<sup>th</sup> meeting of Expert Appraisal Committee held on 3<sup>rd</sup> - 4<sup>th</sup> November, 2022 at INDUS Conference Hall in the Ministry of Environment, Forest & Climate Change (MoEF&CC), Indira Paryavaran Bhavan, New Delhi for the projects related to Infrastructure Development, all Ship breaking yards including ship breaking units 7(b); Industrial Estate/Parks/Complexes/Areas, Export Processing Zones, Special Economic Zones, Biotech Parks, Leather Complexes7(c); Ports, harbors, breakwaters, dredging7(e) and National Highways 7(f).**

The 312<sup>th</sup> Meeting of Expert Appraisal Committee (EAC) of Infra-1 (IA-III) was held at INDUS Conference hall in the Ministry of Environment, Forest & Climate Change (MoEF&CC), Indira Paryavaran Bhavan, New Delhi during 03<sup>rd</sup>-04<sup>th</sup> November, 2022 under the Chairmanship of Dr. Deepak Arun Apte. A list of participants is annexed as **Annexure-A**.

### **1. OPENING REMARKS OF THE CHAIRMAN**

At the outset, Dr. Deepak Arun Apte, Chairman, EAC welcomed the Members of the EAC and requested Shri Amardeep Raju, the Member Secretary of the EAC to initiate the proceedings of the meeting with a brief account of the activities undertaken by the Ministry under Infra-1 Division.

### **2. CONFIRMATION OF THE MINUTES OF THE LAST MEETING**

The Committee confirmed the Minutes of 310<sup>th</sup> EAC Meeting held on 11<sup>th</sup> October, 2022.

### **3. AGENDA WISE CONSIDERATION OF PROPOSALS:**

Agenda wise details of proposals discussed and decided in the meeting are as following:

#### **Agenda No. 3.1**

**Subject: Development of 4 lane access controlled New Greenfield Highway from Warangal (Ch: 112+240) to Khammam (Ch: 220+480) section (total length 108.24 km) in the state of Telangana–Environmental Clearance reg.**

**[Proposal No. IA/TG/NCP/217090/2021 and File No. 10/32/2021-IA.III].**

*“The EAC noted that the Project Proponent and the consultant have given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and ToR/Environmental Clearance/validity Extension given, if any, will be revoked at the risk and cost of the project proponent.*

3.1.1. The above mentioned proposal was placed before the Expert Appraisal Committee (EAC) for Infrastructure, CRZ and other miscellaneous projects in its 297<sup>th</sup> meeting on 24<sup>th</sup> – 25<sup>th</sup>May, 2022. The proposal was deferred by the Committee is of the view that a detailed enquiry need to conduct by the District Collector and reply has to submit to the Ministry. PP has submitted the ADS reply on 30<sup>th</sup> September, 2022.

3.1.2. At this instance, the aforementioned proposal was further placed before the EAC in its

312<sup>th</sup> meeting during 03<sup>rd</sup>-04<sup>th</sup> November, 2022. The project proponent along with the EIA Consultant M/s Mantras Green Resources Ltd. (formerly known as Mantras Resources) has made a presentation at the Ministry and provided the following information with respect to the quarries raised in the earlier meeting.

3.1.3. The Collector & District Magistrate, Mahabubabad District, Telangana vide letter no. Lr.No.G1/ 2142/2018 dated Dated: 27-08-2022, Collector & District Magistrate, Hanumakonda District, Telangana vide LR.No.G1/218/2022 dated 30.08.2022, Collector & District Magistrate Warangal district, Warangal, vide letter no. RC.No.G/ 1516/ 2018 dated 30.08.2022 respectively has submitted the enquiry report. The summary of the report is as following.

District	Summary of the report																					
<p>The Collector &amp; District Magistrate, Mahabubabad</p>	<p>The Collector &amp; District Magistrate, Mahabubabad District, Telangana vide letter no. Lr.No.G1/ 2142/2018 dated: 27-08-2022 submit that this Project design/alignment was done considering the convenience/movement facilitation to the local public. While minimizing the land acquisition requirement where ever possible and also providing for Vehicle Under Passes with Entry &amp; Exist points at NH-365, NH-365A, NH-930P and Mahabubabad-Kesamudram road/Light Vehicle Under Passes/ (165) Box culverts have been provided for the passage of water and pipeline as per the PD, PIU (NH), Khammam. It has been mentioned in the communication that each step in this process has been published and Public Hearing was conducted and no objection petitions were received in this regard other than the one which is referred in the communication. It is further mentioned in the communication that as the time span involved for each stage of the Project is considerable and having complied with the procedural aspects at every stage it may not be advisable to have re-look into the alignment or any such technical issues of the project at this stage.</p> <p>The present status of Land Acquisition for the Greenfield alignment is as under:</p> <table border="1" data-bbox="424 1496 1399 1760"> <thead> <tr> <th data-bbox="424 1496 512 1619">S.no</th> <th data-bbox="515 1496 715 1619">Name of the District</th> <th data-bbox="718 1496 866 1619">Name of the CALA</th> <th data-bbox="869 1496 970 1619">Total extent in Ha</th> <th data-bbox="973 1496 1114 1619">3(A) Published</th> <th data-bbox="1117 1496 1257 1619">3(D) Published</th> <th data-bbox="1260 1496 1399 1619">Balance 3A to be published</th> </tr> <tr> <th data-bbox="424 1624 512 1671">1</th> <th data-bbox="515 1624 715 1671">2</th> <th data-bbox="718 1624 866 1671">3</th> <th data-bbox="869 1624 970 1671">4</th> <th data-bbox="973 1624 1114 1671">5</th> <th data-bbox="1117 1624 1257 1671">6</th> <th data-bbox="1260 1624 1399 1671">7</th> </tr> </thead> <tbody> <tr> <td data-bbox="424 1675 512 1760">1</td> <td data-bbox="515 1675 715 1760">Mahabubabad</td> <td data-bbox="718 1675 866 1760">Additional Collector</td> <td data-bbox="869 1675 970 1760">252.18</td> <td data-bbox="973 1675 1114 1760">183.54</td> <td data-bbox="1117 1675 1257 1760">157.61</td> <td data-bbox="1260 1675 1399 1760">68.64</td> </tr> </tbody> </table>	S.no	Name of the District	Name of the CALA	Total extent in Ha	3(A) Published	3(D) Published	Balance 3A to be published	1	2	3	4	5	6	7	1	Mahabubabad	Additional Collector	252.18	183.54	157.61	68.64
S.no	Name of the District	Name of the CALA	Total extent in Ha	3(A) Published	3(D) Published	Balance 3A to be published																
1	2	3	4	5	6	7																
1	Mahabubabad	Additional Collector	252.18	183.54	157.61	68.64																
<p>Collector &amp; District Magistrate, Hanumakonda</p>	<p>Collector &amp; District Magistrate, Hanumakonda District, Telangana vide LR.No.G1/218/2022 dated 30.08.2022 submit the detailed report regarding issues raised during the public hearing and issues raised by Hon'ble minister for Panchayat Raj, Telangana State against proposed construction of 4-Lane access control Greenfield Highways from Warangal to Khammam in the section of Nagpur to Vijayawada in the state of</p>																					

	<p>Telangana by National Highways Authority of India the Collector Hanumakonda informed that from the representation made by the Hon'ble VIP's it has been observed that the farmers are raising (2) crops for every year like chilly, cotton, turmeric (Commercial Crops) paddy, Maize (Food grains) and other vegetable crops also cultivated by them and it is to emphasize that the segmented villages i.e. Agrahampahad, Peddapur, Musthyalapally are more fertile lands with regard to compensation of lands under acquisition and also informed that the National Highways Act, 1956 is now being in force. However, during the acquisition of lands, the land &amp; structure compensation will be calculated and paid as per the RFCTLA Act, 2013 only. At Present the status of land Acquisition is at Award stage.</p>										
<p>Collector &amp; District Magistrate Warangal district.</p>	<p>Collector &amp; District Magistrate Warangal district, Warangal, vide letter no. RC.No.G/ 1516/ 2018 dated 30.08.2022 mentioned that a detailed enquiry has been conducted duly calling remarks of certain departments on the issues relating to their Departments on the proposed NH project. The remarks of the enquiry are as following.</p> <p>The District Agriculture Officer, The District Horticulture and Sericulture Officer Warangal reported that Farmers are mostly small and marginal they are purely depended their livelihood on these horticulture crops only and there is no alternate source of livelihood and also reported that the farmers/land owners are expressed displeasure on the proposed Green field National Highway for loss of their costly lands and they are unable to purchase the same extent of fertile lands with the compensation provided by the Government and request to protect their livelihood.</p> <p>Revenue Department CALA/RDO Warangal, reported that the preliminary 3(A) Notification of NH Act, 1956 in respect of (08) villages of Warangal Division out of (11) villages published vide Gazette S.O.No.217 (E) dated 27.06.2019 and after publication of such Notification there are no objections have been received from the land owners within the stipulated time i.e. (21) days from the date of Notification. Further, the CALA /RDO Warangal reported that he called the ryots to his office but they did not attended, after two weeks they came to his office represented that the ryots are requesting to change of alignment and they have common objections and demands regarding change alignment, if the Government is not agreed to their demand and they will give up their lands on the existing alignment under land acquisition.</p> <p>RDO Warangal also informed the present status of land acquisition for green field National Highway is as follows.</p> <table border="1" data-bbox="427 1877 1404 1926"> <thead> <tr> <th data-bbox="427 1877 592 1926">Name of the</th> <th data-bbox="592 1877 756 1926">Name of the</th> <th data-bbox="756 1877 920 1926">No. of</th> <th data-bbox="920 1877 1083 1926">Total</th> <th data-bbox="1083 1877 1404 1926">LA Status in Ha</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name of the	Name of the	No. of	Total	LA Status in Ha					
Name of the	Name of the	No. of	Total	LA Status in Ha							

CALA	Division	Villages Covered under NH	extent(in Ha)	3(A) published	3(D) Published
RDO, Warangal	Warangal	11	138.57	138.57	75.93

CALA/RDO Narasampet reported that the preliminary 3(A) Notification of NH Act, 1956 in respect of (07) villages Alankhanipeta, Appalraopet, Chandrugonda, Nekkonda, Pathipaka, Thopanapalle, Venkatapur of Narasampet (07) villages published on 09.07.2021 after publication of such Notification there are no objections have been received from the land owners within the stipulated time i.e.(21) days from the date of Gazette Notification. Further, the CALA/RDO Narasampet has reported that he called the ryoths to his office but they did not attended, after two weeks the ryots have represented and filed objections regarding change alignment, pay higher rate of the compensation, compensation for current motors drip system wells, tress e.t.c

RDO Narasampet also informed the present status of land acquisition for green field National Highway.

Name of the CALA	Name of the Division	No. of Villages Covered under NH	Total extent(in Ha)	LA Status in Ha		Addl 3[A] Gazette Dt.27.7.2022
				3(A) published	3(D) Published	
RDO, Narsampet	Narsampet	07	49.32	57.01	32.16	17.16

Khammam District

The collector, Khammam District has submitted that this project design/alignment was done considering the convenience/movement facilitation to the local public duly providing required facilities of VUP, LVUP, SVUP, Box culverts, Minor/Major Bridges etc., It is to submit that no representation submitted from the Khammam District public representatives to change the alignment of the proposed Greenfield projects. The representation mentioned in the above reference (DO letter by Honble Minister Panchayat Raj, Govt of Telangana) pertains to erstwhile Warangal District and not Khammam District. Further also stated that the objections submitted by the public during the public hearing are not related to the environmental issues. There will be no major impact on forest and environment in Khammam district, due to this project. No major environmental issues are raised either by public or by public representatives.

3.1.4. NHAI informed the Committee that as the project DPR works are in the advance stage (Duly incorporating possible provisions are requested by the local public) for land Acquisition & Environmental Clearance and the project is targeted for Award during current financial year, it is not advisable for change of alignment, as it may leads to further legal complications and delay/stalling in implementation of the project. Compensation will be paid to the wells, bore wells, drip, trees as per the valuation and as per the Act and regarding the Employment NHAI informed that there is no provision for Employment as per the National Highways Act, 1956 for the land losers under R&R Package.

3.1.5. During deliberation, EAC observed the following:-

- i. Several complaints are received in relation to land acquisition, R&R, Compensation, change of alignment and employment for the local population. The EAC suggested Ministry to forward representations to the PP so that a detailed response in a tabular form be submitted on the issues raised by the stakeholders.

3.1.6. The EAC, taking into account the submission made by the project proponent has a detailed deliberation in its 312<sup>th</sup> meeting on 04<sup>th</sup> – 05<sup>th</sup> November, 2022 and **deferred** the proposal for grant of Environmental Clearance for the want of following information:

- i. Several complaints are received in relation to land acquisition, public hearing, R&R, and employment for the local population. The EAC suggested Ministry to forward representations to the PP so that a detailed response in a tabular form be submitted on the issues raised by the stakeholders.
- ii. It has been observed that as per Ministry’s OM dated 7<sup>th</sup> October, 2014, under the category of land acquisition to be done by the Government, there is “Balance 3A to be published” in the Notification. In that case PP need to submit either the copy of the published notification, or in case PP is acquiring land through private negotiations with the Land Owners, credible document should be produced showing the intent of the land owners to sell the land for the proposed project. The information needs to be provided in the following table:

S. No	Item	Details
1	In case the land w.r.t. the project site is proposed to be acquired through Government interventions a copy of preliminary notification issued by the concerned state government regarding acquisition of land as per the provisions of land acquisition, rehabilitation and resettlement Act, 2013.	
2	In case the land is being acquired through private negotiations with the land Owners, credible document showing the intent of the land owners to sell the land for the proposed project.	

- iii. An elaborate report on land acquired so far, pending land acquisition, R&R details if any and the period for settlement has to be sorted according in line with the State

Government Policy. R&R & Livelihood of the affected families should be clearly mentioned in detailed in a holistic manner.

### Agenda No. 3.2

**Subject: Construction of 4 lane access controlled New Greenfield Highway section of Khammam - Vijayawada of length 89.429 km from V. Venkatayapalem village to Jakkampudi village (on NH-16) (Design Chainage 220+480 to 309+909) under Other Economic Corridor in the states of Telangana& Andhra Pradesh by M/s National Highways Authority of India(NHAI)– Environmental Clearance reg.**

**[Proposal No. IA/TG/NCP/215098/2021 and File No. 10/30/2021-IA.III]**

*“The EAC noted that the Project Proponent and the consultant have given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and ToR/Environmental Clearance/validity Extension given, if any, will be revoked at the risk and cost of the project proponent.*

3.2.1. The above mentioned proposal was placed before the Expert Appraisal Committee (EAC) for Infrastructure, CRZ and other miscellaneous projects in its 297<sup>th</sup> meeting on 24<sup>th</sup> – 25<sup>th</sup> May 2022. The proposal was deferred by the Committee is of the view that a detailed enquiry need to conduct by the District Collector and reply has to submit to the Ministry. PP has submitted the ADS reply on 30<sup>th</sup> September, 2022. At this instance, the aforementioned proposal was further placed before the EAC in its 312<sup>th</sup> meeting during 03<sup>rd</sup>-04<sup>th</sup> November, 2022. The project proponent along with the EIA Consultant M/s Mantras Green Resources Ltd. (formerly known as Mantras Resources) has made a presentation at the Ministry and provided the following information with respect to the quarries raised in the earlier meeting however, during deliberation, EAC observed the following:-

3.2.2. Khammam District, Telangana vide letter no. Lr.No.G1/ 27771/2018 dated: 02/10/2022 respectively has submitted the enquiry report.

District	Summary of the report
Khammam District	The collector, Khammam District has submitted that this project design/alignment was done considering the convenience/movement facilitation to the local public duly providing required facilities of VUP, LVUP, SVUP, Box culverts, Minor/Major Bridges etc., It is to submit that no representation submitted from the Khammam District public representatives to change the alignment of the proposed Greenfield projects. The representation mentioned in the above reference (DO letter by Honble Minister Panchayat Raj, Govt of Telangana) pertains to erstwhile Warangal District and not Khammam District. Further also stated that the objections submitted by the public during the public hearing are not related to the environmental issues. There will be no major impact on

	forest and environment in Khammam district, due to this project. No major environmental issues are raised either by public or by public representatives.
--	--

However, during deliberation, EAC observed the following:-

- i. Several complaints are received in relation to land acquisition, R&R, Compensation, change of alignment and employment for the local population. The EAC suggested Ministry to forward representations to the PP so that a detailed response in a tabular form be submitted on the issues raised by the stakeholders.

3.2.3. The EAC, taking into account the submission made by the project proponent has a detailed deliberation in its 312<sup>th</sup> meeting on 04<sup>th</sup> – 05<sup>th</sup> November, 2022 and **deferred** the proposal for grant of Environmental Clearance for the want of following information:

- i. Several complaints are received in relation to land acquisition, public hearing, R&R, and employment for the local population. The EAC suggested Ministry to forward representations to the PP so that a detailed response in a tabular form be submitted on the issues raised by the stakeholders.
- ii. It has been observed that as per Ministry's OM dated 7<sup>th</sup> October, 2014, under the category of land acquisition to be done by the Government, there is "Balance 3A to be published" in the Notification. In that case PP need to submit either the copy of the published notification, or in case PP is acquiring land through private negotiations with the land Owners, credible document should be produced showing the intent of the land owners to sell the land for the proposed project. The information need to be provided in the following table:

S. No	Item	Details
1	In case the land w.r.t. the project site is proposed to be acquired through Government interventions a copy of preliminary notification issued by the concerned state government regarding acquisition of land as per the provisions of land acquisition, rehabilitation and resettlement Act, 2013.	
2	In case the land is being acquired through private negotiations with the land Owners, credible document showing the intent of the land owners to sell the land for the proposed project.	

- iii. An elaborate report on land acquired so far, pending land acquisition, R&R details if any and the period for settlement has to be sorted according in line with the State Government Policy. R&R & Livelihood of the affected families should be clearly mentioned in detailed in a holistic manner.

### Agenda No. 3.3

**Development of 6-lane highway from Chittoor to Thatchur NH-716B (Km 0.000 to 126.550) from District Chittoor, Andhra Pradesh to Thatchur, District Thiruvallur, Tamil Nadu by M/s National Highways Authority of India–Further consideration for Environmental Clearance reg.**

**Proposal No. IA/TN/NCP/163271/2018 and F. No.: 10-49/2018-IA.III.**

*“The EAC noted that the Project Proponent and the consultant have submitted undertaking that the data and information given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.”*

3.3.1. The above proposal was submitted online proposal no. IA/TN/NCP/163271/2018 on 14 Jul 2020 the proposal was considered in the 239th EAC meeting held on 29th July, 2020, during deliberation the Committee observe deficiencies in the EIA/EMP report thus, the EAC deferred the proposal and ask the PP to revise EIA/EMP report along with revised Form-2 application.

3.3.2. Further PP submitted the revised application online proposal no. IA/AP/MIS/75727/2018 on 22 Dec 2020. At this instant, the aforementioned proposal was further placed before the EAC during its 251<sup>st</sup> meeting on 28<sup>th</sup> December, 2020. The project proponent alongwith EIA consultant M/s Louis Berger, Gurgaon, Haryana made the presentation through Video Conferencing and provided the information.

3.3.3. The EAC, taking into account the submission made by the project proponent had a detailed deliberation during its 251<sup>st</sup> meeting on 28<sup>th</sup> December, 2020 and recommended the proposal for grant of Environmental Clearance with the specific conditions, in addition to all standard conditions applicable for such projects. However the proposal requires diversion of 18.801Ha forest land. The forest diversion of 4.772 ha land (No: FP/AP/ROAD/41508/2019) is proposed in Chittoor District of Andhra Pradesh. Also, the forest diversion of 14.029 ha land (No: FP/TN/ROAD/53276/2020) is proposed in Tiruvallur District of Tamilnadu.

3.3.4. As per the extent provisions of EIA notification, 2006 as amended, the EC letter shall be issued once Stage–I forest clearance is submitted to the Ministry. If PP obtained the Stage-I FC forest land for an area of 18.801 ha the same shall be submitted in the revised application online proposal no. IA/AP/MIS/75727/2018 instead of online proposal no. IA/TN/NCP/163271/2018 for further necessary action on the above matter.



### Agenda No. 3.4

**Development of Industrial Park near Nakkapali Village, Nakkappalli Mandal, Visakhapatnam District, Andhra Pradesh in an area of 1578 ha (3899 acres) by M/s Andhra Pradesh Industrial Infrastructure Corporation Ltd. (APIIC)–Environmental and CRZ Clearance reg.**

**Proposal No. IA/AP/NCP/261625/2018 and File No. 21-140/2018-IA.III.**

“The EAC noted that the Project Proponent and the consultant have submitted undertaking that the data and information given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.”

3.4.1. The abovementioned proposal was earlier considered in the 294<sup>th</sup> meetings of Expert Appraisal Committee held during 11<sup>th</sup> – 12<sup>th</sup> April 2022. The proposal was deferred for the want of requisite information/documents.

3.4.2. At this instance, the proposal was further placed before the EAC in its 312<sup>th</sup> meeting during 03<sup>rd</sup>-04<sup>th</sup> November, 2022.

3.4.3. The project proponent along with the EIA consultant M/s L&T Infrastructure Engineering Limited, Hyderabad has made a presentation and provided the following information with respect to the quarries raised in the earlier meeting however, during deliberation, EAC observed the following:-

- i. In the revised layout submitted, the PP has excluded the villages i.e 1. Vadapeta; 2.Chandanada; 3.Nallamattipalem; 4.Buchirajupeta; and 5.Rajayyapeta which are on the outer boundary of the project area, however PP has increased the area in the South west side of the Project location and the increased area also falling in to the CRZ area for which Recommendations of the SCZMA and Revised maps of CRZ clearances is not available thus the PP shall exclude the area added after revise the layout map.

3.4.4. The EAC, taking into account the submission made by the project proponent, had a detailed deliberation in its 312<sup>th</sup> meeting and **deferred** the proposal for the want of the following information/documents:-

- i. After excluding the villages i.e 1. Vadapeta; 2. Chandanada; 3. Nallamattipalem; 4. Buchirajupeta; and 5. Rajayyapeta which are on the outer boundary of the project area, PP has added additional areas which are covered under CRZ area for which no SCZMA recommendations are available. The PP need to exclude the additional area under CRZ and submit the revised layout map or get fresh 1:4000 CRZ maps showing additional area and recommendation of SCZMA for the same.

- ii. The proposed residential area involves cutting of top of hillock with dense scrubland. This should be completely avoided. Proposed residential area is also very close to chemical and petrochemical units as shown in the layout map. The entire layout thus needs to be revisited. The area proposed for residential area shall be relocated and the same shall be demarcated in the layout.
- iii. PP shall submit the detailed water balance and justification for not instating the ZLD.
- iv. The list of industries and details provided for chemical/petrochemical sector in the proposed industrial park shall submit in tabular form submit.

#### **Agenda No. 3.4**

**Proposed Project for Setting up of New Industrial Estate (GIDC Bulk Drug Park) in total area of 742.36 Hectares near Villages: Kansagar, Tankaribandar, Madafar, Bakarportimbi, ThakorTalavadi and Asanvad of Taluka: Jambusar, District Bharuch, Gujarat by M/s Gujarat Industrial Development Corporation – Terms of Reference – reg. [Proposal no. IA/GJ/NCP/284497/2022, File No. 10/36/2022-IA.III]**

The proposal was deferred, since the project proponent/consultant could not attend the meeting.

#### **Agenda No. 3.5**

**Development of Deep Draft Green Field Captive Port at Suvali Village, Surat District, Gujarat by Arcelor Mittal Nippon Steel India Limited, Hazira, Surat, Gujarat byM/S. AMNS India Limited – Terms of Reference – reg.**

**Proposal no. IA/GJ/INFRA1/402971/2022, File No. 10/42/2022-IA.III**

The proposal was deferred, since the project proponent/consultant could not attend the meeting.

#### **Agenda No. 3.6**

**Expansion for Outer Harbour Development of Hazira Port (Gujarat) by M/s Adani Hazira Port Limited at Hazira, Surat Gujart Environmental and CRZ clearance reg.**

**Proposal no. IA/GJ/NCP/282727/2016, File No. 10-47-2016-IA-III].**

*“The EAC noted that the Project Proponent and the consultant have given undertaking that the data and information given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.”*

3.5.1. The project proponent along with the EIA consultant M/s Chola MS, Tamil Nadu has made a presentation and provided the following information:-

3.5.2. The proposed project is for expansion of port through outer harbour development with 19 multi-purpose berths which can handle all kind of dry cargo, project cargo, container cargo, liquid cargo and cryogenic Gas up to-160°C.

3.5.3. The M/s Adani Hazira Port Private Limited (AHPPL) has set up multipurpose port at Hazira. Port and related infrastructure facilities have been developed as per EC & CRZ clearance of 2003, 2007 and 2013. Master plan includes total 12 multi-purpose berths out of which 7 berths (two container berths, one coal berth, one liquid berth and three multipurpose berths) were proposed to be developed in first 5 years (2012-2017).

- I. Environmental and CRZ clearance issued by MoEF&CC, New Delhi vide letter No.: 11-150/2010-IA.III dated 03<sup>rd</sup> May, 2013.
- II. CRZ Clearance issued by MoEF&CC, New Delhi vide letter No.: 160-11/11/2003-IA.III dated 26<sup>th</sup> May, 2013.
- III. Amendment in CRZ Clearance issued by MoEF&CC, New Delhi vide letter No.: J-16011/11/2003-IA-III, dated 12<sup>th</sup> June, 2003.
- IV. Amendment in CRZ/Environment Clearance issued by MoEF&CC, New Delhi vide letter No.: J-16011/11/2003-IA-III, dated 19<sup>th</sup> November, 2003.

3.5.4. AHPPL now proposes an expansion of port through outer harbour development and also conversion of existing berths to multipurpose. Outer harbour will consist of total 19 multi-purpose berths which can handle all kinds of dry cargo, project cargo, container cargo, liquid cargo and Cryogenic Gas up to -160°C.

3.5.5. The proposed project falls under 7(e) - Ports, Harbors, Dredging, and Reclamation, of the schedule to the EIA Notification, 2006 and its subsequent amendments. Total cost of the project is Rs. 14030.50 Crore.

3.5.6. ToR for the proposal was granted vide letter No.10-47-2016-IA-III dated 1<sup>st</sup> August, 2017 during the EAC meeting held on 29<sup>th</sup> June, 2016, 12<sup>th</sup>- 14<sup>th</sup> April, 2017 and 25<sup>th</sup>- 27<sup>th</sup> May, 2017.

3.5.7. Cumulative configuration (already approved and proposed expansion) of the Adani Hazira Port is given below.

a	Number of berth	31 Nos (existing 12 and expansion 19)
b	Cargo Handling Capacity	234 MMTPA (Existing 84 and expansion 150)
c	Area of the project	1583.67 Ha. (Existing 873.27 and expansion 710.4)
d	Water requirement	116.5 MLD (Existing 16.5 and Expansion 100 MLD)
e	Desalination Capacity	115 MLD (Existing 15 MLD and expansion 100MLD)
f	Power requirement	940 MWh/Day (Existing 240 and Expansion 700)

3.5.8. Landuse/Land cover of project site.

S.No	Landuse/Landcover	Area (ha)	%	Remarks, if any
1	Arabian Sea	328.87	47.18	
2	Built-up Land	29.65	4.25	
3	Land with Scrub	53.86	7.73	
4	Mangroves	34.36	4.93	Mangrove area within port will be conserved
5	Tidal Flat	250.26	35.91	
	<b>Total</b>	<b>697</b>		

3.5.9. Terrain and Topographic Features: The proposed project is to be undertaken on the intertidal area and is naturally at an elevation ranging from 0 m to 1 m above mean sea level as per elevation profiles map generated from SRTM Digital Elevation Model (DEM) data Satellite image of 1 arc second. Based on the physiography map of the study area, it can be inferred that the elevation profile within the study area ranges from (-)7m to 21m w.r.t MSL.

3.5.10. Water Bodies: Pond in Hazira Village located at the distance of 1.5 Km SE, Tapi River is located at the distance of 0 Km and Arabian Sea is located at the distance of 0 Km. No impacts are envisaged on the water bodies.

3.5.11. Waste Management: The wastes that could be generated during the construction phase are: construction waste, solid waste and hazardous waste. **Construction and Demolition Wastes:** There is no demolition proposed as part of this project. Wastewater Treatment: The domestic wastewater and effluent from the port activities upon development (existing inner harbour and proposed outer harbour) will be treated in the proposed STP of 2 MLD capacity and ETP of 2.5 MLD capacity respectively in addition to the existing approved STP of 2 MLD and ETP of 2.5 MLD. The overall capacity of existing and proposed STP will be 4 MLD and ETP will be 5 MLD, these facilities will be developed in phased manner upon development of AHPL. Currently, 0.075 MLD of STP has been developed and 0.050 MLD of ETP has been developed. The wastewater after treatment in ETP and STP will be used for dust suppression and greenbelt in the port. This will help in the reduction of freshwater usage inside the port. The construction wastes amounting to about 20 million tonnes per day or 300 tonnes per project in a month shall be disposed as per the guidelines of Construction and Demolition Rules, 2016.

3.5.12. Public hearing (PH)

S. No.	Date	Location	Name of District	Presided by
1.	19 <sup>th</sup> Mar 2021	Adani Hazira Port, RORO Ferry Parking Area	Surat	District Magistrate

		located at Hazira village, Chorasi Tehsil, Surat District, Gujarat		
Major issues raised	Job Opportunity, Pollution, CSR Activities, Impact to Fishermen, Land Acquisition, Healthcare and Medical Facility, Payment of Wages, Traffic, Railway lines for Cargo Transport, Disaster Management Center School Bus etc.			
Compliance by the PP	<ul style="list-style-type: none"> <li>i. During Construction Phase Temporary Employment of 150 and Permanent Employment of 50 are proposed. During Operation Phase Temporary Employment of 2000 and Permanent Employment of 500 are proposed.</li> <li>ii. EMP Budget of 2896 crores is proposed for pollution control measures as Capital cost and 102 crores as recurring cost is proposed during construction and operation phase of the project.</li> <li>iii. Capital cost of 2 crores and recurring cost of 1.8 crores is proposed for greenbelt development during construction and operation phase of the project.</li> <li>iv. CSR Amount of 19.865 crores is spent from 2015 to 2020. In the same line CSR activities will be taken up in future after completion of proposed Outer Harbour Project.</li> <li>v. No Land Acquisition is envisaged.</li> <li>vi. The proposed activities for the Outer Harbour development would not hinder the fishing activity of the fishermen. CSR for Fisherman is being implemented since 2012 by AHPL and the same will continue after commencement of operation of Outer Harbour.</li> <li>vii. AHPL is planning to develop the railway line with GRIDE a joint venture of Government of Gujarat and Indian railway.</li> <li>viii. Traffic assessment study has been undertaken by an external agency to understand the ground reality and future changes required to mitigate any risk of traffic movement or congestion. Development of road &amp; rail connectivity and augmentation of cargo handling will further result in decongestion of traffic routes.</li> <li>ix. The wages to the workers will be paid as per the national and state norms.</li> </ul>			

3.5.13. Forest diversion: The instant project does not involves diverted forest land.

3.5.14. Tree cutting: No tree cutting is envisaged for the proposed project.

3.5.15. The project is not located within 10 km of Protected Areas (PA) including National

Parks, Sanctuaries and Tiger Reserves etc.

3.5.16. Energy conservation measures: The electric power requirement during construction phase will be approximately 9000 kWh/day which will be sourced from the existing power source (GEB). Electricity requirement during operation phase will be around 7,00,000 kWh/day. It will also be sourced from GEB. However, Renewable energy source will be explored. During operation phase, power back up in form of DG sets will be available to the tune of approximately 25 MVA. Diesel consumption for the same will be approx. 200 Lit/hr.

3.5.17. Total 521.4 Ha back up area will be reclaimed by using dredge material for creating backup infrastructure, utilities, amenities, storage and other ancillary facilities. Total Dredging will be 50 Million m<sup>3</sup> for creating manoeuvring channel, basin and jetty with (-) 21 m CD draft. Construction of port basin in 189 Ha area. Rail sidings and road networks will be used for cargo evacuation.

3.5.18. The CRZ map for the proposed project has been prepared by Institute of Remote Sensing (IRS), Anna University, MoEF&CC Authorized Agency. The proposed project site falls in the following CRZ Areas.

CRZ Classification	Area in Hectares (Ha.)
CRZ IA	34.36
CRZ IA (50m Mangrove Buffer Zone)	15.03
CRZ IB	216.81
CRZ III (NDZ)	33.13
CRZ IVA	169.46
CRZ IVB	0.06
Non-CRZ	39.15
<b>Total</b>	<b>508.00</b>

3.5.19. The proposal was appraised in the 62nd GCZMA meeting and recommended the project to MoEF&CC vide letter No. ENV-10-2021-125-T dated 17/10/2022.

3.5.20. Dredging details: The proposed project will be majorly developed in the intertidal area by way of reclamation. For the purpose of the development of the proposed Outer Harbour the waterfront area will be dredged to tune of 50 Mm<sup>3</sup>; of this dredged spoil around 40 Mm<sup>3</sup> will be utilized for reclamation of project area and the remaining 10 Mm<sup>3</sup> spoil will be disposed in the identified dumping area that is located at a water depth greater than (-) 25 m CD and spatial extent of 7 km x 4km. The AHPL facility has an existing approved Oil Spill Contingent Management Plan, which will be adopted and strengthened for the proposed project also.

3.5.21. Marine disposal: To cater the water requirement of the proposed facility a 100 MLD feed water capacity desalination plant is proposed to be developed. Based on the plant's efficiency the maximum outfall from the plant is 2900 m<sup>3</sup>/hr however outfall modelling has been undertaken for 5000 m<sup>3</sup>/hr (worst case scenario) and based on the outfall modeling study it was inferred that Initial Rapid dilution of 84% is obtained at the point of outfall itself and Temporal maximum excess salinity is 0.17 ppt at the surface near outfall point (99%

dilution). The maximum extent of salinity dispersion is 70 m towards offshore (west) and 2 km north towards the mouth of existing harbour from the outfall location which reaches the base value beyond this area. The quality of the outfall water will be monitored prior to discharge to check for any change in design chamber sticks.

3.5.22. Land acquisition and R&R issues involved: Not applicable, as the proposed project will be developed within approved AHPL port limits.

3.5.23. Employment potential: during construction phase about 150 temporarily and 50 permanently people would be employed and during operation phase 2000 Temporary and 500 permanently would be employed. The project would also open both secondary and tertiary employment opportunity in the area.

3.5.24. Benefits of the project: Environmental benefits: Development of greenbelt and conservation of mangrove area falling with port boundary will enhance the biodiversity in the area. EMP for ensuring no impact on the environment. Social benefits: The project would generate employment in the region for both skilled and unskilled workers. Financial benefits: The Port expansion via development of Outer Harbour would aid the port to achieve its overall future envisaged capacity leading to increased revenue generation & contributing to the state's and nation's GDP.

3.5.25. Details of Court Cases: Hon'ble High Court of Gujarat at has dismissed the SCA 8356 of 2016. However a Civil Appeal Number 256 of 2016 in Hon'ble Supreme Court of India is still pending. AHPPL has filed Civil Appeal No. 256 of 2016 on 14<sup>th</sup> January, 2016 before the Hon'ble Supreme Court of India challenging the above mentioned order dated 8<sup>th</sup> January, 2016 of the NGT, Pune. The Hon'ble Supreme Court of India heard the matter on 28<sup>th</sup> January, 2016 and directed Company to deposit the amount of Rs. 25.00 Crore before the Collector, Surat, subject to final order in the matter pending before the Supreme Court. The Company has deposited the same as per the directives.

3.5.26. The EAC during the deliberation Observed the following:-

- i. During TOR presentation project proponent vide letter dated 27.04.2017 has submitted that Hon'ble High Court of Gujarat in its judgement dated 25.04.2017 has dismissed the SCA 8356 of 2016 filed by the M/s EBTL.
- ii. During the presentation the Committee also noted that the Hon'ble High Court of Gujarat at has dismissed the SCA 8356 of 2016. However a Civil Appeal Number 256 of 2016 in Hon'ble Supreme Court of India is still pending. AHPPL has filed Civil Appeal No. 256 of 2016 on 14<sup>th</sup> January, 2016 before the Hon'ble Supreme Court of India challenging the above mentioned order dated 8<sup>th</sup> January, 2016 of the NGT, Pune. The Hon'ble Supreme Court of India heard the matter on 28<sup>th</sup> January, 2016 and directed Company to deposit the amount of Rs. 25.00 Crore before the Collector, Surat, subject to final order in the matter pending before the Supreme Court. The Company has deposited the same as per the directives.
- iii. The current status of the above all the court cases shall submit along with the copy of above orders with the current status.

- iv. AHPPL now propose an expansion of port through outer harbour development and also conversion of existing berths to multipurpose. Outer harbour will consist of total 19 multi-purpose berths which can handle all kinds of dry cargo, project cargo, container cargo, liquid cargo and Cryogenic Gas up to -160°C. It involves the construction of 19 new berth and product mix of the existing facility which already having the EC thus the Committee advised that for the conversion of existing berths to multipurpose PP shall apply separately as per the EIA notification, 2006 and shall exclude the same from the current proposal.

3.5.27. The EAC, taking into account the submission made by the project proponent, had a detailed deliberation in its 312<sup>th</sup> meeting and **deferred** the proposal for the want of the following information/documents:-

- i. The current status of the above all the court cases shall submit along with the copy of above orders with the current status.
- ii. It involves the construction of 19 new berths and the other proposal is product mix of the existing facility, thus the Committee advised that for the conversion of existing berths to multipurpose, PP shall apply separately as per the EIA notification, 2006 and shall exclude the same from the current proposal.
- iii. Details of the products handling in the existing Port and the EC granted for handling of the products shall submit in tabular format.
- iv. Details of products to be handled in the proposed project shall also submit in the tabular format berth wise and product wise.
- v. A specific study shall be undertaken to ascertain the impact of proposed development on the mudflats and migratory birds and mitigation measures will be undertaken by a nationally reputed institute like Gujarat Institute of Desert Ecology (GUIDE) and the same shall be submitted.
- vi. The ecologically fragile area including CRZ 1A area etc shall be demarcated and superimposed on the layout plan and submitted.
- vii. Mudflat areas especially non-vegetated mudflat areas shall be demarcated in the layout and revised layout after demarcated mudflat area shall be submitted.
- viii. Details on effect of Reclamation and disposal of dredged spoil in increase in sediment concertation and its impact on morphological changes in adjacent areas.
- ix. Weather the IRS has been conducted the Field survey during the preparation of CRZ maps? If so the details shall be submit to the Ministry.

### **3.8 Any other business**

**Subject: Proposed development of Industrial Park (Area 279.995Ha) at Manallur and Soorapoondi Villages of Gummidipoondi Taluk Thiruvallur District, Tamil Nadu by**



**M/s State Industries Promotion Corporation of Tamil Nadu Limited (SIPCOT).  
[Proposal No: IA/TN/NCP/27117/2015] [File No: 21-59/2015-IA. II].**

3.8.1. The above project was received in the Ministry on 24<sup>th</sup> December, 2019 for grant of EC. The proposal was considered by the Expert Appraisal Committee (EAC) for Infrastructure, CRZ and Other Miscellaneous projects in its meeting on 25<sup>th</sup>-26<sup>th</sup> August, 2020. The EAC after detailed deliberation recommended for grant of the EC with certain conditions, Ministry accorded the EC vide letter no. 21-59/2015-IA.III dated 10<sup>th</sup> November, 2020.

3.8.2. The Hon'ble NGT Southern zone, Chennai, in the matter of D. Ranjith Kumar Versus Union of India with G. Praveena Versus Union of India. Appeal No.32 of 2020 (SZ) With Appeal No.34 of 2020 (SZ) passed a Judgement on 30<sup>th</sup> September 2022 with the following directions. The verbatim of the judgment is as following:

I. The Environmental Clearance granted to the 4<sup>th</sup> respondent by the 1st respondent/MoEF&CC for establishing an industrial park in Manallur Village, Thiruvallur District vide Proceedings F.No.21-59-2015-IA.III dated 10.11.2020 is hereby suspended till further studies and appraisal to be done as directed by this Tribunal in the following directions.

II. The MoEF&CC is directed to refer the matter to the EAC for the purpose of issuing additional ToR so as to conduct further studies by the project proponent on the following aspects:

- A fresh baseline data has to be collected for one season and secondary data will have to be collected for the remaining period so as to assess the impact of the project in the project area and the neighboring villages.
- Mention about the number of villages that are coming within 10 Km radius and the nature and categorization of the land and the nature of land use for which it has been put and impact of the project on those lands if they are agricultural lands and agricultural activities are being undertaken.
- Ascertain the number of industries (if any) situated within a distance of 10 Km and conduct a cumulative impact assessment of the project area and nearby areas and then submit mitigating measures that they are going to take to overcome the possible pollution that is likely to be caused on account of the industrial park.
- While conducting the Ambient Air Quality test, the monitoring stations will have to be located in such a way that it must cover the reserve forest area, lake which are situated within a distance of 10 Km and then assess the impact of the project on those areas as well.
- Furnish the details regarding the flora and fauna in the nearby reserve forest which are situated within a distance of 10 Km which admittedly are in existence as per the EIA Report and the impact of the project on those flora and fauna on account of the establishment of the project.
- While considering the impact of the project, mention about the nature of industries that are likely to be housed, the probable pollution that is likely to be caused with pollution index which are likely to be projected by similar industries in other areas so as to assess the likely impact of the project on environment and the neighboring areas and on that basis, they are expected

- to suggest necessary mitigation measures and also the CSR that will have to be provided to mitigate the loss that is likely to be caused to the neighboring villages and they are not only expected to consider the villages which are coming within the project area alone for the purpose of establishment of the unit alone but the neighboring villages abutting the industrial park as well.
- Consider the groundwater table in the neighboring areas by conducting proper hydrological study and thereafter, provide necessary mitigation measures to reduce the impact of the project.

III. On the basis of the further ToR issued, the project proponent is directed to prepare a draft EIA Report and conduct a fresh public hearing as required under Para (7) of the EIA Notification by uploading the EIA Report on the basis of the ToR issued along with the EIA Report already prepared by them and after getting the views of the public, prepare a final EIA and EMP and place the same before the MoEF&CC for further appraisal.

IV. On receipt of the same, the MoEF&CC is directed to refer the same for further appraisal to EAC and the EAC is directed to conduct a further appraisal in an effective manner and address all the issues and then make their recommendations or findings and then refer the matter to the MoEF&CC for further appraisal.

V. After getting the recommendations/findings from the EAC, the MoEF&CC is directed to appraise the same and make further amendments incorporating the conditions or otherwise based on the recommendations/findings of the EAC and make amendment to the EC already granted, if it proposes to grant EC, after taking into account all the impacts and the restrictions of housing such units in the eco sensitive zone etc.

VI. The NBWL is also directed to consider these aspects while considering the application for clearance to be granted under the Wildlife (Protection) Act, 1972. Till such time, the MoEF&CC is directed to await the clearance granted by the NBWL for the purpose of appraisal of the project by the EAC as well as the MoEF&CC and then take appropriate decision in this regard.

VII. The MoEF&CC is directed to issue ToR as directed after getting recommendation from the EAC within a period of 1 month from the date of receipt of this Judgment and on receipt of the same, the project proponent is directed to complete the study and prepare the draft EIA Report within a further period of 5 months and thereafter, public hearing will have to be conducted within a further period of 2 months after complying with the procedure provided under the EIA Notification and then, final EIA Report will have to be prepared and appraisal and consideration have to be completed by the EAC and the MoEF&CC within a further period of 6 months of completion of the public hearing.

VIII. The 4th respondent is directed not to carry out any activity in the project area without completion of the above process as directed by this Tribunal and further directions to be issued by the MoEF&CC in this regard.

IX. Considering the circumstances, parties are directed to bear their respective cost in the respective appeals.

X. The Registry is directed to communicate this order to the MoEF&CC, NBWL and SPCB for their information and compliance of directions.

XI. The MoEF&CC is directed to take back the file (relating to the issuance of EC) produced before the Tribunal at the earliest.

3.8.3. In compliance of the Hon'ble Tribunal Judgment dated 30<sup>th</sup> September 2022 the above matter was placed before the EAC in its 312<sup>th</sup> meeting during 03<sup>rd</sup> -04<sup>th</sup> November, 2022. The Committee had a detailed deliberation in its 312<sup>th</sup> meeting on the above matter and informed the PP that Ministry has launched a single window online PARIVESH (Pro-Active and Responsive facilitation by Interactive, Virtuous and Environmental Single-window Hub) portal on 10th August, 2018 which automates the entire process of Environmental clearances starting from submission of application to grant of clearances. Thus requested the PP to submit the online application for grant of Terms of references in compliance of the Hon'ble Tribunal Judgment dated 30th September 2022.

\*\*\*

**Annexure-A**

Following members were present during the 312<sup>th</sup>EAC (Infra-1) meeting held on 3<sup>rd</sup> - 4<sup>th</sup> November, 2022.

S. No.	Name	Designation	Remarks	
			03.11.2022	04.11.2022
1.	Dr. Deepak Arun Apte	Chairman	Present	Present
2.	Sh. S. Jeyakrishnan	Member	Present	Present
3.	Sh. Manmohan Singh Negi	Member	Present	Present
4.	Sh. Sham Wagh	Member	Present	Present
5.	Dr. Mukesh Khare	Member	Present	Conveyed inability to attend
6.	Dr. Ashok Kumar Pachauri	Member	Absent	Absent
7.	Dr. V. K Jain	Member	Present	Present
8.	Dr. Manoranjan Hota	Member	Conveyed inability to attend	Present
9.	Representative of CPCB	Member	Absent	
10.	Representative of CGWA	Member	Absent	
11.	Dr. M. V Ramana Murthy	Member	Absent	Absent
12.	Dr. Nirmalendu Kumar	Member	Absent	
13.	Dr. Niraj Sharma	Member	Present	Present
14.	Sh. Amardeep Raju	Scientist 'E' & MS - EAC (Infra-1)	Present	Present