

MINUTES OF THE 16TH MEETING OF THE EXPERT APPRAISAL COMMITTEE FOR RIVER VALLEY AND HYDROELECTRIC PROJECTS HELD ON 7TH SEPTEMBER, 2021 FROM 10.00 AM – 02:00 PM THROUGH VIDEO CONFERENCE.

The 16th meeting of the re-constituted EAC for River Valley & Hydroelectric Projects organized by the Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi, was held on 7th September 2021 through video conference, under the Chairmanship of Dr. K. Gopakumar. The list of Members participated in the meeting is at **Annexure**.

Agenda No. 16.1

CONFIRMATION OF THE MINUTES OF 15TH EAC MEETING

The minutes of the 15th EAC (River Valley Hydroelectric Project) meeting held on 25th July 2021 were confirmed.

Agenda No. 16.2

Kurha Vadhoda Islampur Lift Irrigation Scheme UPSA Sinchan Yojna with CCA 32372 Ha located at Village Rigaon, Tehsil Muktainagar, District. Jalgaon, Maharashtra by M/s Tapi Irrigation Development Corporation, Jalgaon – Reconsideration of Terms of Reference - reg.

[Proposal No. IA/MH/RIV/222524/2021; F. No. J-12011/05/2021-IA-I (R)]

16.2.1 The proposal is for grant of Terms of Reference (ToR) to Kurha Vadhoda Islampur Lift Irrigation Scheme UPSA Sinchan Yojna with CCA 32372 Ha located at Village Rigaon, Tehsil Muktainagar, District. Jalgaon, Maharashtra by M/s Tapi Irrigation Development Corporation.

16.2.2 The EAC during deliberations noted the following:

The instant proposal was deliberated by EAC in its 8th meeting held on 1st March, 2021 vide its proposal no. IA/MH/RIV/195147/2021 for grant of TOR. The project was returned by the EAC seeking additional information based on submission of project proponent.

The EAC after deliberations observed that Project proponent has violated the EIA Notification, 2006 since project proponent has started construction activity without prior Environment Clearance and from the presentation it was visible that some of the work has been completed to the extent of about 60-70%. Accordingly, it was desired that Ministry may consider taking necessary action on the violation as per law. The EAC also criticized the consultant (M/s Mantec Consultant Private Ltd.) for not bringing the violation facts clearly before the EAC. EAC further observed that though the proposal can be considered

under violation category by sectoral EAC, however considering the inconsistency and inadequacy in the submission of details, EAC desired that PP may submit the compliance of below mentioned observations for further consideration:

- (i) PP shall submit the detailed Lay out of the project & distribution system approved from CWC/State Government.
- (ii) PP shall submit the Approved Detailed Project Report
- (iii) PP shall submit the details of water availability in terms of quantity in Purna River during lean period.
- (iv) PP shall submit the reason for conducting the gross violation of EIA Notification by doing construction prior to grant of EC.
- (v) Social and environmental impacts due to diversion of canal. The proposal was returned on above lines for further submission by the Project proponent.

Now PP has again submitted the proposal with point-wise replies in response to details sought by EAC in its 8th meeting as follows:

- (i) **PP shall submit the detailed Lay out of the project & distribution system approved from CWC/State Government.**

Reply: General Layout of the project is approved by Chief Engineer, Tapi Irrigation Development Corporation, Jalgaon who is competent to approve all the designs. Central Design Organisation, Nashik of Water Resource Department have vetted all the designs and drawings. Distribution System design is yet not finalized but all the distribution system is proposed to be made with piped distribution network. Pipeline will be laid 1.2 to 1.5 m underground. Therefore, there will not be any inconvenience to any farmers or other elements. Where ever Nala or River are to be crossed, pipeline will be laid below bed level so that flow of Nala or River is not affected.

- (ii) **PP shall submit the Approved Detailed Project Report**

Reply: Detailed Project Report is sanctioned by Government of Maharashtra vide Government Resolution No. Kurha Vadhoda Islampur RAA-1108/ (697/08) MP-I, dated 05/05/2009. A copy of the same is also submitted for reference during deliberations.

- (iii) **PP shall submit the details of water availability in terms of quantity in Purna River during lean period.**

Reply: Government of Maharashtra have approved its integrated State Water Plan in February 2018. As per the State Water Plan, 100.92 Mm³ water is available for Kurha-Vadhoda Islampur Lift Irrigation Scheme. The water will be lifted from Purna River only during month of June to October when there is flood water available in the river. Water Level is raised because of Hatnur

Irrigation Project which is on the downstream side of Kurha-Vadhoda Islampur Lift Irrigation Scheme lifting point i.e pump house no. 1. No water is proposed to be lifted from Purna River in lean period.

- (iv) **PP shall submit the reason for conducting the gross violation of EIA Notification by doing construction prior to grant of EC.**

Reply: To get Environmental Clearance to this project, earlier consultant named GIS Enabled Environment & Neo-Graphic Centre (Green C) Ghaziabad was appointed by this office.

Accordingly,

- Form-I & PFR was submitted on 07.01.2009 and TOR presentation was done on 16.02.2009.
- TOR was accorded on 16.04.2009.
- Public Hearing was done on dated 16.04.2010 and 12.01.2011
- Final EIA Report was submitted on 07.04.2011. But EC presentation was not made before MoEF&CC as representatives of our department were not present. Later on, due to communication Gap, the matter could not be pursued further from Department/Consultant side.
- Meanwhile due to tremendous pressure from local representatives to start the project work, as this area is of acute water shortage, Department probably started the works, considering that as all the procedures to get EC was already completed.

- (v) **Social and environmental impacts due to diversion of canal.**

Reply: No river or canal is proposed to be diverted in the scheme. Flood water from Purna River/ Tapi River is proposed to be lifted during rainy season only. Therefore, it will not create any significant impact on downstream users. A small Nala having Catchment Area of 8.50 km² and Runoff of 1.265 Mm³ will get intercepted by construction of dam but to compensate that, additional 100.92 Mm³ water will become available in the Command Area of the Nala so that Jalgaon Jamod will get 36.79 Mm³ water benefit. Even if a regeneration of 5% is considered, enough water will become available in the surrounding area to compensate for water intercepted by Islampur Dam. In order to conserve water and minimize the loss of water, conduit pipeline system has been proposed. All the pipelines of this project will be laid underground so that there will be almost no impact on farmers and other environmental parameters. Since, water availability in the project area is going to be increased, green cover and area under horticulture will increase. Thus there will be overall benefit to the society as well as surrounding environment.

16.2.3 *The EAC after deliberations observed that the Project proponent has started construction activity without prior Environment Clearance and some of the work has been completed to the extent of about 60-70%. It is a case of violation of EIA Notification, 2006. The Ministry should take action as per the law. The proposal was **returned** on above lines.*

Agenda No. 16.3

Ujh Multipurpose (196 MW) Project in an area of 4350 ha located at village Barbari, District Kathua and Samba, Jammu & Kashmir by M/s J&K State Power Development Corporation Limited – Amendment in Environmental Clearance – reg.

[Proposal No. IA/JK/RIV/223978/2021; F. No. J-12011/39/2014-IA. I (R)]

16.3.1 The proposal is for amendment in Environmental Clearance of Ujh Multipurpose (196 MW) Project in an area of 4350 ha located at village Barbari, District Kathua and Samba, Jammu & Kashmir by M/s J&K State Power Development Corporation Limited.

16.3.2 The details of the project submitted by project proponent and ascertained from the document submitted are mentioned below:

- (i) Environmental Clearance was granted by MoEF&CC vide their letter F. No. J-12011/ 39/ 2014-IA. I dated 18.03.2021 to the Ujh Multipurpose (196 MW) Project in an area of 4350 ha located at village Barbari, District Kathua and Samba, Jammu & Kashmir by M/s J&K State Power Development Corporation Limited.
- (ii) The project envisages construction of a 116 m high (from river bed level) concrete gravity dam across river Ujh to with an installed capacity of 196 MW. An underground/surface powerhouse is proposed with 3 units of 62 MW capacity each. This is a run-of-the-river scheme. The catchment area of the project is 854 sq.km Sq. km.
- (iii) Total land requirement is 4350 ha, out of which 680.1 ha is forest land, 328.9 ha is government land and 2441 ha is private land. Total submergence area is about 3450 ha. About 3700 families consisting in 52 villages are likely to be affected by this project. The total cost of project is about Rs. 5850 crores and proposed to be completed in 72 months. Public Hearing was conducted at Kathua on 16.07.2020 and public hearing at Samba was conducted on 26.08.2020.
- (iv) The Jasrota Wildlife Sanctuary is within 10 km of project site. State Board of Wildlife has given approval vide letter dated 07.08.2020. Ujh Multipurpose Project does not involve any interstate aspect as the River Ujh, does not cross any other Indian state except Jammu & Kashmir.
- (v) The PP has submitted the application for Revision in Environmental clearance based on revised E-Flows for Proposed Ujh Multipurpose Project, Jammu and Kashmir. PP also informed that other component of Ujh Multipurpose project and EIA Report remains same as per the earlier EC.

(vi) PP informed that, in the earlier EIA Report submitted at time of grant Environmental clearance to MOEF&CC by mistake 90% dependable flow series was taken for the year 1990-91 and Environmental Flows were calculated accordingly. However, the correct 90% dependable year is 1993-94 as per which E flows have now been revised.

(vii) Environmental Flow recommended by earlier in 5th EAC for grant of EC is as under:

S. No.	Season	Percentage of Environmental Flows (of 90% dependable flow)	E Flow (m ³ /s)
1.	Monsoon	26%	31.7
2.	Lean Season	20%	3.14
3.	Non Monsoon Non Lean Season	25%	6.28

(viii) Further, PP has submitted the revised EMP in which modify the Environmental Flows as below:

S. No.	Season	Percentage of Environmental Flows (of 90% dependable flow)	E Flow (m ³ /s)
1.	Monsoon	30%	19.08
2.	Lean Season	20%	1.31
3.	Non Monsoon Non Lean Season	25%	3.32

The comparison of E-flows is as under:

S. No.	Season	Previous E Flow (m ³ /s)	Present E Flow (m ³ /s)
1.	Monsoon	31.7	19.08
2.	Lean Season	3.14	1.31
3.	Non Monsoon Non Lean Season	6.28	3.32

16.3.4: The EAC during deliberations noted the following:

The proposal is for amendment in Environmental Clearance dated 18.03.2021 to Ujh Multipurpose (196 MW) Project in an area of 4350 ha located at village Barbari, District Kathua and Samba, Jammu & Kashmir Corporation Limited.

In EIA report submitted earlier before EAC at time of grant of EC it was mentioned that due to construction of proposed project diversion of water would be drying / reduction of flow in river stretch of 9 km upto tailrace and there would be adverse impacts on riverine ecology. Depth water flow for the proposed Minimum Flow for 15 locations from proposed dam to 9 km d/s estimated on the basis of average flow during 90% dependable year. To ameliorate the riverine ecology in d/s of dam up to 9 km

(tail race) the EAC in 5th meeting recommended release of minimum Environmental Flows based on survival of aquatic life.

Accordingly, MoEF&CC granted Environmental Clearance vide their letter F. No. J-12011/ 39/ 2014-IA. I dated 18.03.2021 to the Ujh Multipurpose (196 MW) Project.

In current proposal, PP has submitted application for amendment in Environmental Clearance based on revised E-Flows for Proposed Ujh Multipurpose Project.

EAC further noted that the proposed E-flows by PP is not adequate for survival of aquatic life in the d/s of dam axis up to 9 km stretch. Prior to modify e-flows it is required to site specific study to be carried out for assessment of e-flows. The hydrological data submitted by the PP not approved from CWC. It is also emphasise by members that Reservoir stability needs to be check and submit finalized stage-II DPR to this ministry before EAC for amendment of proposal.

16.3.5: *The EAC after detailed deliberation observed that partial information and insufficient data was submitted by PP and accordingly asked PP and consultants to come prepared before any appraisal of proposal. The PP could not provide proper justification for the present amendment proposal. As the adequate flow in river decides the survival of many fish species, including endangered Golden mahseer and other aquatic animals and ultimately the stability of the river ecosystem. Further, considering the inconsistency and inadequacy in the submission of details, EAC desired that PP may submit the following information for further consideration:*

- (i) *CWC approved Hydrological series, which has been used for the design of the project to be submitted.*
- (ii) *Site specific study to be carried out for accurate assessment of E-flow based on the ecological requirement of fish species in consultation with CIFRI.*

*The proposal was **returned** on above lines for further submission by the Project proponent.*

Agenda No. 16.4

Tawang Hydroelectric Project Stage -I of 600 MW as Run of River scheme in an area of 277.06 ha by M/s NHPC Ltd in Jung village, District Tawang, Arunachal Pradesh - Extension of Validity of Environmental Clearance – reg.

[Proposal No. IA/AR/RIV/18462/2013; F. No. J-12011/53/2006-IA. I (R)]

16.4.1: The proposal is for Extension of Validity of Environmental Clearance of Tawang Hydroelectric Project Stage -I of 600 MW as Run of River scheme in an area of 277.06 ha by M/s NHPC Ltd in Jung village, District Tawang, Arunachal Pradesh

Project Proponent has applied on Parivesh portal on dated 6th May 2021 for Extension of Validity of Environmental Clearance of Tawang Hydroelectric Project Stage-I of 600 MW and accordingly proposal was appraised in 13th EAC meeting on 16th June 2021.

16.4.2 The EAC during deliberations noted the following:

The EAC during 13th meeting noted that the proposal for extension in validity of EC dated 10th June, 2011 since as per EIA Notification, 2006, the period of validity of EC is 10 years and extendable for 3 years in case PP applies within the expiry date of EC.

PP has requested for extension in validity of EC as project could not commence due to non-accord of Forest Clearance (Stage-I) by MoEF&CC. Since PP has applied the proposal for extension in EC and considering extendable period is 3 years as per EIA Notification, 2006 and its amendments therein, the EC may be extended till 9th June, 2024.

Accordingly, EAC recommends the proposal for extension in validity of EC dated 10th June, 2011 to Tawang Hydroelectric Project Stage-I of 600 MW by M/s NHPC Ltd. in Jung village, District Tawang, Arunachal Pradesh till 9th June, 2024, under the provisions of EIA Notification, 2006 and subsequent amendments/circulars with the condition that Ministry of Power shall look into the progress of the project and make sure that project get commissioned within stipulated time period as project cost must have escalated since, 2011.

16.4.3 During deliberation of proposal for grant of extension of EC validity in the Ministry, following observation has been noted:

“It appears that the EC originally given in 2011 is for commencement of work and not completion of work. In the past 10 years work has not commenced due to non-accord of Forest (Stage-I) which is reportedly pending for want of compliance under FRA, 2006 by the Govt. of Arunachal Pradesh. Gram Sabha meetings under FRA 2006, are pending in 6 out of 13 villages since May 2015, due to local agitation. It may be prudent to firstly modify the condition that the validity is for completion of the project and not for commencement of construction- an approach being adopted in other similar cases. Secondly EAC may clarify that in case of non- completion of the project within the stipulated validity period, the project shall have to apply for fresh EC after following process laid down in the EIA notification including PH (if EAC so recommends at that time). Thirdly, we may also seek inputs from MoP regarding status of the project and their comments on the likelihood of completion of project within the requested time period. Would suggest that EAC may examine the matter and give its recommendations.”

16.4.4: *The EAC after detailed deliberations observed that earlier recommendations given by the EAC in its 13th meeting were as per the provisions of EIA Notification, 2006 and subsequent amendments/circulars. If project proponent fails to implement the proposal within the validity period mentioned in the exiting EC then PP will have to apply fresh EC proposal as per EIA Notifications, 2006 and amendments therein. The Member, representative of CEA informed the Committee that implementation of this project is being actively monitored by the CEA/Ministry of Power with a view to encourage hydro power, particularly in North- East Region of the Country. CEA/Ministry of power are in view that the project may be implemented on priority and M/s. NHPC Ltd is also making lot of efforts to execute this project.*

The EAC therefore recommended that, Ministry may consider the proposal as **recommended** for grant of extension in validity of EC dated 10th June, 2011 to Tawang Hydroelectric Project Stage-I of 600 MW by M/s NHPC Ltd. in Jung village, District Tawang, Arunachal Pradesh till 9th June, 2024, under the provisions of EIA Notification, 2006 and subsequent amendments/circulars therein subject to following additional conditions:

- i. *PP shall submit Stage-I Forest Clearance for diversion of forest land to non-forestry activity prior of grant of extension in EC.*
- ii. *Six-monthly compliance report including status of completion of project shall be submit to Ministry's Integrated Regional Office (IRO) and Ministry of Power.*

Agenda No. 16.5

Tawang Hydroelectric Project Stage-II of 800 MW as Run of River scheme in an area of 237.88 ha by M/s NHPC Ltd. in Yusum/Kundung village, District Tawang, Arunachal Pradesh - Extension of Validity of Environmental Clearance – reg.

[Proposal No. IA/AR/RIV/18461/2013; F. No. J-12011/54/2006-IA. I (R)]

16.5.1: The proposal is for Extension of Validity of Environmental Clearance of Tawang Hydroelectric Project Stage-II of 800 MW as Run of River scheme in an area of 237.88 ha by M/s NHPC Ltd. in Yusum/Kundung village, District Tawang, Arunachal Pradesh –

Project Proponent has applied on Parivesh portal on dated 6th May 2021 for Extension of Validity of Environmental Clearance granted by MoEF vide letter no. J-12011/54/2006-IA-I dated 10th June, 2011 to Tawang Hydroelectric Project Stage-II of 800 MW. Accordingly, proposal was appraised The proposal was placed in 13th EAC meeting on 16th June 2021.

16.5.2 The EAC during deliberations noted the following:

Earlier, EAC during its 13th meeting noted that the proposal for extension in validity of EC dated 10th June, 2011 since as per EIA Notification, 2006, the period of validity of EC is 10 years and extendable for 3 years in case PP applies within the expiry date of EC.

PP has requested for extension in validity of EC as project could not commence due to non-accord of Forest Clearance (Stage-II) by MoEF&CC. Since PP has applied the proposal for extension in EC and considering extendable period is 3 years as per EIA Notification, 2006 and its amendments therein, the EC may be extended till 9th June, 2024.

Accordingly, EAC recommended the proposal for extension in validity of EC dated 10th June, 2021 to Tawang Hydroelectric Project Stage-II of 800 MW by M/s NHPC Ltd in Yusum/Kundung village, District Tawang, Arunachal Pradesh till 9th June, 2024, under the provisions of EIA Notification, 2006 and subsequent amendments/circulars with the condition that Ministry of Power shall look into the progress of the project and make sure that project get commissioned within stipulated time period as project cost must have escalated since, 2011.

16.5.3 During Processing of proposal for grant of extension of EC validity, Ministry observed the following:

“It appears that the EC originally given in 2011 is for commencement of work and not completion of work. In the past 10 years work has not commenced due to non –accord of Forest (Stage-II) which is reportedly pending for want of compliance under FRA, 2006 by the Govt. of Arunachal Pradesh. Gram Sabha meetings under FRA 2006, are pending in 6 out of 13 villages since May 2015, due to local agitation. It may be prudent to firstly modify the condition that the validity is for completion of the project and not for commencement of construction- an approach being adopted in other similar cases. Secondly EC may clarify that in case of non- completion of the project within the stipulated validity period, the project shall have to apply for fresh EC after following process laid down in the EIA notification including PH (if EAC so recommends at that time). Thirdly, we may also seek inputs from MoP regarding status of the project and their comments on the likelihood of completion of project within the requested time period. Would suggest that EAC may examine the matter and give its recommendations.”

16.5.4 *The EAC after detailed deliberations observed that earlier recommendations given by the EAC in its 13th meeting were as per the provisions of EIA Notification, 2006 and subsequent amendments/circulars. If project proponent fails to implement the proposal within the validity period mentioned in the exiting EC then PP will have to apply fresh EC proposal as per EIA Notifications, 2006 and amendments therein. The Member, representative of CEA informed the Committee that implementation of this project is being actively monitored by the CEA/Ministry of Power with a view to encourage hydro power particularly in North- East Region of the Country. CEA/Ministry of power are*

in view that the project may be implemented on priority and M/s. NHPC Ltd is also making lot of efforts to execute this project.

as Run of River scheme in an area of 237.88 ha by M/s NHPC Ltd. in - Extension of Validity of Environmental Clearance – reg.

*The EAC therefore **recommended** the proposal for extension in validity of EC dated 10th June, 2011 to Tawang Hydroelectric Project Stage-II of 800 MW by M/s NHPC Ltd. in Yusum/Kundung village, District Tawang, Arunachal Pradesh till 9th June, 2024, under the provisions of EIA Notification, 2006 and subsequent amendments/circulars subject to following additional conditions:*

- i. PP shall submit Stage-I Forest Clearance for diversion of forest land to non-forestry activity prior of grant of extension in EC*
- ii. Six-monthly compliance report including status of completion of project shall be submit to Ministry's Integrated Regional Office (IRO) and Ministry of Power.*

The meeting ended with vote of thanks to the Chair.

ATTENDANCE LIST

Sr. No.	Name & Address	Role	Attendance
1	Dr. K. Gopakumar	Chairman	P
2	Dr. N. Lakshman	Member	P
3	Dr. Mukesh Sharma	Member	P
4	Dr. B. K. Panigrahi	Member	P
5	Dr. Chandrahas Deshpande	Member	P
6	Dr. A. K. Malhotra	Member	P
7	Dr. Uday Kumar R.Y.	Member	A
8	Dr. Narayan Shenoy K	Member	P
9	Shri Balraj Joshi	Member (Abstained during the appraisal of M/s NHPC projects)	P
10	Shri Sharvan Kumar	Member (Representative of CEA)	P
11	Shri A. K. Singh	Representative of CWC	A
12	Dr. J. A. Johnson	Representative of WII	P
13	Dr. A. K. Sahoo	Representative of CIFRI	P
14	Dr. Vijay Kumar	Representative of Ministry of Earth Sciences	A
15	Shri Yogendra Pal Singh	Member Secretary	P

APPROVAL OF THE CHAIRMAN

9/20/21, 10:57 AM

Gmail - Fwd: Draft Minuted of the 16th EAC meetinh held on 7.09.2021-reg



Geet Deep Bisht <geetdeepbisht@gmail.com>

Fwd: Draft Minuted of the 16th EAC meetinh held on 7.09.2021-reg

1 message

Yogendra Pal Singh <yogendra78@nic.in>
To: geetdeepbisht <geetdeepbisht@gmail.com>

Sun, Sep 19, 2021 at 10:23 PM

From: kgopa@iisc.ac.in
To: "Yogendra Pal Singh" <yogendra78@nic.in>
Sent: Sunday, September 19, 2021 8:59:43 PM
Subject: Re: Draft Minuted of the 16th EAC meetinh held on 7.09.2021-reg

Dear Dr Yogendra
We can approve it now , since we have taken all the suggestions from the experts
With regards
Gopakumar

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From: Yogendra Pal Singh <yogendra78@nic.in>
Sent: Friday, September 17, 2021 5:35:04 PM
To: Gopakumar K <kgopa@iisc.ac.in>
Subject: Draft Minuted of the 16th EAC meetinh held on 7.09.2021-reg

External Email

Dear Sir,
Please find attached the draft MoM of the EAC meeting held held on 07.09.2021 for approval please. Comments received from the expert members (Sh. Balraj Joshi, Dr. J. A. Johnson and Shri Sharvan Kumar) have been duly incorporated.

With Regards,

Yogendra Pal Singh
Scientist 'E'
M/o Environment, Forest and Climate Change
Room No. 236, 2nd Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh, New Delhi-110003
Tele-fax: 011-24695365



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