

MINUTES OF THE 9th MEETING OF THE RE-CONSTITUTED EXPERT APPRAISAL COMMITTEE (EAC) ON ENVIRONMENTAL IMPACT ASSESSMENT (EIA) OF THERMAL POWER PROJECTS HELD ON 15TH APRIL, 2021

The 9th Meeting of the re-constituted EAC (Thermal Power) organised by the Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi was held on 15th April, 2021 through video conference under the Chairmanship of Shri Gururaj P. Kundargi. The list of Members present in the meeting is at **Annexure A**.

Item No.9.1: CONFIRMATION OF THE MINUTES OF THE 8th EAC MEETING

The Minutes of the 8th EAC (Thermal Power) meeting held on 01.03.2021 were confirmed in the meeting.

Agenda No. 9.2

Amravati Thermal Power Project of 1350 MW (5x270MW) in an area of 1045 acres by M/s Rattan India Power Limited at Additional Amravati Industrial Area Village Nandgaonpeth, District Amravati (Maharashtra) – Reconsideration of Environmental Clearance (EC) Modification –Reg.

[Proposal No. IA/MH/THE/188275/2020; F. No. J-13011/49/2008-IA. II (T)]

9.2.1 The proposal is for amendment in Environmental Clearance to Amravati Thermal Power Project of 1350 MW (5x270MW) in an area of 1045 acres by M/s Rattan India Power Limited at Additional Amravati Industrial Area Village Nandgaonpeth, District Amravati (Maharashtra).

9.2.2 The EAC during deliberations noted the following:

Earlier, Environment Clearance was granted to 1320 MW (2X660 MW) Thermal Power Project in an area of 1045 acres (including 300 acres ash pond and 260 acres greenbelt) at additional Amravati Industrial Area, Nandgaonpeth, District Amravati, Maharashtra by M/s Sophia Power Ltd. was granted on 27th February, 2009.

Further, EC Amendment was granted to 1320 (2X 660) MW Stage Coal based TPP of M/s Indiabulls Power Ltd (formerly M/s Sophia Power Ltd) for change in configuration from 2X 660 MW to 5 X 270 (1350 MW) MW on 15th July, 2010. Extension in EC of 5X270 MW was granted on 14th October, 2014 to M/s Indiabulls Power Ltd.

Also, Expansion in EC for addition in capacity of 5X 270 MW (Stage II) in an area of 1350 acres

(including 292 ha ash pond) for both Phase I and II was granted on 27th May, 2011 to M/s Indiabulls Power Ltd.

Phase I of 1350 MW (5x270 MW) was commissioned in March, 2015 and the plant is under operation supplying power to MSEDCL under long term PPA.

PP submitted that Phase II of the project could not be materialized and construction halted due to various reasons mentioned as in earlier EAC meeting. Phase II Construction has been stalled and the Environment Clearance was valid till 26th May, 2018

PP has proposed to revise the Land requirement for Phase-I is as below:

	As per EC granted for Phase I (Acre)	Surplus Land (Acre)	Revised Land requirement (Acre)	Reason for surplus land
Main Plant Area and Miscellaneous	425	25	400	Due to land reduction of common facilities like CHP and other plant ancillaries.
Ash dyke	300	49	251	Required for Ash Storage subsequent to the MoEF&CC Notification dated 25.01.2016 Regarding 100% Utilization of Fly Ash. Amravati has been achieving 100% Fly Ash Utilization for the past 4 Financial years since April 2016.
Green Belt	260	0	260	No change
Township	60	42	18	Due to reduction of man power required for Phase II.
Total (in Acres)	1045	116	929	

Also, PP has requested to surrender the area of Phase II Environment Clearance of 305 acres i.e. (1350 acres – 1045 acres).

Overall 421 Acres land (305 Acres from Phase II and 116 Acres from Phase I)

9.2.3 In view of this, PP has requested for amendment of Environment Clearance for Phase I with revised boundary demarcation for the land requirement of 929 Acres as mentioned in table above.

The proposal was earlier considered by reconstituted EAC in its 5th meeting held on 30.12.2020 and

deferred the proposal seeking additional information which is reflected in the Minutes of the 5th Meeting.

Point-wise replies submitted by the PP vide letter dated 3.04.2021 in response to additional details sought (ADS) by EAC in its 5th meeting are as follows:

S. No.	EAC Query	Rattan India Power Limited Reply
1	A letter from the MIDC (who has leased the land to the PP for the power project) that MIDC has no-objection to the surrender of surplus land including intimation of pending legal issues, if any.	<p>MIDC has allocated 1,350 acres land to RPL on 95 years lease at Additional Amravati Industrial Area. The land is a notified industrial area vide Gazette Notification No. 564 dated 27.12.1993. Further on discussion with MIDC, it was informed that the land related issues shall be strictly as per the terms and conditions mentioned in the signed lease deed. As per the Lease Deed, we cannot sell whatever land portion is released from EC as the land is under long term lease with MIDC. Further even for the alternate use, specific approval from MIDC will be required. Kindly refer Clause No. 2 v) of Lease Deed reproduced below. Further it is confirmed that no legal issues are pending with MIDC.</p> <p><i>Clause No. 2 v) - "Not to assign, underlet or part with the possession of the demised premises or any part thereof or any interest therein without the previous written consent of the Chief Executive Officer and the Chief Executive Officer may in his absolute discretion refuse such consent or grant the same subject to such conditions as he may think fit including the condition for payment of premium and in any event not to assign, underlet or transfer the Lessee's interest therein so as to cause any division of metes and bounds or otherwise to alter the nature of this present demise"</i></p>
2	Regional Office of MoEF&CC, Nagpur will submit a latest point-wise compliance report on the EC conditions especially on the implementation of greenbelt development for Phase-I.	Plant Visit for monitoring of compliance of Environment Clearance conditions was conducted by Regional Office of MOEF&CC Nagpur on 26.03.2021. Copy of the compliance report has been circulated to Hon'ble EAC Committee Members. RPL has complied with the terms and conditions of the Environment Clearance granted by MOEF&CC. We have already completed 294.38 acres of Green Belt and as advised by

		RO, MOEF&CC, Nagpur, an additional 15 acres shall be planted during the coming monsoon season.
3	The status of acquisition of land earmarked for Phase II including the current land use pattern of this land. Information regarding Phase II land use also needs to be confirmed by the MIDC.	Entire land for Phase I and Phase II i.e. 1,350 acres has been acquired from MIDC under long term lease for 95 years. The land is in notified industrial area and the entire land is under the possession of RPL. Lease Deed signed with MIDC has already been submitted. Possession Receipt has been submitted.

9.2.4 During the 9th meeting of the EAC examined the replies in response to additional details sought by EAC in its 5th meeting and noted that compliance report dated 31.03.2021 received from RO, MoEF&CC has reported certain non-compliance of the conditions in the existing EC. The EAC asked the PP to submit the point-wise implementation status of these non-complied EC conditions. The PP submitted the implementation status as under:

S. No	EAC Query in 9th meeting	Condition	Rattan India Power Limited : Action taken and Proposed
1.	Action Taken Report on Non-Compliance as mentioned in the Environment Clearance Amendment granted on 15.07.2010	The project proponent shall facilitate the State Government in creation of a Committee under the charge of District Collector and comprising of a representative of the Maharashtra Pollution Control Board and civil society. The Committee shall monitor the performance of the power plant with respect to impact on the environment and submit its report to the Regional Office of the Ministry of Environment and Forests. The Committee shall meet at least once a year.	We have already written various letters to District Collector Amravati and Local NGO Society for formulation of a Committee in compliance to Environment Clearance condition. Copy of the letters are enclosed as "Annexure A" It is submitted that the creating of Committee shall be completed in next six month time and a yearly meeting will be conducted in December, 2021 and report submitted along with the six monthly compliance report to Regional Office of MOEF&CC, MOEFCC New Delhi, Central Pollution Control Board and Maharashtra Pollution Control Board.
2.	Action Taken Report on Non-Compliance as mentioned in the Environment Clearance	Harnessing solar power within the premises of the plant particularly at available roof tops shall be undertaken and status of implementation	This condition was issued by MOEF&CC while granting Environment Clearance extension for Phase I in October, 2014. Amravati Plant was commissioned

	Amendment granted on 14.10.2014	shall be submitted periodically to the regional office of the ministry.	<p>in March, 2015. This condition is in fact beneficial to the plant as it will help in reducing the internal power consumption. In view of this, we got conducted a feasibility study for harnessing solar power in the plant premises. A report dated 5th May, 2018 in this regard is enclosed as “Annexure B”.</p> <p>Amravati Thermal Plant has been running at very low Plant Load Factor (PLF) since last 5 years. Average PLF for the last 5 years i.e. from FY 2016-17 to FY 2020-21 is only 28.31% resulting into low cash flow. The establishment of solar harnessing system will require huge capital investment. This year i.e. in FY 2021-2022, we are expecting a good PLF due to increase in load in Maharashtra State. Hence we humbly request to grant us one year’s time to submit a detailed action plan in this regard considering all technical and commercial aspects.</p>
3.	List of Plants planted under Green Belt along with methodology being followed for plantation	-	<p>We have already completed 294.38 acres of green belt with about 2,45,960 nos. of trees. Same has also been confirmed in the RO MOEF&CC Nagpur compliance report dated 31st March, 2021. The current survival rate is around 87%. As advised by RO MOEF&CC Nagpur, plantation of about 63,000 saplings will be done in Phases in next 5 years to meet the tree density of more than 25,000 nos. per hectare. Further to maintain 33% area as green belt out of 929 acres, an additional 15 acres of land plantation shall be carried out in the coming monsoon season. An undertaking submitted in this regard</p>

			<p>is enclosed as “Annexure C”. Thus with this 33% Green belt requirement shall be fulfilled.</p> <p>Further the methodology adopted for Green Belt along with list of plants already planted is enclosed as “Annexure D</p>
4.	List of Environment Management Cell	-	<p>We have a dedicated Environment Management Cell at Amravati looking specifically towards environment safeguard and compliances as per the Conditions of Environment Clearance as well as Consent to Operate granted by Maharashtra Pollution Control Board. Regular monthly meetings are conducted by the team under the leadership of Plant head and preventive measures undertaken towards environment safeguard. Organogram of the Environment Management Cell is enclosed as “Annexure E”</p>
5.	A letter from the MIDC (who has leased the land to the PP for the power project) that MIDC has no-objection to the surrender of surplus land.	-	<p>In compliance to the EAC observation, we had approached MIDC and submitted letter in this regard. Copy of the letter is enclosed as “Annexure F”. MIDC refused to issue such letter but verbally drew our attention to Clause No. 2 v) of the long term Lease Deed for 95 years which says that as per the Lease Deed, we cannot sell whatever land portion is released from EC as the land is under long term lease with MIDC. Further even for the alternate use, specific approval from MIDC will be required. We have also submitted an Undertaking in this regard to MOEFCC saying that the surplus land available shall not be sold to a third party but shall be</p>

			utilized for some other infrastructure project after due permission from MIDC and if required, regulatory clearances like Environment Clearance, Consent to Establish/Operate etc. Copy of the undertaking is enclosed as “Annexure G”.
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It was observed that 33% of 929 acre of land for Phase – I is about 306.57 acres; however, PP has completed only 294.38 acres of plantation. EAC directed for 15 acres additional land for plantation and accordingly PP has to develop plantation in an area of 309.38.

It was noted that EC was granted on the name of M/s Indiabulls Power Limited however currently M/s Rattan India Power Limited has submitted the proposal of EC Amendment. The EAC enquired about transfer of Environment Clearance accordingly.

The EAC after detailed deliberations, observed that:

- (i) A concrete action plan for non-complied EC conditions as reported by RO, MoEF&CC regarding Solar Panel should be submitted. PP should submit the plan in terms of award of work and time bound implementation in this regard.*
- (ii) Soil Quality Analysis report need to be examined by the EAC as PP using fly ash in soil.*
- (iii) Plan for gap plantation every year along with Measures to be taken for increasing the Survival rate of plantation up to 90% be submitted.*
- (iv) Data on ground water table w.r.t pre and post installation of the project along rain water harvesting measures be submitted.*
- (v) Details of Environment Management Cell with qualification of members be submitted.*
- (vi) The EAC observed that the Ministry has granted EC in the year 2009 to Sophia Power Company Ltd. EC amendments were given on 15.07.2010 and 27.05.2011 subsequently in the name of M/s Indiabulls Power Ltd. However, the present proposal has been submitted by M/s Rattan India Power Limited. PP has not submitted the MoEF&CC letter regarding name change from India Bulls Power Ltd. to present name M/s Rattan India Power Limited. The EAC was of the view that it is pre-requisite to ascertain the actual proponent who is going to bear the responsibility of compliance of existing EC condition, before consideration of proposals. Further, the certified compliance report submitted by Ministry’s Regional*

Office is on the name of M/s Rattan India Power Limited however EC is still on the name of M/s Indiabulls Power Ltd. The PP should first apply/ make application for transfer of EC in the name of Rattan India Power Limited.

The EAC returned the proposal on above lines.

The meeting ended with vote of thanks to the Chair.

ATTENDANCE

S. No	Name	Role	Attendance
1.	Shri Gururaj P. Kundargi	Chairman	P
2.	Dr. N.P Shukla	Member	P
3.	Shri SuramyaVora	Member	P
4.	Dr Santosh Kumar	Member	P
5.	Dr. Umesh Jagannathrao Kahalekar	Member	P
6.	Shri K.B. Biswas	Member	A
7.	Dr. Nandini. N	Member	P
8.	Dr. Unmesh Patnaik	Member	P
9.	Shri Prasant Kumar Mohapatra	Member	A
10.	Shri M.P Singh	Member (Representative of CEA)	A
11.	Prof S. S. Rai	Member Representative of IIT/ISM Dhanbad	A
12.	Prof R. K. Giri	Member Representative of IMD	A
13.	Representative from CPCB	Member	A
14.	Shri Yogendra Pal Singh	Member Secretary	P

APPROVAL OF THE CHAIRMAN

From: "Yogendra Pal Singh" <yogendra78@nic.in>
To: gpkundargi@gmail.com
Sent: Wednesday, April 28, 2021 9:05:00 AM
Subject: Re: draft MOM of the 9th EAC meeting held on 15.04.2021-reg.

Okey Sir. Thanks.

From: gpkundargi@gmail.com
To: "Yogendra Pal Singh" <yogendra78@nic.in>
Sent: Tuesday, April 27, 2021 6:07:17 PM
Subject: Re: draft MOM of the 9th EAC meeting held on 15.04.2021-reg.

Dear Yogendra ji
Draft Minutes are fine with me & approved. You may take further action
Best wishes
G P Kundargi

On Tue, 27 Apr, 2021, 12:24 pm Yogendra Pal Singh, <yogendra78@nic.in> wrote:

Dear Sir,

Please find attached the draft MOM of the 9th EAC meeting held on 15.04.2021, for comments, if any.

With Regards,

Yogendra Pal Singh
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