

F.No.10-10/2008-IA-III
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Dated: 1 November 2011

To,
The Deputy Chairman,
M/s Kandla Port Trust,
Administrative Office Building,
Post Box No. 50, Gandhidham (Kutch),
Gujarat - 370 201.

Subject: Environmental and CRZ clearance for construction of berthing & allied facilities off Tekra near Tuna, Gujarat by M/s Kandla Port Trust -Reg.

This has reference to letter No: ENV-10-2009-1543-E dated 23.06.2010 from Director and Additional Secretary, Forests & Environment Department, Govt. of Gujarat and your subsequent letter dated 13.03.2011, 29.07.2011 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification - 2006 and Coastal Regulation Zone (CRZ) Notification, 1991/ 2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 and Coastal Regulation Zone Notification, 1991/2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, recommendation of State Coastal Zone Management Authority, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 18th - 20th January, 2011 and 21st - 23rd September, 2011.

2. It is interalia, noted that the proposal is for construction of berthing & allied facilities Off Tekra near Tuna, Gujarat. The Kandla Port is located on the West Coast of India, in the Gulf of Kutch and along the West Bank of Kandla creek at 70 00' 13"E longitude and 23 00'01"N Latitude. At present Port has 10 berths for handling Dry cargo, 2 berths for handling containers, Six Oil Jetties for handling POL products of liquid cargo traffic at Kandla within Kandla Creek and 3 SBMs at Vadinar for handling Crude oil. Kandla Port is already developed up to the Shore Line i.e. having infrastructural facility like berthing facilities, Tank Farms, Roads, Railways, Storm water Drains, Warehouses & all other amenities. The total traffic handled by the Port has increased from 24.50 Million Tonnes in 1993-94 to 79.5 Million tones of cargo in 2009-10. The present handling capacity of existing ten dry cargo berths, as assessed is only 15.00 Million Tonnes. As against this, these berths have handled 24.58 MMT, which has resulted in berth occupancy of over 90% resulting in high waiting time for

ships. The Port is also in the process of constructing additional four berths on BOT basis (13th to 16th berths) based on the environmental and CRZ clearance already obtained, with a programme to commission the facilities by 2012. With commissioning of these berths by 2012, the existing dry cargo handling capacity will increase by 8 MMTPA and the total capacity will be around 23 MMTPA. Still, there will be a shortfall between demand and supply to the extent of about 06.94 MMTPA, 08.58 MMTPA and 09.74 MMTPA by the year 2011-12, 2012 -13 and 2013-14 respectively.

3. Further, topography of Kandla Creek has its own limitations and it may not be possible to go in for further developments beyond the construction of the 17th berth in the Kandla Creek. Hence, in order to meet the requirements of the trade and to overcome the draft restrictions at Kandla Creek, it is proposed to an off-shore Berthing Facility at Tekra near Tuna in the form of 'T' Shape. Dimensions of the Jetty system: 600m X 60m (Latitude 22 53'18"N & 70 06'20"E). The berthing facility shall be connected by 2000mX18m piled approach & 1700mX18m rubble mound approach (Total 3.7 km) to back up area. The backup area proposed shall be 80 hectares. The Dredged material will be dumped in area earmarked near back up area. The back up area shall be connected to Tuna Port by road of 5.0 km length and also with railway line along the road of 5.0 km length. The quantity of Dredging worked out by CWPRS shall be 784000 m³. The Terminal will be capable of handling four vessels at a time viz. two vessels, each of 1,00,000 DWT & 15 m draught on front and two vessels, each of 75,000 DWT & 14 m draught on rear side of Jetty head. The proposed Terminal (project) will handle all type of dry bulk cargo like coal, fertilizer, its raw material, salt, wheat, iron etc. The handling capacity of the terminal is worked out to 14 MMTPA. Total capital cost of the project is estimated at Rs.1060 crores (BOT operator: 818 crores + KPT:240 crores) and the implementation period is reckoned as 24 months.

4. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental and CRZ Clearance for the project. Accordingly, the Ministry hereby accord necessary Environmental Clearance for the above project as per the provisions of Environmental Impact Assessment Notification - 2006 and Coastal Regulation Zone Notification, 2011, subject to strict compliance of the terms and conditions as follows:

5. SPECIFIC CONDITIONS :

- (i) "Consent for Establishment" shall be obtained from State Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) Scientific studies shall be carried out by some expert & reputed organization like BNHS focusing among other things the marine environment in general and the preservation of mangroves in

particular against any possible adverse impact due to creation of the proposed facilities.

- (iii) Proponent shall explore the possibilities of plantation of mangroves in the entire mud flat areas and submit the action plan to the Ministry prior to the commencement of the activity.
- (iv) The dredge material shall be reused for low level rising wherever possible and excess shall be dumped into sea at the designated dumping areas identified based on mathematical model studies.
- (v) Though the project proponent has carried out EIA for individual components and it were examined by the Committee before the issue of clearances , it is suggested that proponent shall update and submit a comprehensive EMP for the whole project and submit to the Ministry and Regional Office of the Ministry at Bhopal prior to commencement of the activity.
- (vi) The project proponent shall set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- (vii) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.

6. GENERAL CONDITIONS:

- (i) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (ii) Full support shall be extended to the officers of this Ministry/Regional Office at Bhopal by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (iii) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Bhopal regarding the implementation of the stipulated conditions.
- (iv) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (v) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.

- (vi) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (vii) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (viii) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.
- (ix) State Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

7. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994, including the amendments and rules made thereafter.

8. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

9. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bhopal

10. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.


11. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

12. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local

Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.


13. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

14. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.


(E. Thirunavukkarasu)
Deputy Director (IA-III)

Copy to:

1. The Principal Secretary, Forest and Environment Department, Block no. 14/ 8 floor Sachivalaya, Gandhinagar - 382 010, Gujarat.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum- Office Complex, East Arjun Nagar, Delhi - 110 032.
3. The Member Secretary, Gujarat Coastal Zone Management Authority & Director, (Environment) Forests & Environment Department, Block No. 14, 8th Floor, Sachivalaya, GandhiNagar-382.
4. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bhopal - 462016 (M.P.)
5. The Member Secretary, Gujarat State Pollution Control Board, Paryavaran Bhawan, Sector 10-A, Gandhi Nagar 382043, Gujarat
6. Director (EI), Ministry of Environment and Forests.
7. Guard File.
8. Monitoring File.


(E. Thirunavukkarasu)
Deputy Director (IA-III)

F. No. 10-10/2008-IA.III
Government of India
Ministry of Environment, Forests and Climate Change

Indira Paryavaran Bhawan,
Jorbagh,

New Delhi - 110 003
Dated: 10th November, 2014

To

M/s Adani Kandla Bulk Terminal Pvt Ltd.
Adani House,
Near Mithakhali Six Roads,
Navarangpura,
Ahmedabad,
Gujarat- 380 009

Subject: Change of name/transfer of EC/CRZ granted for the project "Creation of berthing and allied facilities of Tokra near Tuna (Outside Kandla creek) - Reg.

Sir,

This has reference to your letter dated 21.06.2014 regarding the subject mentioned above.

2. The request of transfer of EC/CRZ clearance dated 01.11.2011 granted to M/s Kandla Port Trust has been examined in the Ministry alongwith the MoU, Board resolution, NOC from KPT etc. The EC/CRZ clearance dated 01.11.2011 is hereby transferred to M/s Adani Kandla Bulk Terminal Pvt. Ltd. with the following conditions:

Though M/s Adani Kandla Bulk Terminal Pvt Ltd is the concessionaire for implementation of the project, the responsibility/ accountability to comply with conditions stipulated in the EC shall remain with both M/s Adani Kandla Bulk Terminal Pvt Ltd & M/s Kandla Port Trust. The Ministry of Environment, Forests and Climate Change shall hold both M/s Adani Kandla Bulk Terminal Pvt Ltd & M/s Kandla Port Trust accountable for non-compliance of EC/CRZ conditions.

Yours faithfully,


(Dr. Manoranjan Hota) --
Director