

Ref. - GKEL/MoEF&CC/2017-18/6372  
Date: 23<sup>rd</sup> March 2018

To

**Dr. S. Kerketta, Director, IA.I**  
**Ministry of Environment, Forest and Climate Change**  
Government of India,  
3<sup>rd</sup> Floor, Vayu Block,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi-110003

**Sub:** Expansion by addition of 1x350 MW Imported Coal-based Thermal Power Plant (Phase II) at Village Kamalanga, in Odapada Taluk, in Dhenkanal Distt. in Odisha by M/s GMR Kamalanga Energy Ltd.-reg. amendment Environment Clearance.

**Ref:** Your office letter dated 12<sup>th</sup> March 2018 regarding our online application no. IA/OR/THE/75/2008 dated 02.06.2017 for grant of Amendment in Environmental Clearance and extension of validity of EC.

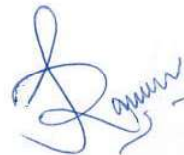
Dear Sir,

With reference to our Online Application No. **IA/OR/THE/75/2008** dated 02.06.2017 and EAC Meetings held on 24.7.2017 and 12.01.2018 for grant of Amendment in EC requesting for increase of land from 1038.5 Acres as per EC issued vide Ministry's Letter dated 5.12.2011 to 1176.24 Acres (increase of 137.74 Acres) and subsequent Complaint received by the Ministry from the villagers of Kamalanga, Manpur, Mangalpur, Tehsil Odapada, Dist. Dhenkanal, we seek your kind perusal of the following submission from our end.

As you are kindly aware, we are a large Corporate with investments in Energy, Airports, Transportation, SEZ, etc. and will always follow the Law of the Land. GMR Kamalanga Energy Limited (GKEL) was set up based on a MoU between GKEL and Govt. of Odisha. Based on the MoU conditions, Odisha Industrial Infrastructure Development Corporation (IDCO), the Nodal Agency of Govt. of Odisha acquired the requisite land and leased the same to the Company to set up the proposed Power Plant.

In Phase I, GKEL constructed & commissioned 3x350 MW which is supplying Power to Odisha, Haryana and Bihar under long term PPA since 2013-14. Phase II – 1x350 MW is under construction.

Plant Office:  
AT/PO: Kamalanga, PS: Kantabania  
VIA: Meramundali, Dist.: Dhenkanal 759121  
Odisha



Regd. Office:  
25/1, Skip House, Museum Road,  
Bangalore-560 025

Our Point-wise clarification on the Complaints of the Villagers is as below:

In regard to the point No.3 (of your letter):

- i) We wish reiterate that the entire land required for the project was acquired by IDCO under the Land Acquisition Act and GKEL has no role regarding the land acquisition except to follow the directions of the Land Acquisition Office for deposit of award amount with IDCO/ Dist. Authority. GKEL has never given any false information to any Authority regarding the land acquired for the Project by IDCO. The company has always provided the correct details of land after verifying it from the available Govt. records at the relevant offices and IDCO.

It is further submitted that Orissa Resettlement & Rehabilitation Policy, 2006 is applicable for those families/persons, who have been displaced due to the project. During the land acquisition process, it is found that none of the families were displaced due to the project and coming under the ambit of the definition "Displaced Family" under Orissa Resettlement & Rehabilitation Policy, 2006". Therefore, they are not entitled to get the benefit of Resettlement and Rehabilitation as a displaced person. All detail records are available with the Land Acquisition Office; Odapada; Dhenkanal / Govt. of Odisha.

Apart from the above, even at the Rehabilitation and Peripheral Development Advisory Committee (RPDAC) meeting, it was accepted that there was no displacement during the land acquisition for the project. Hence, the question of not extending the benefit to the project-affected families do not arise at all, including those families as alleged in the present complaint.

With regards to the acquisition of SC/ST Land, all land acquired from SC/ST was also Private Land without displacement for which there are no complaints except in the case of 14 SC/ST families. There are 14 SC/ST families who were allotted 0.04 Acre land each under the Basundhara Scheme of Govt. of Odisha which was falling within the Compact Area of the plant. While acquiring the land by IDCO, these families had not constructed any dwelling & were residing in private land elsewhere and did not fall under "Displaced Persons" as per R&R Policy. As per Govt. Guidelines, they were also fully compensated the Award Amount. In addition, on humanitarian considerations, the Company gave additional compensation as well as one job to each of the families through its Contract Agencies. They are still engaged.

However, under influence of some vested interests, these families filed complaints with multiple Authorities like the Collector, Revenue Dept. as well as the Human Rights Commission. All the complaints were disposed of in favour of GKEL.



ii) As per the MoEF Letter dated 01.09.2017, the Public Notice has been published in two (2) Newspapers; one in English daily -The New Indian Express and the second one in Odia daily – Suryaprava, on 26.10.2017. The New Indian Express and Surya Prava – both the Newspapers are having circulation in Dhenakanal & Angul District. GKEL has issued the order to the above both publications and they have published accordingly. The copy of the same is very much available on the website of both Newspapers and the hard copy already submitted in your good office.

iii) The break-up of the land with clarification/details are given below:

Sl. No.	Particulars	As submitted by the complainant [Acres]	Submitted by GKEL [Acres]	Actual with clarification / Details
1	Direct Approach Road	31.41	31.41	Not applicable
2	MGR Railway Line	30.79	30.79	Not applicable
3	Left out Area	22.84	31.19	Left out Plots in Compact Area – Ac 22.84 is only in Kamalanga Village, but we have additional land in Mangalpur adding up to Ac. 31.19.
4	Permissive Possession	54.02	19.74	Land in Permissive possession is Ac. 57.32, not Ac. 54.02 as per Complainant. Out of this, to the extent of Ac 37.58 is already accounted in earlier approval of land i.e. Ac 1038.50. The balance Ac.19.74 is applied in the amendment of EC.
5	PGCIL Transmission Line	Inside the Compact Patch	17.67	Originally PGCIL transmission line is passing across the project site under ROW. GKEL in consideration of Safety norms, is diverting this line along the periphery. As the land under the original PGCIL line was under ROW, had to be acquired subsequently. This land lies within the compact patch of the plant.
6	Periphery Development		7.33	This is wrongly stated by the complainant. This land parcel is outside the plant boundary and not inside the compact patch.

- iv) For the purpose of transmitting the power from its generating power plant to its customers, the Company proposed to construct the dedicated 400 KV transmission lines to Angul and Meramundali. GKEL followed the provisions of the Electricity Act, 2003 and constructed the said transmission line after detailed survey of the alignment and after plotting the same on village map. Orissa Power Transmission Corporation Limited (OPTCL) accorded the approval for construction of the said transmission line and also published a notice in the Orissa Gazette dated 29<sup>th</sup> March, 2014, wherein, objection or observation from general public was invited within 2 (two) months from the date of publication of the notification against the laying of such transmission lines. No person including the present complainants ever raised any objections against the said notification within the given timelines.

As OPTCL is a licensee under Section 164 of the Electricity Act and entered into an agreement with GKEL for construction of a 400 KV Single circuit line from GKEL to OPTCL Grid in Meramundali, GKEL is not required to acquire or possess or occupy any land for the purpose of laying down transmission line. As such, GKEL has not violated any provision of the Prevention of Land Encroachment Act, 1972. It is well settled that no land acquisition is required for installation of electric tower or laying of transmission lines.

Based on certain complaints received, on 1<sup>st</sup> January, 2016, Tahasildhar; Odapada; Dhenkanal (Dist.) issued a Show Cause Notice under Sections 4, 6 and 7 of the Encroachment Act and thereafter, on 15<sup>th</sup> January, 2016, Tahasildhar passed an order of eviction against GKEL.

Against the said order, GKEL filed an appeal before Sub-Divisional Magistrate-cum-Sub-Collector; Dhenkanal. The said appeal was heard and disposed of vide an order dated 3<sup>rd</sup> May, 2017. The learned Sub-Collector, by such order, was pleased to record that the GKEL, had never claimed possession of the suit land and only claimed a right of way on the same. It was also recorded that the kissam of the suit plots are Patharbani and Gochar as per the LR. No.357 dated 20.04.17 submitted by the Asst. Settlement Officer, Record Room, Dhenkanal, not Forest land.

In view of the above, it is submitted that we have not encroached upon any forest land. Further, it was also recorded that the kism of the plots are Patharbani and Gochar, not Forest land. Therefore, we have not proceeded for diversion approval from the Central Govt./State Govt.



- v) As of now, we have received two (2) notices from NGT (Kolkata), which are pending and the same are being contested by us as per Law.
- vi) The points (a) and (b) herein is a part of the proceedings of the case pending before NGT, which is related to the alleged encroachment of the plots in question and the same is explained in detail above, to the reply of Point No. iv.

It is submitted, that GKEL, as a Company has always adhered to the Law of the Land and well followed all policies, guidelines issued by the Govt. of Odisha in relation to Rehabilitation etc., wherever applicable.

We would like to highlight that GKEL, through its CSR wing, GMR Varalakshmi Foundation (GMRVF) carries out extensive Social Programs for the upliftment of the people in the vicinity, providing maximum benefits to the Project Affected Families. It provides support in Education, Healthcare & Hygiene, Empowerment & Livelihood. GKEL is operating a well-equipped 15 bed Hospital and a DAV School in Kamalanga for the benefit of the local community. We provide subsidised Medical Treatment, Free Medical Insurance for more than 2300 families, Mobile Medical Unit extending free medical treatment & medicines to all the villages in the surrounding area. All the Project Affected Families are provided free education to their children in the DAV School. The Company has implemented a unique Livelihood Restoration Program (LRP) for more than 1500 Project Affected Families for improving their income levels through Micro-Business, Livestock support and Skill Development. We have providing piped Drinking Water facility for 5 villages. Many civic amenities like Roads, Street Lights, Community Building, School Building Refurbishment, etc. have also been provided in the villages for improving the living conditions of the Community. GKEL is committed for the economic growth of local community.

**Livelihood Restoration Program (LRP) :**

- In order to enhance economic standard of 1500 land loser families in three years, GKEL started a special program, Livelihood Restoration Program (LRP), in 2016-17. GKEL provides support for farming, livestock rearing, skill training and enterprise development. More than 1500 families have been benefitted from farming and livestock support like SRI paddy, backyard plantation, mushroom cultivation, groundnut cultivation, backyard poultry, goatary farming, and fishing.
- More than 100 girls benefitted through tailoring training, producing garments and selling in local and outside market
- Women members of 4-5 SHGs benefitted through making phenyl, agarbathi, washing powder etc. and selling to pre decided buyers.
- Youth group, cultural groups are also benefitted in various ways like support for organizing cultural programs, sports etc., in the community.



- More than 30 youth got vocational training and are either engaged or self- employed.
- 103 youth sponsored to various training institutions (for skill development training) like Gram Taranga & Hotel Management Institute in Bhubaneswar, GMR training centres in Rajam and Hyderabad, Training centre in Angul.
- GKEL provides technical training on farming, livestock rearing and support required quality inputs which result into better return and income. Skill training followed by employment or self -employment has benefitted 10 youth under this program. Various types of enterprises are growing in the region with the support of LRP program of GKEL.

These supports not only increase income but also provide alternative livelihood option for the project- affected community on a sustainable basis.

**Lastly, we wish to bring to your kind notice that these frivolous and malicious complaints are being made at the behest of two persons with some vested interest against our organisation. Both these persons have been threatening GKEL with ulterior motives and are frequently registering un-substantiated Complaints and Cases at various Administrative Depts., Human Rights Commission, NGT, etc. with a view to extract benefits from GKEL. The complainants by not providing the proper addresses and the contact details, it appears the names are fictitious and the signatures forged.**

In view of the above facts and clarifications, provided by us, we request your good offices to kindly issue us the amended Environment Clearance.

Thanking you,

Yours sincerely,  
for GMR Kamalanga Energy Limited,



**Ramesh R. Pai**  
**Chief Operating Officer**